



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 8/28/2024

REQUESTER: Katja Wanda Liebermann

PRESENTER: Justin Fish, Planner I

ITEM TITLE: CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2425-01: KATJA WANDA LIEBERMANN REQUESTS A VARIANCE TO 36-514(c)(2)(a) OF 1' TO THE 5' SIDE YARD (WEST) SETBACK FOR A NEW GARAGE TO BE LOCATED APPROXIMATELY IN THE SAME LOCATION AS AN EXISTING SHED FOR PROPERTY LOCATED AT 1116 W. EUFAULA STREET.

APPLICANT Katja Wanda Liebermann

LOCATION 1116 W. Eufaula Street

ZONING R-1, Single Family Dwelling District

REQUESTED ACTION Variance to 36-514(c)(2)(a) of 1' to the 5' side setback, resulting in a 4' side yard setback on the West property line for a detached garage.

SUPPORTING DATA Location Map
Application with attachments
Site Plan

SYNOPSIS: The applicant is seeking the approval of a variance for the construction of a detached garage. This accessory building will be located along the west property line. The variance requested is as follows:

1. A variance of 1' to the required 5' side yard setback.

The application, site plan, and the variance justification form are attached for your review.

VARIANCE CRITERIA PER SECTION 570(k):

A variance from the terms of this ordinance shall not be granted by the Board of Adjustment unless and until:

- (1) An applicant shall submit to the Board of Adjustment a written application indicating:

- (a) That special conditions and circumstances exist that are peculiar to the land, structure, or building involved and are not applicable to other lands, structures, or buildings in the same district;
- (b) That the literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance;
- (c) That the special conditions and circumstances do not result from the actions of the applicant;
- (d) That granting the variances requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structure, or buildings in the same district;

No non-conforming use of neighboring lands, structures, or buildings in the same district and no permitted use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

Please see the attached justification from the applicant.

DISCUSSION: A dilapidated shed currently sits on the subject property. The applicant desires to replace the existing 10' 3" x 19' shed with a 12' x 24' detached garage. The increase in size would allow for the storage of a vehicle while leaving space for the vehicle's door to be opened. The proposed garage would remain at the current 4' setback of the original shed with the additional 2' extending east towards the house. Between the house and shed there is a gate to the backyard. The increase in size to the accessory building will impact the functionality of this gate.

CONCLUSION: Staff forwards this request for BOA-2425-01 to the Board of Adjustment for consideration.