



Application for Variance or Special Exception
BOARD OF ADJUSTMENT

Case No. BOA 2223-21

City of Norman Planning & Community Development - 201 W. Gray St., Bldg. A - Norman, OK 73069 — (405) 366-5433 Phone - (405) 366-5274 Fax

APPLICANT(S) <u>City of Norman</u>	ADDRESS OF APPLICANT <u>201 West Gray Street</u> <u>Norman, OK 73069</u>
NAME AND PHONE NUMBER OF CONTACT PERSON(S) <u>Taylor Johnson</u> <u>405-217-7761</u>	EMAIL ADDRESS <u>taylor.johnson@normanok.gov</u>

Legal Description of Property: For tax map IDs: 23936
Lots Ten(10), Eleven(11), twelve(12), thirteen(13), fourteen(14), fifteen(15),
and sixteen(16), in Block twenty-four(24), of the Original Town of Norman,
Cleveland County, Oklahoma, according to the recorded plat thereof.

Requests Hearing for:
☒ VARIANCE from Chapter 28, Section 505 B3
☐ SPECIAL EXCEPTION to _____

Detailed Justification for above request (refer to attached Review Procedures and justify request according to classification and essential requirements therefor):

Please see attached.

(Attach additional sheets for your justification, as needed.)

SIGNATURE OF PROPERTY OWNER(S):

ADDRESS AND TELEPHONE:

201 W. GRAY ST
(405) 388-1245

OFFICE
USE
ONLY

- ☒ Application
☒ Proof of Ownership
☒ Certified Ownership List and Radius Map
☒ Site Plan
☐ Filing Fee of \$ n/a

- ☐ VARIANCE from Chapter _____,
Section _____
☐ SPECIAL EXCEPTION to _____

Date Submitted:

6-5-2023

Checked by:



CERTIFICATION OF OWNERSHIP

Case No. BOA 2223-21

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DATE: _____

I, _____, hereby certify and attest that I am the owner, or that I have an option to purchase the following described property in the City of Norman:

Lots 10, 11, 12, 13, 14, 15, and 16 in Block 24 of the Original Town of Norman, Cleveland County, Oklahoma.

AND, I further certify and attest that this legal description describes accurately the property requested for rezoning.

AND, I accept billing for the cost of publishing legal notice in the NORMAN TRANSCRIPT.

Owner's Signature: _____

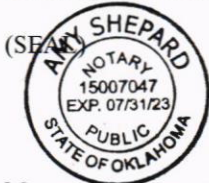
Address: _____

Agent's Signature: _____

Address: _____

NOTARY

Before me, the undersigned, a Notary Public in and for the State of Oklahoma, on this 5 day of June, 2023, personally appeared Shawn O'Leary, to me known to be the identical persons who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.



My commission expires: _____

Amy Shepard
Notary Public

I hereby accept this Certification of Ownership in lieu of a deed or other legal document showing proof of ownership.

Signature: _____

Title: _____

CITY OF NORMAN

VARIANCE CRITERIA PER 36-570(k)(5):

A variance from the terms of Chapter 36 of this code shall not be granted by the Board of Adjustment unless and until an applicant shall comply with all provisions of this section and also indicate by written application that:

- (a) There are special circumstances or conditions such as the existence of buildings, topography, vegetation, sign structure or other matters on right-of-way, which would substantially restrict the effectiveness of the sign in question; provided, however, that such special circumstances or conditions must be peculiar to the particular business or enterprise to which the applicant desired to draw attention and do not apply generally to all business or enterprises.
- (b) The variance would be in general harmony with the purposes of this code, and specifically would not be injurious to the neighborhood in which the business or enterprise to which the applicant desired to draw attention is located.
- (c) The variance is the minimum one necessary to permit the applicant to reasonably draw attention to his business or enterprise.

Before any SIGN VARIANCE can be granted, the Board shall make a finding that the following three requirements have been met by the applicant:

1. **There are special circumstances or conditions such as the existence of buildings, topography, vegetation, sign structure or other matters on right-of-way, which would substantially restrict the effectiveness of the sign in question: provided, however that such special circumstances or conditions must be peculiar to the business or enterprise to which the applicant desired to draw attention and do not apply generally to all businesses or enterprises.** The Transit Center is unique in that there is no competition because it is not a business but a governmental service provided free to the residents. Due to a bus bay being added to Porter Avenue on the east side of this property and a wide accompanying sidewalk next to the bus bay, it leaves little room for a ground sign. Due to the concerns of a ground sign being struck by a vehicle with the added bus bay and vandalism to a ground sign, it was determined that a projecting sign higher up on the building and perpendicular to Porter Ave. for greater pedestrian visibility would be the ideal solution to these issues.
2. **The variance would be in general harmony with the purposes of this code, and specifically would not be injurious to the neighborhood in which the business or enterprise to which the applicant desired to draw attention is located.** The proposed projection sign will look very pleasant aesthetically on the building and in conformance with the architectural design of the structure. The proposed sign would not be injurious to the area or neighboring businesses, nor grant the applicant any competitive advantage since its purpose is not for profit and not a

business, thus not competitive. The purpose of the sign is not to draw attention but merely to identify its purpose to the public.

3. **The variance is the minimum one necessary to permit the applicant to reasonably draw attention to his business or enterprise.** The distance from the wall of installation of the proposed sign to the property line is 21.4'. The distance required in the ordinance is 4' or less from the property line to allow a projecting sign. This brings the variance requested to 17.4'. The ordinance also prohibits a ground sign if a projecting sign is used and the City has no intention of installing a ground sign for this property. The property will be encroached on the east side by the added bus bay and the wide sidewalk, which will appear to bring the building much closer to the property line, though the property line is not changing as the added bus bay and sidewalk will be located on the property rather than in the right-of-way.