



# **CITY OF NORMAN, OK BOARD OF ADJUSTMENT MEETING - SPECIAL MEETING**

**Development Center, Room A, 225 N. Webster Ave., Norman, OK 73069  
Wednesday, November 05, 2025 at 4:30 PM**

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## **MINUTES**

The Board of Adjustment of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in Conference Room A at the Development Center, on Wednesday, November 05, 2025 at 4:30 PM. Notice of the agenda of the meeting was posted at the Development Center at 225 N. Webster Ave, the Norman Municipal Building at 201 West Gray, and on the City website at least 24 hours prior to the beginning of the meeting.

Curtis McCarty called the meeting to order at 4:30 p.m.

### **ROLL CALL**

#### **BOARD MEMBERS PRESENT**

Curtis McCarty  
Micky Webb  
Ben Bigelow  
James Howard  
Matt Graves

#### **BOARD MEMBERS ABSENT**

Brad Worster  
Eric Williams

#### **STAFF PRESENT**

Jane Hudson, Planning & Community Development Director  
Lora Hoggatt, Planning Services Manager  
Justin Fish, Planner I  
Laci Witcher, Permit Technician  
Beth Muckala, Assistant City Attorney III  
Logan Gray, Planner II

#### **GUESTS PRESENT**

Danny Gamble  
Michael Brown  
Cody Fuller  
Rita Owen  
Paul Owen

## VARIANCE REQUESTS

1. CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2526-5: DP GAMBLE HOMES REQUESTS A VARIANCE TO SECTION 36-514(C)(1)(A) OF 8' TO THE REQUIRED 25' FRONT YARD SETBACK, AND A VARIANCE TO SECTION 36-514(C)(2)(C) OF 3' TO THE REQUIRED 20' OF DISTANCE BETWEEN A GARAGE WHICH FACES A STREET TO FRONT PROPERTY LINE FOR THE PROPERTY LOCATED AT 1817 INGLENOK DRIVE.

### Staff Presentation

Justin Fish, Planner I, presented the staff report.

Mr. Webb asked Mr. Fish whether staff recommended denial of the item, and Mr. Fish confirmed yes.

Mr. Bigelow asked when during construction staff discovered the house had exceeded the setbacks.

Mr. Fish stated following a driveway inspection on September 11, 2025, City staff notified the applicant the driveway did not meet required length, and the house was too close to the property line.

Mr. Bigelow asked if the house was nearly complete, and Mr. Fish confirmed it was.

Beth Muckala, Assistant City Attorney III, outlined the variance criteria for the Board.

### Applicant Presentation

Danny Gamble, the applicant, acknowledged the mistake of the proposed variance, explaining it was unintentional and made without any malicious intent. He added that neighbors had been notified twice with no complaints, and the home buyers also had no concerns.

Mr. McCarty inquired about the City's sidewalk requirements, and Mr. Gamble responded he and Miles Cotten, City Construction Inspector, had already discussed and resolved the details.

Mr. Howard questioned why the property was not being rezoned, noting it was an available option. Mr. Gamble explained he believed seeking a variance was the most appropriate option at the time.

Mr. Howard asked for details regarding the specific mistake and how similar issues would be prevented in the future.

Mr. Gamble responded in the future he will have a surveyor set the house's corner pins and recheck them after the stem wall is constructed before proceeding further with construction.

Mr. Howard emphasized the need for caution in such situations to avoid mischaracterizing actions as mistakes when observed by other contractors. He also noted he did not believe this incident was intentional.

Mr. Gamble acknowledged his mistake, stating he believed this was a reasonable variance request, and assured the Board it would not happen again.

Mr. Howard inquired about how rezoning would impact himself and the client.

Mr. Gamble responded the delay in the rezoning process was the reason.

Mr. Graves suggested it would be appropriate to approve the variance based on the mistake rather than pursuing rezoning.

Mr. McCarty asked staff whether rezoning a single lot to a PUD or SPUD was an option within a residential R-1 neighborhood.

Ms. Muckala responded yes, while it is not a typical process, it can be done.

Mr. McCarty and Ms. Muckala discussed the legal requirements for establishing a PUD and SPUD.

Mr. McCarty asked Mr. Gamble whether his foundation contractor reported any problems with the house fitting properly. Mr. Gamble replied no issues were mentioned and he was told everything was fine.

Mr. McCarty advised Mr. Gamble to include additional measurements on future site plans to help avoid similar issues.

Mr. Gamble said he has always avoided mistakes in the past and assured the Board that no one would intentionally create such a situation.

Mr. McCarty asked what their plan was for the retaining wall.

Mr. Gambled stated the project is proceeding as planned, but construction was halted after the setback issue was discovered, and work will not continue until the issue is resolved.

Mr. McCarty inquired about the stage of construction, and Mr. Gamble replied interior carpentry is in progress while exterior masonry is complete.

Mr. McCarty asked whether curving the sidewalk would help prevent blockage, and Mr. Gamble confirmed this was their intended plan.

Mr. Bigelow expressed appreciation to the applicant for acknowledging his mistake but noted concern that approving the variance could set a precedent affecting future development.

Mr. McCarty asked Ms. Muckala whether the situation would establish a legal precedent. She replied each case is evaluated individually and does not automatically create precedent.

### Public Comments

Rita Owen, the prospective homebuyer, noted a creek runs behind and alongside the property, meaning any future development would require a bridge. She asked the Board to take this into consideration before their final vote.

Mr. Howard asked Ms. Owen how she would feel if a neighbor built over the property line next door. Ms. Owen said it would not bother her, noting many older homes don't meet the code.

### Board of Adjustment Discussion

Mr. Howard noted the house will outlast its current buyers and urged the Board not to let questions about the buyers current vehicles influence their decision. He also mentioned the vehicle issue could be mitigated through alternatives, such as street parking.

Mr. Graves stated tearing the house down is not ideal as it would be costly and delay the homebuyer moving in. Mr. Graves added since this case will not set a precedent, granting the variance would not permit future homeowners to expand and encroach on property lines.

Ms. Muckala clarified the difference between zoning and plats, noting some comments had used the term "plats" incorrectly. She emphasized the alternative option would be to rezone, not replat.

Mr. McCarty acknowledged the situation is difficult and believes preventive steps could have been taken. He recommended curving the sidewalks as it was noted the City would allow it. While he doesn't want such cases to be routine, he believes this is the purpose of Board of Adjustment.

Mr. Bigelow, drawing on his experience as a former builder who had been shown leniency by the City after a mistake, expressed the same grace should be applied in granting this variance.

**Motion** by Mr. Bigelow to approve BOA-2526-5; **Second** by Mr. Graves.

***The motion passed with a vote of 4-1. Mr. Webb voting against.***

### **MISCELLANEOUS COMMENTS**

Mr. McCarty announced there will be no Board of Adjustment meeting in December 2025.

Mr. Webb told the Board he enjoyed his time serving but noted this was his final meeting and he would not be returning.

Mr. McCarty thanked Mr. Webb for his service on the Board, expressing appreciation for his contributions.

### **ADJOURNMENT**

The meeting was adjourned at 5:20 p.m.

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2026.