



June 2, 2025

Board of Adjustment
City of Norman
201 W. Gray St.
Norman, OK 73069

RE: Application for Variance from Minimum Lot Width Requirements

Russell Kaplan and Emily Kaplan (collectively, the “**Applicant**”) respectfully request that the Board of Adjustment (the “**Board**”) authorize a variance from the minimum lot width requirement under Section 36-514 of the Norman Zoning Ordinance for the property located at 816 Miller Avenue, Norman, Oklahoma 73069 (the “**Property**”). The Property is zoned R-1, Single-Family Dwelling District, and is comprised of Lots 6, 7, 8, and 9 in Block 13 of the Classen-Miller Addition.

The Applicant is requesting this variance as the preliminary step of a Lot Line Adjustment Application to the City of Norman (the “**LLA**”) wherein the lot line between Lot 7 and Lot 8 of the Property will be moved five feet (5’) to the North, as shown on the attached surveys. Additionally, as a part of the LLA, the Applicant plans to combine Lot 6 and Lot 7, which were each originally 25’ wide, into one fifty-five foot (55’) wide lot (“**Lot 6A**”) and Lot 8 and Lot 9, also each originally 25’ wide, into one forty-five foot (45’) wide lot (“**Lot 8A**”). Accordingly, the Applicant must request a five-foot (5’) variance from the minimum lot width requirement of fifty feet (50’) for R-1, Single Family Dwelling, zoned property, for Lot 8A (the “**Variance**”).

The Applicant is requesting this LLA and Variance in order to allow the Applicant to construct a single-family residence on Lot 8A. Due to conditions created by the existing single-family residence on the Property (the “**House**”), which is located across Lots 6 and 7, the Applicant would be unable to pursue the desired development of their Property without the LLA and Variance.

The House was originally constructed in 1940 and is set back only approximately two and a half feet (2.5’) from the property line between Lot 7 and Lot 8. The House also has an attached concrete A/C Unit base that encroaches approximately two and a half feet (2.5’) into Lot 8. Additionally, there is a ten foot (10’) wide sanitary sewer easement running between Lot 7 and Lot 8 (the “**Sewer Easement**”) which further restricts the Property. The purpose of the proposed LLA is to bring the existing House into conformance with the setback requirements laid out in the Norman Zoning Ordinance and to better accommodate the existing Sewer Easement. By moving the lot line between Lot 7 and Lot 8 five feet (5’) to the North, the existing House will have the required minimum five-foot (5’) side yard setback and the majority of the Sewer Easement will be contained within the new Lot 6A.

The lots on the Property, as adjusted, will still be very large residential lots at one hundred forty feet (140') deep. Lot 8A will still meet the minimum R-1, Single Family Dwelling, lot size at approximately 6,300 square feet. Granting this Variance will not cause any hardship or detriment to the neighbors due to the remaining size of the lots and that the use of the Property will not be any more intense than what would be allowed under the current zoning.

Additionally, approval of this Variance will not contravene the intent of the zoning code because it simply allows for the practical and reasonable use of the Property by correcting the issues caused by the location of the House and the Sewer Easement. This LLA and Variance provides a more practical lot layout for the existing House while also facilitating the potential development and sale of Lot 6A and Lot 8A as separate parcels in the future.

The unique conditions on the Property caused by the House and Sewer Easement currently restrict the Applicant from building on a large portion of the Property. If granted, the LLA and Variance would allow the Applicant to separately develop two large and usable parcels. Accordingly, the Applicant respectfully requests the Board approve this Variance request which will allow the Applicant to submit its Lot Line Adjustment Application to City Staff for approval.

Sincerely,

RIEGER SADLER JOYCE LLC



Libby Smith
Attorney at Law