



## CITY OF NORMAN, OK STAFF REPORT

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**MEETING DATE:** 06/25/2025

**REQUESTER:** Russell and Emily Kaplan

**PRESENTER:** Justin Fish, Planner I

**ITEM TITLE:** CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2425-15: RUSSELL AND EMILY KAPLAN REQUEST A VARIANCE TO 36-514(C)(4) OF 5' TO THE REQUIRED 50' MINIMUM LOT WIDTH TO ALLOW FOR A LOT 45' IN WIDTH AT THE PROPERTY LOCATED AT 816 MILLER AVENUE

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<b>APPLICANT</b>	Russell and Emily Kaplan
<b>LOCATION</b>	816 Miller Ave.
<b>ZONING</b>	R-1, Single-Family Dwelling District
<b>REQUESTED ACTION</b>	Variance of 5' to the required 50' minimum lot width.
<b>SUPPORTING DATA</b>	Location Map Application with attachments Site Plan

**SYNOPSIS:** The applicant is requesting a single variance as part of a separate lot line adjustment application. The variance requested is as follows:

1. A variance of 5' to the required minimum 50' 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.

**DISCUSSION:** 816 Miller Ave is currently comprised of four 25' wide lots. The applicant is requesting a variance from the Board of Adjustment as a requirement for a lot line adjustment application through the City of Norman where the applicant plans to move the lot line between Lot 7 and Lot 8 five feet to the north. Under that same application, the applicant is requesting to combine Lot 6 and Lot 7 into a single 55' wide lot, Lot 6A, and is requesting to combine Lot 8 and Lot 9 into one 45' wide lot, Lot 8A.

There is an existing single-family dwelling, which sits approximately 2' 6" from the south side lot line of Lot 8, and a 10' wide sewer easement running east to west between Lot 7 and Lot 8. By moving the south lot line of Lot 8 five feet to the north, the dwelling will sit approximately 7' 6" from the side yard property line of proposed lot 8A. Further, the sewer easement would mostly be contained on the proposed lot 6A, as shown on the attached exhibits.

**CONCLUSION:** Staff forwards this request for a variance and BOA-2425-15 to the Board of Adjustment for consideration.