



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 3/27/2024

REQUESTER: Bellatona Properties, L.L.C.

PRESENTER: Justin Fish, Planner I

ITEM TITLE: CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2324-14: BELLATONA PROPERTIES, L.L.C. REQUESTS A VARIANCE TO 36-514(c)(2)(b) OF 4'8" TO THE 15' SIDE YARD (NORTH) SETBACK FOR PROPERTY LOCATED AT 2100 NORWOOD DRIVE.

APPLICANT	Bellatona Properties, L.L.C.
LOCATION	2100 Norwood Drive
ZONING	R-1, Single-Family Dwelling District
REQUESTED ACTION	Variance to 36-514(c)(2)(b) of 4' 8" to the 15' setback
SUPPORTING DATA	Location Map Application with attachments Site Plan

SYNOPSIS: The applicant constructed a single-family dwelling which encroaches on the north side 15' build line. In an effort to bring the property into conformance with the zoning ordinance, the applicant has submitted an application for a single variance. The variance request is as follows:

1. A variance of 4' 8" to the 15' building line.

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: The subject property 2100 Norwood Dr. is part of the Bellatona Addition. The property sits on the corner of Norwood Dr. and Wiltshire Dr. The subject property has a 15' side setback because it is on a corner and is back-to-back with another property. The subject property was built 4' 8" into the setback resulting in the encroachment.

As a result of the encroachment, a review of potential sight triangle issues was conducted by staff. From this review, staff requested the applicant move an area on the north side of the property where trees were to be planted (shown on the site plan) 10' to the west.

CONCLUSION: Staff forwards this request for a side setback variance and BOA-2324-14 to the Board of Adjustment for consideration.

ACTION NEEDED: Approve, reject, amend, or postpone BOA-2324-14 for 2100 Norwood Drive.