



Application for Variance or Special Exception
BOARD OF ADJUSTMENT

Case No. BOA-223-10

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) HYMER HALL #4 LLC and CAROL A. IMAN	ADDRESS OF APPLICANT 1217 LINDSEY PLAZA DRIVE STE 101 NORMAN, OK 73071
NAME AND PHONE NUMBER OF CONTACT PERSON(S) GREG IMAN 405.409.4464	EMAIL ADDRESS Iman.fcarwash@gmail.com Rudy@rjh-realty.com

Legal Description of Property: Lot 1, Block 1, of East Lindsey Plaza Section 4,
an addition to Norman, Cleveland County, OKLAHOMA,
according to the plat recorded in Book 13 of Plats,
Page 16

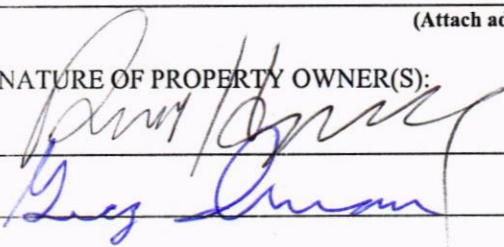
Requests Hearing for:
☒ VARIANCE from Chapter 22, Section 431.4.1.A
☐ SPECIAL EXCEPTION to _____

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

See Attached.

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

SIGNATURE OF PROPERTY OWNER(S):



ADDRESS AND TELEPHONE:

1217 LINDSEY PLAZA DR.
STE 101
Norman, OK 73071
405.409.4464

- ☒ Application
☒ Proof of Ownership
☒ Certified Ownership List and Radius Map
☒ Site Plan
☒ Filing Fee of \$ 200.00

☒ VARIANCE from Chapter 22,
Section 431.4(1)(a)
☐ SPECIAL EXCEPTION to _____

Date Submitted:

1-4-2023

Checked by:





CERTIFICATION OF OWNERSHIP

Case No. BOA _____

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

DATE: 1.3.2023

I, Rudy Hymer, 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:

Lot 1, Block 1, of East Lindsey Plaza Section 4, an addition to Norman, Cleveland County, OKLAHOMA, according to the plat recorded in Book 13 of Plats, Page 16

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: _____

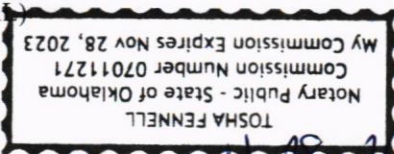
Address: _____

1217 EAST LINDSEY PLAZA DR.
STE 101
NORMAN, OK 73071
1217 EAST LINDSEY PLAZA DR.
STE 101
NORMAN, OK 73071

NOTARY

Before me, the undersigned, a Notary Public in and for the State of Oklahoma, on this 3rd day of January, 2023, personally appeared RUDY HYMER, 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.

(SEAL)



My commission expires: 11-28-2023

Tosha Fennell
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

Attachment to Board of Adjustment Variance Application

Detailed Justification for the above request

We bought the existing lot and building in 2018 with the understanding that existing building could be expanded under the same masonry finish requirements as existed when it was built. The marketing materials state it was "pre-platted for an additional 3600 sq. ft. building, which does not require an exterior stone masonry finish." Their terminology may be off as it may have referred to a building permit or other source. It was the seller's understanding that it could be enlarged under the previous rules. There may be information on this on the original building permit if it is available in the City's records. Please see exhibit 1 and 2.

We wish to enlarge this building using the same exterior construction materials as the existing building.

This variance is justified based on:

There are special conditions peculiar to this building in that the existing structure is a structure with a metal exterior. It was built with the expectation of adding the other ½ of the building with the same look and design as the existing building. The shape of the current building and the remaining land clearly show that this was the intention.

There are other buildings in this subdivision that have metal exteriors.

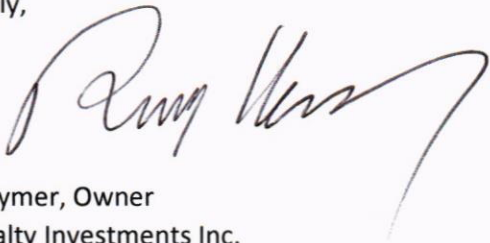
The special conditions that warrant this request did not result from the actions of the applicant. These conditions are a result of the previous building permit granted when the existing building was approved and built.

The granting of this variance does not confer special privileges as it is merely required to complete the rest of the building which was always intended.

If the variance is not granted and masonry requirements are enforced, then the aesthetics of the combined building would be less than desirable as you would have ½ of a building metal and ½ with some masonry on it. This would distract from the overall aesthetics of the subdivision as a whole.

In good faith, request that this variance be granted.

Sincerely,

A handwritten signature in black ink, appearing to read "Rudy Hymer", with a long, sweeping horizontal stroke extending to the right.

Rudy Hymer, Owner
RJH Realty Investments Inc.

Exhibit 1

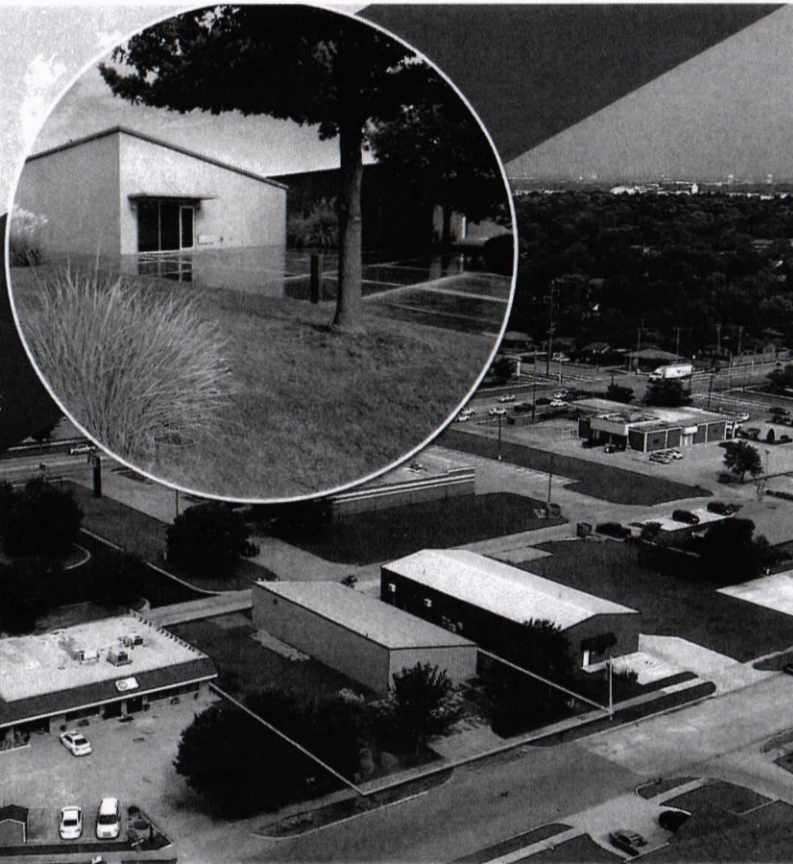
3,600^{sq. ft.}

Commercial Building

in Norman, Ok

Zoned C2

**SEALED BID
AUCTION**



Located in a desirable and growing area of Norman, OK. This 3,600 sq. ft. commercial building located on a 0.41-acre lot is well suited for a variety of uses. The building is near the intersection of Lindsey St and 12th Ave SE/Highway 77 and is adjacent to an existing Arvest Bank and AutoZone with multiple large multifamily developments within a 1-mile radius. The property has been pre-platted for an additional 3,600 sq. ft. building, which does not require an exterior stone masonry finish. Built in 2006, this quality constructed building (see Building Detail Sheet for all details) has only had one owner. With a good location, this property has lots of potential.

The building dimensions are 40' x 90' and include a 22' x 16' office area with built-in desk, cabinets, adjustable shelving, glass storefront and polished concrete flooring; a second office area is 16' x 20'. The shop area includes an 8' x 8' bathroom, wash sink, 134,000 BTU overhead heater, 12' x 14' overhead door and polished concrete flooring throughout. The property is in outstanding condition and move-in ready for the next owner. See the Bid Packet for full Bidding Instructions.

TERMS AND CONDITIONS:

AUCTION TERMS AND CONDITIONS:

PROCEDURE: The property will be offered via a Sealed Bid Auction.

BUYER'S PREMIUM: The contract purchase price will include a Buyer's Premium equal to 4% of the bid amount.

DOWN PAYMENT: 10% of the total contract purchase price will be due as a down payment on the day of auction, with the balance due in cash at closing. The down payment may be made in the form of cashier's check, personal check, or corporate check. YOUR

title, and similar related matters. Property will be sold "AS-IS".

CLOSING: The closing shall take place 30 days after the auction or as soon thereafter as applicable closing documents are completed by Seller.

POSSESSION: Possession of the property shall be at closing.

REAL ESTATE TAXES: Real Estate taxes shall be prorated to the date of closing.

MINERALS: Any minerals owned by Seller shall be conveyed with the Property; however, no representation or warranty to the extent of mineral

DISCLAIMER AND ABSENCE OF WARRANTIES: All information contained in this brochure and all related materials are subject to the terms and conditions outlined in the Purchase Agreement. The property is being sold on an "AS IS, WHERE IS" basis, and no warranty or representation, either expressed or implied, concerning the property is made by the Seller or the Auction Company. All sketches and dimensions in the brochure are approximate. Each potential bidder is responsible for conducting his or her own independent inspections, investigations, inquiries, and due diligence concerning the property.

PROPERTY DETAIL SHEET

- ❖ Built in 2005-2006 under L.E.E.D. Silver Guideline
- ❖ Pre-platted to include another 3600 sq. ft. of construction where NO EXTERIOR STONE/MASONRY REQUIRED
- ❖ One owner
- ❖ No rentals
- ❖ Alliance Steel- Saddle Tan, Dessert Sand
- ❖ Insulated 3" PSK
- ❖ Lot Dimensions 100' X 180', 18,000 sq. ft. with 10' Easements on the North and South
- ❖ Building Dimensions 40' X 90', 3600 sq. ft.
- ❖ Office 1 is 22' X 16'
 - Built in Desk, Cabinets and Adjustable Shelving
 - 8' X 12' Storefront Glass
 - Polished Concrete Flooring- Charcoal
 - Amana PTAC 12,000 BTU Digital Control Heat Pump Air Conditioner
 - Nest Programmable Thermostat
 - Nest Protect Smoke Detector
 - 104 Linear Feet of FRP/Interior Panels
 - T-8 Lighting
 - Outside Hose Bibs X3
 - Inside Hose Bibs X1
 - Floor Drains X2
- ❖ Office 2 is 16' X 20'
 - Open Bay (No Columns)
 - Overhead Door 12'W X 14'H with Garage Door Openers and Remotes
 - Modine MT132 134,000 BTU Infrared Heater
 - 2-Tub Deep Sink
 - 240v Air Compressor Service
 - Hold/Cold Shower Setup
 - Polished Concrete Flooring- Brown
 - Bathroom is 8' X 8',
 - Polished Concrete- OU Red
 - Custom Concrete Countertop

SEC. 431.4 – EXTERIOR APPEARANCE

(Ordinance No. O-0405-59 – September 27, 2005)

- (1) All new construction after October 28, 2005 must include masonry facades as outlined below. These requirements shall apply to all principal structures and accessory buildings larger than 108 square feet. For purposes of this section of the ordinance, *masonry materials* shall mean and include brick, slump-faced or decorative concrete masonry unit (CMU), stucco, concrete (poured in place, pre-cast or tilt-wall) with aggregate, sandblasted or textured coating finish, stone, rock or other structural material of equal durability and architectural effect. Smooth faced concrete masonry unit (CMU), except as accent to approved finish material, shall not be installed on any commercial façade or the principal façade of any industrial building.
 - (a) Buildings requiring masonry on all sides: All buildings constructed on property zoned O-1, CO, C-1, C-2, and C-3, according to the City of Norman's official Zoning Map, shall have all exterior walls constructed using masonry material covering at least eighty (80) percent of said walls, exclusive of all windows, doors, roofs, glass, or sidewalk and walkway covers.
 - (b) Buildings requiring masonry along street frontage only: All buildings constructed on property zoned I-1, I-2, or M-1, according to the City of Norman's official Zoning Map, shall have all principal facades (which is any side of a building that faces or is oriented toward any abutting street) constructed using masonry material covering at least eighty percent (80%) of said walls, exclusive of all windows, doors, roofs, glass, or sidewalk and walkway covers. This provision shall apply only to those structures adjacent to any State of Oklahoma highway or an Urban Arterial as identified on the NORMAN 2025 Land Use and Transportation Plan, as amended or replaced with subsequent Plans, and to any industrial lot abutting any zoning district other than industrial. This provision shall not apply to lots of record as of the date of adoption of this ordinance IF a building permit is obtained within one year after the effective date of this ordinance.
 - (c) Buildings within any P.U.D. Any commercial or non-residential use within a Planned Unit Development shall have all exterior walls constructed using masonry material covering at least eighty percent (80%) of said walls, exclusive of all windows, doors, roofs, glass, or sidewalk and walkway covers, unless waived by the City Council when the PUD is approved.
 - (d) Special Uses. Any institutional or non-residential Special Use in any zoning district shall have all exterior walls constructed using masonry material covering at least eighty percent (80%) of said walls, exclusive of all windows, doors, roofs, glass, or sidewalk and walkway covers, unless waived by the City Council as part of the approval.

- (2) Outdoor storage or display of materials and goods is prohibited in the CO and C-1 Districts and within any required setback area in the TC District, as well as all public rights-of-way. However, in all commercial districts, an exception is granted for items located within five (5) feet of the primary structure for display of vending machines, newspaper racks, bagged ice storage, small-scale propane sales, and other such similar items, provided that no such items encroach onto a public right-of-way or easement. In all other commercial zoning districts after October 28, 2005, the following criteria must be observed:
- (a) In those zoning districts that allow outdoor storage or display of merchandise, such items may not be located immediately adjacent to any public right-of-way, but instead must be stored or displayed no closer than half the distance between the right-of-way and the principal building, or twenty-five (25) feet, whichever is greater. However, display of living plant materials and ornamental statuary may occur at any location so long as it does not create a visual barrier to traffic and is not within ten (10) feet of a public right-of-way. This exception does not include landscape timbers, blocks, stones, bags of wood chips or soil, fencing materials, or other similar items.
 - (b) In those districts that allow the sale or repair of vehicles, where the principal use of the premises involves the sale and display of finished vehicles, such as automobiles, boats, recreational vehicles, construction vehicles and heavy equipment, no special setbacks are required other than landscaping that would be required for parking areas and buildings by other sections of this chapter. Vehicles or equipment may not be parking or displayed within any required landscape area.
 - (c) In no instance shall outside display of merchandise be located within, nor encroach upon, a fire lane, maneuvering aisle, or a parking space necessary to meet the minimum parking requirements of all of the uses on the lot.
 - (d) All existing outdoor storage areas must comply with the requirements of this subsection within two (2) years of the effective date of this ordinance (October 28, 2005), or seek approval by the City Council for a revised Site Plan that shows substantial compliance with these requirements. For all new or expanded areas of outside display or storage, such locations must be clearly identified on a Site Plan that has been approved by the City Council.