



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: April 24, 2024

REQUESTER: Matt & Kristi Morgan

PRESENTER: Justin Fish, Planner I

ITEM TITLE: CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2324-15: MATT & KRISTI MORGAN REQUEST A VARIANCE TO 36-514(c)(2)(b) OF 11' 2" TO THE 20' SIDE YARD (SOUTH) SETBACK TO ADD A STORM SHELTER/ROOM FOR PROPERTY LOCATED AT 2601 SMOKING OAK ROAD.

APPLICANT	Matt & Kristi Morgan
LOCATION	2601 Smoking Oak Rd.
ZONING	R-1, Single-Family Dwelling District
REQUESTED ACTION	Variance to 36-514(c)(2)(b) of 11' 2" to the 20' side yard (south) setback to add a storm shelter/room
SUPPORTING DATA	Location Map Application with attachments Site Plan

SYNOPSIS: The applicant is seeking to construct a storm shelter/room on the south end of their existing single-family home. This house is situated on this lot with the front facing west, which was platted as the side yard setback at 20'. The platted 25' front build line is located on the south end of the property, which acts as the existing structure's side yard setback. The existing home is built to the platted side yard setback of 25'. This proposed addition to the south side of the structure would cause the structure to extend into the zoning setback of 20'. The storm shelter/room requires 16' 2" of space to be constructed in the desired location. The applicant is requesting a single variance. The variance request is as follows:

1. A variance of 11' 2" to the 20' side yard setback, per Section 36-514(c)(2)(b) of the Zoning Ordinance.

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 at 2601 Smoking Oak Rd. is a part of the Forest Hills Addition. This lot was originally 204' wide with a platted 25' build line on the south side of the property along Chestnut Ln. and a platted 20' build line on the west side of the property along Smoking Oak Rd. The subject lot was split into two lots at some point after the final plat. The house that currently sits on the property is built with the front facing Smoking Oak Rd. In 2021, a detached garage was constructed at the end of the driveway on the north side of the property.

The proposed addition will not cause any issues with the site triangle. The property will meet all other area regulations, including impervious coverage and other setbacks.

Note: The survey and site plan submitted by the applicant shows the street along the southern lot line as Cottonwood Ln, however the correct street name is Chestnut Ln.

CONCLUSION: Staff forwards this request for BOA-2324-15 to the Board of Adjustment for consideration.