



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 4/22/2026

REQUESTER: Vicksburg Affordable LP

PRESENTER: Logan Gray, Planner II

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2526-12: VICKSBURG AFFORDABLE LP REQUESTS FOUR VARIANCES TO SECTION 519(D) OF CHAPTER 36 (ZONING ORDINANCE): A) 4.8-FOOT VARIANCE TO THE REQUIRED 25-FOOT FRONT SETBACK, SECTION 36-519(D)(1), FOR A BUILDING ALONG VICKSBURG AVENUE, B) 5.03-FOOT VARIANCE TO THE REQUIRED 25-FOOT FRONT YARD SETBACK, SECTION 36-519(D)(1), FOR A BUILDING ALONG VICKSBURG AVENUE, C) 5.03-FOOT VARIANCE TO THE REQUIRED 25-FOOT FRONT YARD SETBACK, SECTION 36-519(D)(1), FOR A BUILDING ALONG VICKSBURG AVENUE, D) 1.8-FOOT VARIANCE TO THE REQUIRED 5-FOOT SIDE YARD SETBACK, SECTION 36-519(D)(2), FOR AN ACCESSORY BUILDING.

APPLICANT	Vicksburg Affordable LP
LOCATION	200 Vicksburg Ave
ZONING	RM-6, Medium-Density Apartment District
REQUESTED ACTION	Variations to Section 36-519(d)(1) of 4.8', 5.03' and 5.03' to the required 25' front yard setback for three apartment buildings, and a variance to Section 36-519(d)(2) of 1.8' to the required 5' side yard setback for an accessory building
SUPPORTING DATA	Property survey Location map with aerials

SYNOPSIS:

This application is for multiple variances to the area regulations of the RM-6, Medium-Density Apartment District, for three apartment buildings and one accessory building located at 200 Vicksburg Avenue.

The variances requested are as follows:

1. A variance to Section 36-519(d)(1) of 4.8' to the required 25' front yard setback for an apartment building.
2. A variance to Section 36-519(d)(1) of 5.03' to the required 25' front yard setback for an apartment building.
3. A variance to Section 36-519(d)(1) of 5.03' to the required 25' front yard setback for an apartment building.
4. A variance to Section 36-519(d)(2) of 1.8' to the required 5' side yard setback for an accessory building.

The application, variance justification form, and property survey provided by the applicant are attached for review. Also attached, and provided by City Staff, are available aerials relating to the property.

APPLICABLE ZONING ORDINANCE PROVISIONS:

Section 36-519(d)(1):

Front yard.

The minimum depth of the front yard shall be 25 feet.

Section 36-519(d)(2):

Side yard.

The minimum width of the side yard shall be five feet, except as required for tall or accessory building by the provisions of subsection (d)(5) of this section.

VARIANCE CRITERIA PER NCC SECTION 36-570(k):

A variance is a “relaxation of the terms of” the Zoning Ordinance that may be allowed where it is not contrary to the public interest and literal enforcement would result in **unnecessary hardship** to the applicant. From the terms of this ordinance, a variance 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.

Where an applicant has demonstrated an unnecessary hardship, variances should be narrowly tailored by the Board of Adjustment so as to only alleviate the hardship and not confer special privileges upon the applicant.

DISCUSSION:

The subject property, 200 Vicksburg Avenue, was platted as Vicksburg Village in 1981. The property is currently zoned RM-6, Medium-Density Apartment District and contains the Vicksburg Village apartment complex, constructed in 1981 with 22 apartment buildings, two accessory buildings, and one leasing office building. A recent survey of the property revealed that three apartment buildings (shown on the survey as buildings A, B, and C) encroach on the required 25' front yard setback, and one accessory building (shown on the survey as building F) encroach on the required 5' side yard setback of the RM-6 District. None of these buildings were placed by the property's current owner, Vicksburg Affordable LP. To bring these structures into compliance with the City's adopted zoning code, the applicant requests variances of 4.8', 5.03', and 5.03' to the required 25' front yard setback for buildings A, B, and C, respectively, and a variance of 1.8' to the required 5' side yard setback for building F.

As shown on the survey of the property, building F is located entirely within a 15' platted utility easement. Staff recommends closing and vacating the easement through City Council and District Court, respectively. The Board of Adjustment may grant a variance contingent on successful closure and vacation of the utility easement.

CONCLUSION:

Staff recommends approval of this request for the requested variances to Section 36-519(d)(1) and 36-519(d)(2), contingent on closure and vacation of the north utility easement, and BOA-2526-12. The apartment buildings in question have existed on the property for over 40 years, and their placement is not detrimental to the surrounding area.