



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 2/28/2024

REQUESTER: Toby Jay Townsend

PRESENTER: Justin Fish, Planner I

ITEM TITLE: CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2324-13: TOBY JAY TOWNSEND REQUESTS VARIANCES TO 36-516(c)(3) OF 1' TO THE 5' SIDE YARD SETBACKS FOR BOTH SIDES, AND TO 516(c)(4) OF 25' TO THE 50' REQUIRED WIDTH AND 10' TO THE REQUIRED 35' STREET FRONTAGE, AND TO 516(c)(5) OF APPROXIMATELY 443 SQ. FT. TO THE 5,000 SQ. FT. REQUIRED FOR A SINGLE-FAMILY DWELLING FOR A LEGAL NON-CONFORMING LOT LOCATED AT 914 E. COMANCHE STREET.

APPLICANT	Toby Jay Townsend
LOCATION	914 E. Comanche Street
ZONING	R-2, Two-Family Dwelling District
REQUESTED ACTION	Variances to 36-516(c)(3) of 1' to the 5' side yard setbacks for both sides, and to 516(c)(4) of 25' to the 50' required width and 10' to the required 35' street frontage, and to 516(c)(5) of approximately 443 sq. ft. to the 5,000 sq. ft. required for a single-family dwelling for a legal non-conforming lot
SUPPORTING DATA	Location Map Application with attachments Site Plan

SYNOPSIS: The applicant wishes to purchase this property to construct a single-family two-story home. The applicant is requesting several variances to the current R-2, Two-Family Dwelling District. Because of the nature of the lot the applicant is requesting 4 variances:

1. A variance to the 5,000 sq. ft. lot minimum; the subject lot is 4,557 sq. ft.
2. A variance to reduce the minimum Eastside setback of 5' by 1' (4').

3. A variance to reduce the minimum Westside setback of 5' by 1' (4').
4. A variance to reduce the minimum 50' lot width requirement by 25' and the required 35' street frontage by 10' (25')(25').

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: 914 E Comanche is a legal non-conforming lot that was created prior to June 29th, 1973, which was the date the City's Subdivision Regulations were adopted with a 50' lot width requirement. It is the original lot width (25') that was standard for the City of Norman at the time of its creation. Our aerial images going back to 1997 show that there was a house that existed on this lot from sometime before 1997 to 2010. This house was rather small and appeared to have 0' side yard setbacks. Sometime between 2010 and 2013, the original house was demolished and the lot has remained vacant to present day.

The proposed site plan will still meet the coverage requirements for the R-2 zoning district.

CONCLUSION: Staff forwards this request for BOA-2324-13 to the Board of Adjustment for consideration.