



# CITY OF NORMAN, OK BOARD OF ADJUSTMENT MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069  
Wednesday, September 25, 2024 at 4:30 PM

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## MINUTES

The Board of Adjustment of the City of Norman, Cleveland County, Oklahoma, met in Regular Session in City Council Chambers of the Norman Municipal Complex, 201 West Gray Street, at 4:30 p.m., on Wednesday, September 25, 2024. Notice and agenda of said meeting were posted in the Municipal Building at the above address and at [Agendas/Minutes | City of Norman Oklahoma Meetings \(municodemeetings.com\)](#) in excess of 24 hours prior to the beginning of the meeting.

Chair Curtis McCarty called the meeting to order at 4:31 p.m.

### ROLL CALL

#### PRESENT

Brad Worster  
Micky Webb  
James Howard  
Curtis McCarty

#### ABSENT

Ben Bigelow

A quorum was present

#### STAFF PRESENT

Justin Fish, Planner I  
Lora Hoggatt, Planning Services Manager  
Roné Tromble, Admin. Tech. IV  
Whitney Kline, Admin. Tech. III  
Beth Muckala, Asst. City Attorney

### MINUTES

1. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT of the Minutes of the August 28, 2024 Board of Adjustment meeting.

Motion made by Worster, seconded by Webb, to approve the minutes of the August 28, 2024 Regular Meeting as presented.

Voting Yea: Worster, Webb, Howard, McCarty

The motion to approve the August 28, 2024 minutes as presented passed by a vote of 4-0.

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## **ACTION ITEMS**

2. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2425-04: BRANDON AND MEGAN SWART REQUEST A VARIANCE TO 36-514(c)(3) OF 9'9" TO THE 20' REAR YARD SETBACK FOR A SECOND STORY DECK FOR PROPERTY LOCATED AT 4100 NICOLE PLACE.

### **ITEMS SUBMITTED FOR THE RECORD:**

1. Staff Report
2. Location Map
3. Application with Attachments
4. Protest Map and Letter

**PRESENTATION BY STAFF:** Justin Fish reviewed the staff report, a copy of which is filed with the minutes.

### **PRESENTATION BY THE APPLICANT:**

Megan Swart, 4100 Nicole Place, the applicant, stated they are trying to add an addition onto their existing home, which would include replacing the pergola with a roofed patio, as well as going upward for an extra bonus room, bedroom, and bath. The original plan was to have a deck. They talked to their neighbors, and are removing the deck and balcony from the plans that were submitted due to their concerns.

Mr. McCarty asked if the doors shown on the drawing will be changed to windows. Ms. Swart responded affirmatively.

Mr. Worster asked whether there will still be an encroachment into the rear setback. Ms. Swart responded the pergola will be removed and patio cover constructed with brick beams.

Corey, the general contractor with TLC Renovations, explained the work that will be done. The decision was just made to delete the deck in favor of a covered patio to address the neighbor's concerns. New drawings have not yet been done.

Mr. McCarty said it is his understanding the addition to the house is not being extended into the rear yard setback; it is just the covered patio. Ms. Swart said that is correct.

Mr. McCarty asked if the patio cover will be lower than the deck would have been. Corey stated it will be roughly 8' off the ground. The second story doors will be changed to windows.

### **AUDIENCE PARTICIPATION:**

Scott Saltus, 4128 Nicole Place, submitted a protest letter. He stated he is in favor of the revised plan. The deck was going to overlook his entire back yard and windows, and that is being removed.

### **DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:**

Motion made by Howard, seconded by Webb, to approve a Variance to 36-514(c)(3) of 9'9" to the 20' rear yard setback for an 8' tall covered patio.

Voting Yea: Webb, Howard, McCarty  
Voting Nay: Worster

The motion to approve a Variance to 36-514(c)(3) of 9'9" to the 20' rear yard setback for an 8' tall covered patio passed by a vote of 3-1.

Mr. McCarty noted the 10-day appeal period before the decision is final.

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3. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2425-05: ELIZABETH GREENHAW REQUESTS A VARIANCE TO 36-514(c)(2)(b) OF 10' TO THE 20' SIDE YARD SETBACK REQUIRED FOR A CORNER LOT FOR PROPERTY LOCATED AT 1001 CLASSEN BOULEVARD.

**ITEMS SUBMITTED FOR THE RECORD:**

1. Staff Report
2. Location Map
3. Application with Attachments

**PRESENTATION BY STAFF:** Justin Fish reviewed the staff report, a copy of which is filed with the minutes.

**PRESENTATION BY THE APPLICANT:**

Jeremy Steele, 535 S. Pickard Avenue, representing the applicant, was available to answer questions.

Mr. Howard asked the reason for the requested placement of the house. Mr. Steele responded that they were trying to mimic where the previous house was and they missed the 20' setback. Without the variance the property is almost too narrow for a house. He believes they will be 4' further from Ferrill Street than the previous house was.

Mr. Howard asked how the placement of the house will related to the houses behind it. Mr. Steele stated that it will be a little bit north of the houses behind it.

Mr. Worster asked when the other house was removed. Mr. Steele said it was removed about a month earlier. It was roughly 4' closer to Ferrill Street than the new house is planned. It was also facing Classen.

**AUDIENCE PARTICIPATION:** None

**DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:**

Mr. Howard commented that the front elevations of the homes on Ferrill Street move back and forth quite a bit, but it would create a uniform frontage on Ferrill Street. Looking at Classen, he sees the benefit of moving the parking to the rear of the property. He believes the request is appropriate.

Motion made by Worster, seconded by Howard, to approve BOA-2425-05 as presented, a Variance to 36-514(c)(2)(b) of 10' to the 20' side yard setback.

Voting Yea: Worster, Webb, Howard, McCarty

The motion to approve BOA-2425-05 as presented passed by a vote of 4-0.

Mr. McCarty noted the 10-day appeal period before the decision is final.

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4. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2425-06: BRITTANI BEAVER AND MICHAEL SERNA REQUEST A VARIANCE TO 36-514(c)(1)(a) OF 5' TO THE 25' FRONT YARD SETBACK FOR A NEW HOUSE IN THE CHAUTAUQUA HISTORIC DISTRICT FOR PROPERTY LOCATED AT 505 CHAUTAUQUA AVENUE.

**ITEMS SUBMITTED FOR THE RECORD:**

1. Staff Report
2. Location Map
3. Application with Attachments

**PRESENTATION BY STAFF:** Justin Fish reviewed the staff report, a copy of which is filed with the minutes.

**PRESENTATION BY THE APPLICANT:**

Michael Bewley, 2815 Short Drive in Edmond, and Owen Love, 3101 Venice Court in Norman, the builders for the applicants, explained the request for the variance was so that the new house will line up with the houses to the north and south, most of which are between 19' and 21' from the property line.

**AUDIENCE PARTICIPATION:** None

**DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:**

Motion made by Howard, seconded by Webb, to approve BOA-2425-06 as presented, with a Variance to 36-514(c)(1)(a) of 5' to the 25' front yard setback.

Voting Yea: Worster, Webb, Howard, McCarty

The motion to approve BOA-2425-06 as presented passed by a vote of 4-0.

Mr. McCarty noted the 10-day appeal period before the decision is final.

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**MISCELLANEOUS COMMENTS**

Whitney Kline noted that the next meeting of the Board will be held in the Development Center, Conference Room A.

**ADJOURNMENT**

There being no further business and no objection, the meeting adjourned at 5:01 p.m.

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Secretary, Board of Adjustment