

## BOARD OF ADJUSTMENT MINUTES

SEPTEMBER 28, 2022

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 28, 2022. Notice and agenda of said meeting were posted in the Municipal Building at the above address and at <https://www.normanok.gov/your-government/public-information/agendas-and-minutes> in excess of 24 hours prior to the beginning of the meeting.

Item No. 1, being:

### CALL TO ORDER

Chairman Curtis McCarty called the meeting to order at 4:30 p.m.

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Item No. 2, being:

### ROLL CALL

MEMBERS PRESENT

Brad Worster  
Micky Webb  
Ben Bigelow  
James Howard  
Curtis McCarty

MEMBERS ABSENT

None

A quorum was present.

STAFF PRESENT

Lora Hoggatt, Planning Services Manager  
Logan Hubble, Planner I  
Kelvin Winter, Code Compliance Supervisor  
Roné Tromble, Admin. Tech. IV  
Whitney Kline, Admin. Tech. III  
Beth Muckala, Asst. City Attorney

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Mr. McCarty introduced new Board member Ben Bigelow and welcomed him. He also welcomed Whitney Kline, who was cross-training.

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Item No. 3, being:

**APPROVAL OF MINUTES OF THE AUGUST 24, 2022 REGULAR MEETING**

*Brad Worster moved to approve the minutes of the August 24, 2022 Regular Meeting as presented. Micky Webb seconded the motion. There being no further discussion, a vote was taken with the following result:*

YEAS	Brad Worster, Micky Webb, Ben Bigelow, James Howard, Curtis McCarty
NAYS	None
ABSENT	None

The motion to approve the August 24, 2022 Board of Adjustment Regular Meeting Minutes as corrected passed by a vote of 5-0.

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Item No. 4, being:

**BOA-2223-6 – LANDMARK FINE HOMES REQUESTS A SPECIAL EXCEPTION TO 18:905(6) TO ALLOW THE ERECTION OF A DOUBLE-SIDED ENTRY SIGN FOR THE SPRINGS AT FLINT HILLS, LOCATED APPROXIMATELY ¼ MILE NORTH OF TECUMSEH ROAD ON THE WEST SIDE OF 12<sup>TH</sup> AVENUE N.W.**

**ITEMS SUBMITTED FOR THE RECORD:**

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

**PRESENTATION BY STAFF:**

1. Kelvin Winter reviewed the staff report, a copy of which is filed with the minutes.

**PRESENTATION BY THE APPLICANT:**

1. Houston Sneed, 4717 Deerfield Drive in Edmond, representing Landmark Fine Homes – Greenleaf Trails on Tecumseh has a double-sided sign. Calvary Baptist Church on Porter has a double-sided sign. I think we fit in fine with other neighborhoods and other businesses in the area that also have double-sided signs.

2. Mr. Howard asked about sight lines. Mr. Winter responded that it should be fine. He displayed PowerPoint images which illustrate the sign and show the distance to the street.

3. Mr. Bigelow asked for clarification of what is being approved. Mr. Winter responded that there are two sections to the subdivision portion of the sign code. One section allows administrative approval. Because it is a double-sided sign, instead of a single-sided sign or two single-sided signs, it has to come before the Board of Adjustment.

**AUDIENCE PARTICIPATION:**

None

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

*Brad Worster moved to approve BOA-2223-6 as presented. Micky Webb seconded the motion.*

There being no further discussion, a vote was taken with the following result:

YEAS	Brad Worster, Micky Webb, Ben Bigelow, James Howard, Curtis McCarty
NAYS	None
ABSENT	None

The motion, to approve BOA-2223-6 as presented, passed by a vote of 5-0.

Mr. McCarty announced that there is a 10-day appeal period before the decision is final.

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Item No. 5, being:

**BOA-2223-7 – VR ANATOLE LIMITED PARTNERSHIP REQUESTS A VARIANCE TO 18:505(A)(2) OF APPROXIMATELY 20' TO THE 25' EAST SETBACK ON 36<sup>TH</sup> AVENUE N.W. FOR PLACEMENT OF A GROUND SIGN FOR PROPERTY LOCATED NEAR THE SOUTHWEST CORNER OF TECUMSEH ROAD AND 36<sup>TH</sup> AVENUE N.W. (3700 W. TECUMSEH ROAD)**

**ITEMS SUBMITTED FOR THE RECORD:**

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

**PRESENTATION BY STAFF:**

1. Kelvin Winter reviewed the staff report, a copy of which is filed with the minutes.
2. Mr. Bigelow asked if there is similar signage in the area that doesn't meet the setback. Mr. Winter responded that commercial properties don't have a setback requirement. In this particular case, because the driveways are so long because of the shared drives with the commercial property on the corner, there's really not a place they can put a ground sign because it would be up against the building and with the fence around it, it would not be visible. A similar sign has been approved for the Tecumseh Road entrance, but it will meet the setback, and it will also be in line with the fence.
3. Mr. Worster asked if any protests were received. Ms. Tromble responded that none were received.
4. Mr. McCarty asked where the current sign is. Mr. Winter responded that it is up on the building.

**PRESENTATION BY THE APPLICANT:**

1. Michael Hughes, Image360, representing the applicant – The applicant purchased the property about a year ago from the original owners. One of the things that they were doing in their due diligence was noticing that there was very little signage directing people to this property, whether it be guests or emergency responders. At the time the PUD was developed, they did not take signage into account in the PUD. The new owners were seeking to increase the visibility from the main arteries. There is currently one sign on the building on one side of the property. Both sides have long drives that come in. They're shared drives that are shared with the commercial properties – a convenience store/gas station and Heritage Dental. The property line is down the middle of the drive, so they can't put anything in the median. The building is within 10-15' of the fence. There is a 6' wrought iron fence. It is a secured property with gates in two locations: one coming off 36<sup>th</sup>, and one toward the back of the property. The plan is for the sign to be right in the fenceline, which is about 5' back from the property line on 36<sup>th</sup> Avenue. The sign will be in the corner, at a 45° angle, at the entry. There would not be any interference with sight lines. The fence will be altered to go around the sign and be secure.

2. Mr. Worster asked if there is room for the 18" concrete pier foundation. Mr. Hughes responded that the rock wall is about 12" deep. The actual sign sits back about 18" behind that, and allows plenty of room to dig a pier. The sign is mounted by a single center pole that is concreted in.

3. Mr. Bigelow asked the special circumstance requiring the variance. Mr. Hughes said the reason for wanting a ground sign that people can see as they come into the property is to have some visibility. If the sign were at the 25' setback, there would be virtually no visibility of the sign from the road. What makes this different than the typical circumstance is that, having the joint drive, the way the property was developed makes it so you really don't have any green space. Everything around the site and across from it is virtually all commercial at both entries. There is plenty of room on the Tecumseh Road side.

**AUDIENCE PARTICIPATION:**

None

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

*Micky Webb moved to approve the variance for BOA-2223-7 as presented. James Howard seconded the motion.*

There being no further discussion, a vote was taken with the following result:

YEAS	Brad Worster, Micky Webb, Ben Bigelow, James Howard, Curtis McCarty
NAYS	None
ABSENT	None

The motion, to approve variance BOA-2223-7 as presented, passed by a vote of 5-0.

Mr. McCarty announced that there is a 10-day appeal period before the decision is final.

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Item No. 6, being:

**MISCELLANEOUS COMMENTS OF THE BOARD OF ADJUSTMENT AND STAFF**

1. Mr. Webb noted that he will not be present at the October meeting.
2. Ms. Hoggatt announced that Logan Hubble is leaving and moving to Colorado. Mr. McCarty thanked Logan for his service and wished him luck.

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Item No. 7, being:

**ADJOURNMENT**

There being no further business and no objection, the meeting adjourned at 4:51 p.m.

PASSED and ADOPTED this 26<sup>th</sup> day of October, 2022.

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Board of Adjustment