



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 05/22/2024

REQUESTER: Don & Robin Allen

PRESENTER: Justin Fish, Planner I

ITEM TITLE: CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2324-16: DON AND ROBIN ALLEN REQUEST A VARIANCE TO 36-514(c)(3) OF 11'6" TO THE 20' REAR YARD SETBACK, RESULTING IN AN 8'6" SETBACK, TO ALLOW THE ADDITION OF A MASTER BEDROOM AND BATHROOM SUITE ON THE FIRST FLOOR OF THE EXISTING HOME LOCATED AT 6 BINGHAM PLACE.

APPLICANT Don & Robin Allen

LOCATION 6 Bingham Place

ZONING R-1, Single Family Dwelling District

REQUESTED ACTION Variance to 36-514(c)(3) of 11'6" to the 20'; rear yard setback, resulting in an 8'6" setback, to allow the addition of a master bedroom and bathroom suite on the first floor

SUPPORTING DATA Location Map

Application with attachments

Site Plan

SYNOPSIS: The applicant is seeking the approval of one variance to construct a new master bedroom and bathroom suite. The addition will connect to the back of the existing single-family home, extending into the 20' rear-yard setback. The variance requested is as follows:

1. A variance of 11' 6" to the 20' rear-yard setback.

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 located at 6 Bingham Place is part of the Brookhaven 1st Plat. The proposed addition would set 8' 6" from the rear property line. The proposed addition will not encroach on any utility easements. There is a platted 20' right-of-way strip that runs along the rear of all the properties located on Bingham Place and the lots backing up to the Bingham Place lots which front Brookdale Drive. This right-of-way has never been used. Over the years, since the filing of Brookhaven 1st Plat in July of 1963, the area has been fenced in by the abutting property owners and structures have been built, giving all the property owners extra space in the rear yards. The proposed addition will be 8' 6" from the rear property line, but approximately 24' from the rear fence.

CONCLUSION: Staff forwards this request for BOA-2324-16 to the Board of Adjustment for consideration.