



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 8/26/2026

PRESENTER: Logan Gray, Planner II

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2627-1: NINA PARKER REQUESTS A VARIANCE OF 2' 8 ½" TO THE REQUIRED 5-FOOT SIDE YARD SETBACK TO SECTION 36-514(C)(2) FOR AN ACCESSORY BUILDING FOR THE PROPERTY LOCATED AT 434 CHAUTAUQUA AVENUE.

APPLICANT	Nina Parker
LOCATION	434 Chautauqua Ave
ZONING	R-1, Single-Family Dwelling District, Chautauqua Historic District
REQUESTED ACTION	Variance of 2' 4 ½" to the required 5' side yard setback, Section 36-514(c)(2), for an accessory structure
SUPPORTING DATA	Application Site Plan Aerial Photography Building Plans Location Map

SYNOPSIS:

This application is for a variance of 2' 4 ½" to the required 5' side yard setback of the R-1, Single-Family Dwelling District, Section 36-514(c)(2), for a 617 SF detached two-car garage. This variance request of 2' 4 ½" was reduced from 2' 8 ½" as originally noticed. The subject property is located within the Chautauqua Historic District. On July 6, 2026, the Norman Historic District Commission approved the proposed placement and design of the accessory structure, contingent on approval from the Board of Adjustment for this requested variance.

APPLICABLE ZONING ORDINANCE PROVISIONS:

Section 36-514(c)(2)

Side yard.

Except as hereinafter provided in NCC 36-515 and 36-544, there shall be a side yard on each side of a principal building which shall have a width of not less than five feet; **unattached, one-story buildings of accessory use, including ADUs, shall be set back five feet from any side lot line**; provided, however, that accessory buildings shall not be required to set back more than three feet from the interior side lot line when all parts of said building are located not more than 50 feet from the rear property line or rear utility easement line.

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 applicant wishes to rebuild a 530 SF detached garage, plus an additional 87 SF, resulting in a footprint of 617 SF for the accessory structure. The applicant is requesting a variance of 2' 4 ½" to the required 5' side yard setback of the R-1, Single-Family Dwelling District, as the footprint of the original garage is located 2' 7 ½" from the north side property line, as shown on the submitted site plan. The house and the detached garage on the subject property were built in the 1920s, predating the City's Zoning Code, adopted in 1954.

The subject property, 434 Chautauqua Ave., was platted as Lot 9, Block 1, of Ross's Addition in 1905, and is located in the Chautauqua Historic District. In addition to meeting the

development regulations of the underlying zoning district, any proposed construction within the Historic District must receive a Certificate of Appropriateness from the Norman Historic District Commission. During their July 6, 2026, meeting, the Norman Historic District Commission granted a Certificate of Appropriateness for the location and design of the new garage, contingent on approval from the Board of Adjustment for the encroachment on the 5' side yard setback.

The applicant's variance request references "site constraints" and the historical nature of the property to establish the required unique circumstances and hardship required for approval. Staff agrees that the property is historical and that the current positioning of the garage already creates an unusual angle for front vehicle entry. However, the applicant proposes to demolish and replace the structure, which would allow for a new structure to be positioned closer to the required setback or entirely compliant (by moving the structure roughly southwest). The applicant has acknowledged there is adequate space available on the lot to relocate the garage so as to comply with Norman's adopted Zoning Code.

CONCLUSION:

Staff recommends denial of this request for a 2' 4 ½" variance to Section 36-514(c)(2) and BOA-2627-1. Although the original garage predates Norman's adopted Zoning Code and is historical, the proposal to demolish and rebuild the structure allows for it to be rebuilt in a location that is compliant with the development regulations of the R-1, Single-Family Dwelling District.