



CITY OF NORMAN, OK BOARD OF ADJUSTMENT MEETING

Municipal Building, Council Chambers, 201 West Gray, Norman, OK 73069
Wednesday, April 26, 2023 at 4:30 PM

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, April 26, 2023. 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.

Chair Curtis McCarty called the meeting to order at 4:33 p.m.

ROLL CALL

PRESENT

Secretary Brad Worster
Micky Webb
Ben Bigelow (arrived at 4:39)
James Howard
Chairman Curtis McCarty

A quorum was present.

STAFF PRESENT

Melissa Navarro, Planner I
Kelvin Winter, Code Compliance Supervisor
Lora Hoggatt, Planning Services Manager
Roné Tromble, Admin. Tech. IV
Beth Muckala, Asst. City Attorney

MINUTES

1. Consideration of Approval, Rejection, Amendment, and/or Postponement of the Minutes of the February 22, 2023 Board of Adjustment Meeting.

Motion made by Worster, seconded by Webb, to approve the minutes of the February 22, 2023 meeting as presented.

Voting Yea: Worster, Webb, Howard, McCarty

The motion to approve the minutes of the February 22, 2023 Board of Adjustment meeting as presented passed by a vote of 4-0.

*

ACTION ITEMS

2. Consideration of Approval, Rejection, Amendment, and/or Postponement of BOA-2223-15: Hillel Foundation requests a Variance to 36-517(d)(5), the impervious area, for a new building to replace the existing building located at 494 Elm Avenue.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Application with Attachments
4. Existing Site Plan
5. Proposed Site Plan

PRESENTATION BY STAFF:

Melissa Navarro reviewed the staff report, a copy of which is filed with the minutes.

PRESENTATION BY THE APPLICANT:

Matt Peacock, Peacock Design, representing the applicant, presented the project.

AUDIENCE PARTICIPATION: None

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Motion made by Worster, seconded by Howard, to approve BOA-2223-15 for Hillel Foundation as presented.

Voting Yea: Worster, Howard, McCarty

Voting Nay: Webb

The motion to approve BOA-2223-15 as presented passed by a vote of 3-1.

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

*

3. Consideration of Approval, Rejection, Amendment, and/or Postponement of BOA-2223-11: James Hardwick requests Special Exception to permit the extension of a district where the boundary line of a district divides a lot in single ownership as shown of record (36-570(g)(2)(a)) for Lot One, Block One, of Amended Plat of SOUTH LAKE ADDITION Section 7, located at 1900 Ann Branden Boulevard.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Postponement Memo

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Mr. McCarty announced that the applicant has requested postponement of this item.

Motion made by Webb, seconded by Howard, to postpone BOA-2223-11 to the May 24, 2023 meeting.

Voting Yea: Worster, Webb, Howard, McCarty

The motion to postpone BOA-2223-11 to the May 24, 2023 meeting passed by a vote of 4-0.

*

4. Consideration of Approval, Rejection, Amendment, and/or Postponement of BOA-2223-12: Howard Pollack requests a Variance of 12.5' to 36-516(c)(4), the lot width requirement, and a Variance of 125 sq. ft. to 36-516(c)(5)(a), the lot area requirement, for a legal, non-conforming lot located at 125 W. Himes Street.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Application with Attachments
4. Site Plan

PRESENTATION BY STAFF:

Melissa Navarro reviewed the staff report, a copy of which is filed with the minutes.

PRESENTATION BY THE APPLICANT:

Robert Spencer, representing the applicant, was available to answer questions but did not have a presentation.

AUDIENCE PARTICIPATION: None

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Motion made by Bigelow, seconded by Worster, to approve BOA-2223-12 as presented.

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

The motion to approve BOA-2223-12 as presented passed by a vote of 5-0.

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

*

5. Consideration of Approval, Rejection, Amendment, and/or Postponement of BOA-2223-13: Metro Sign, on behalf of the Church of Christ, requests a Variance to 28-508(a)(2)(b) to the front setback for a digital monument sign at 1660 24th Avenue S.E.

ITEMS SUBMITTED FOR THE RECORD:

1. Location Map
2. Staff Report
3. Application with Attachments
4. Aerial Photo with Zoning Overlay
5. Aerial Photo of Site

PRESENTATION BY STAFF:

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

Mr. Bigelow asked if there was a variance for the school's sign across the street. Ms. Muckala responded that there is a question about applicability of our code to Norman Public Schools in certain situations; staff couldn't find anything specific.

Mr. Webb asked if past practice has been to be liberal in these cases. Ms. Muckala could not recall a similar application. Mr. Winter said there was a similar case, but the zoning was R-1 rather than A-2; that was approved for a church at Boyd and Wiley.

PRESENTATION BY THE APPLICANT:

Jerry Wright, Metro Sign, 125 W. Parkland in Yukon, was available to answer any questions. He provided an updated picture of the proposed sign, which has been reduced in size because of the size of the proposed location. The width of the sign has been reduced from 12' to 8'7".

Mr. Bigelow asked if there is a reason the sign is located as proposed, rather than on the return at the entry, which would be less of a variance. Mr. Wright responded that it was the applicant's request; there is conduit run to the proposed location. The fences on the north and south protrude out further than where the sign is proposed. They wanted it as close to the property line as possible for visibility. He noted that the median from the sidewalk to the parking lot is 11' wide, which was the main reason for reducing the width of the sign.

AUDIENCE PARTICIPATION: None

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Mr. Bigelow asked if other members had any thoughts about locating the sign in the return at the entry to get it a little further back. Mr. Howard thought that would be a reasonable compromise. Mr. McCarty noted that they have decreased the width of the sign from 12' to 8'7". Mr. Worster thinks it would be better in the middle of the property; if it were in the return, it would harder for stacked cars to be able to see traffic.

Mr. Howard commented that additional parking has been added to the project, which has dramatically increased the size of the parking area. He asked about the possibility of losing one parking space to accommodate the sign. Mr. Wright said they think they

will have to block off the parking space behind the sign because it is so close to the curb. They are planning to locate the sign as close to the curb of the parking lot, away from the sidewalk, as they can. Mr. McCarty commented that if a car were parked next to the sign, you wouldn't be able to see it.

Mr. Worster asked what the front setback would be if the property were zoned C-1 or C-2. Mr. Winters said that setback would be zero feet for commercial or industrial.

Motion by Worster to approve BOA-2223-13 for the smaller (8'7" wide) digital monument sign for Church of Christ with a 5' setback.

Mr. Wright noted that there is 11' from the sidewalk to the parking lot curb, so with the smaller sign proposed he could only place it 3.5' off the property line.

The motion died for lack of a second.

Motion by Worster, seconded by Bigelow, to approve BOA-2223-13 for the smaller (8'7" wide) digital monument sign for Church of Christ with a 1.5' setback from the property line.

Voting Yea: Worster, Bigelow, Howard, McCarty

Voting Nay: Webb

The motion to approve BOA-2223-13 with a 1.5' setback passed by a vote of 4-1.

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

*

6. Consideration of Approval, Rejection, Amendment, and/or Postponement of BOA-2223-14: Swiftco, on behalf of Vytautas and Sue Ringus, requests a Variance to 36-514(d) for a new garage located at 530 W. Eufaula Street (and 305 College Avenue).

ITEMS SUBMITTED FOR THE RECORD:

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

PRESENTATION BY STAFF:

Melissa Navarro reviewed the staff report, a copy of which is filed with the minutes.

Mr. Bigelow asked whether the property is in a historic district; Ms. Navarro said it is not.

PRESENTATION BY THE APPLICANT:

Brent Swift, 109 E. Tonhawa Street, representing the applicant, presented the project. The owners will be doing a lot line adjustment to combine the two lots into one.

Mr. Bigelow asked whether the construction activities will end up killing the tree they are trying to save with the variance. Mr. Swift responded.

Mr. Worster asked if there will be something above the garage. Mr. Swift said it will be a library.

Mr. Worster asked about the lot line adjustment. Mr. Swift responded with the history of the 305 College lot, which did not exist when the area was originally platted.

AUDIENCE PARTICIPATION:

Ruth Walker, 524 W. Comanche, had a number of questions, including the distance from the sidewalk, and what is going to happen to the house (torn down or moved somewhere else).

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Motion made by Webb, seconded by Bigelow, to approve BOA-2223-14 as presented.

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

The motion to approve BOA-2223-14 as presented passed by a vote of 5-0.

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

*

MISCELLANEOUS COMMENTS

None

ADJOURNMENT

There being no further business and no objection, the meeting adjourned at 5:11 p.m.

Secretary, Board of Adjustment