



BOARD OF ADJUSTMENT

FUNCTION AND REVIEW PROCEDURES

(Revised 03/13)

City of Norman Planning & Community Development - 201 W. Gray St., Bldg. A - Norman, OK 73069 -- (405) 366-5433 Phone - (405) 366-5274 Fax

FUNCTION

The Board of Adjustment of the City of Norman is composed of five citizens of the community appointed by the Mayor for three-year terms. In the enforcement of the Zoning Ordinance, the powers of the Board are in three specific areas:

- Decide APPEALS where it is alleged that an administrative official has made an error in the enforcement of the Ordinance;
- Hear and decide SPECIAL EXCEPTIONS as provided in the Zoning Ordinance and Sign Code;
- Hear and authorize VARIANCES as provided in the Zoning Ordinance and Sign Code.

APPEALS

Appeals of Administrative Decisions are filed on a separate form which is available in the Planning Department.

SPECIAL EXCEPTIONS

The Board of Adjustment is empowered to grant special exceptions for certain uses that are specifically enumerated in the Zoning Ordinance, Section 441(7). The Board's power to grant Special Exceptions is limited to the following instances:

- To permit the extension of a zoning district boundary where a lot under one ownership is divided into more than one district;
- To permit the reconstruction of a nonconforming building that has been destroyed by fire or an act of God;
- To interpret the provisions of the ordinance where the maps of an area do not agree with the actual street layout;
- To grant certain exceptions to the off-street parking requirements of the Ordinance;
- To permit new structures to be built in the designated floodway of the Flood Hazard District on lots which are surrounded by lots with existing structures below the base flood level (a Flood Plain Permit is also required);
- To grant Special Exceptions to the Sign Code for particular signs, such as low-profile planter-type signs, marquee signs, signs and structures in pedestrian areas such as kiosks, permanent ornamental subdivision signs, and buildings which are interpreted to be signs.

VARIANCES

Under Chapter 22, in each zoning district the Zoning Ordinance makes certain requirements for the height of structures, lot area, open space, setbacks and landscaping.

Under Chapter 18, the Sign Code makes certain requirements for the height, setback, number and size of signs.

MINOR VARIANCES have a separate application form and requirements.

Conditions for Justification of a Variance Request:

The ordinance recognizes that in certain unique instances, the strict enforcement of the provisions of the ordinance would result in undue hardship to the property owner. Therefore, the Ordinance authorizes the Board of Adjustment to grant Variances (i.e., a relaxation of the strict provisions of the Zoning Ordinance that deal with the height of structures and the area and size of yards and open space, but not the maximum permitted sign area), if the property owner can show that:

- There are special conditions or circumstances peculiar to the land or structure involved;
- The literal interpretation of the provisions of the Ordinance would deprive the applicant of rights enjoyed by others in the same district;
- The special conditions or circumstances do not result from the actions of the applicant; and
- The granting of the Variance will not confer special privileges on the applicant that are denied to other lands and/or structures in the same district.

The Ordinance authorizes the Board of Adjustment to grant variances from the Sign Code (Chapter 18) if the applicant can, in addition to the items above, also show the following:

- There are special circumstances or conditions such as the existence of buildings, topography, vegetation, sign structure or other matters on right-of-way, which would substantially restrict the effectiveness of the sign in question; provided, however, that such special circumstances or conditions must be peculiar to the particular business or enterprise to which the applicant desired to draw attention and do not apply generally to all businesses or enterprises;
- The variance would be in general harmony with the purposes of the code, and specifically would not be injurious to the neighborhood in which the business or enterprise to which the applicant desired to draw attention is located;
- The variance is the minimum one necessary to permit the applicant to reasonably draw attention to his business or enterprise.

In the granting of a variance, the burden is upon the applicant to show that he meets each of the requirements listed above.



Application for Variance or Special Exception
BOARD OF ADJUSTMENT

Case No. BOA _____

City of Norman Planning & Community Development - 201 W. Gray St., Bldg. A - Norman, OK 73069 — (405) 366-5433 Phone - (405) 366-5274 Fax

APPLICANT(S) ADDRESS OF APPLICANT

NAME AND PHONE NUMBER OF CONTACT PERSON(S) EMAIL ADDRESS

Legal Description of Property:

Requests Hearing for:

- VARIANCE from Chapter ____, Section ____
SPECIAL EXCEPTION to _____

Detailed Justification for above request (refer to attached Review Procedures and justify request according to classification and essential requirements therefor):

Justification text area with multiple lines for input.

(Attach additional sheets for your justification, as needed.)

SIGNATURE OF PROPERTY OWNER(S):

ADDRESS AND TELEPHONE:

OFFICE USE ONLY

- Application
Proof of Ownership
Certified Ownership List and Radius Map
Site Plan
Filing Fee of \$ _____

VARIANCE from Chapter ____, Section ____
SPECIAL EXCEPTION to _____

Date Submitted:
Checked by:



CERTIFICATION OF OWNERSHIP

Case No. BOA _____

City of Norman Planning & Community Development - 201 W. Gray St., Bldg. A - Norman, OK 73069 — (405) 366-5433 Phone - (405) 366-5274 Fax

DATE: _____

I, _____, hereby certify and attest that I am the owner, or that I have an option to purchase the following described property in the City of Norman:

AND, I further certify and attest that this legal description describes accurately the property requested for rezoning.

AND, I accept billing for the cost of publishing legal notice in the NORMAN TRANSCRIPT.

Owner's Signature: _____

Address: _____

Agent's Signature: _____

Address: _____

NOTARY

Before me, the undersigned, a Notary Public in and for the State of Oklahoma, on this _____ day of _____, 20____, personally appeared _____, to me known to be the identical persons who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

(SEAL)

My commission expires:

Notary Public

I hereby accept this Certification of Ownership in lieu of a deed or other legal document showing proof of ownership.

Signature: _____

Title: _____

CITY OF NORMAN