



# BOARD OF ADJUSTMENT - MINOR VARIANCE

## FUNCTION AND REVIEW PROCEDURES

(Revised 08/12)

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

(Established April 28, 1992; amended March 23, 2006)

### 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. The Board is a quasi-judicial body that has the authority, under State and local law, to grant variances to specific zoning regulations which may result in hardship on the property that is unnecessary to carry out the spirit of the ordinance.

### MINOR VARIANCES

In each zoning district, the Zoning Ordinance makes certain requirements for the height of structures and the area and size of yards and open spaces. The term "minor variance" covers situations where a building encroaches upon any required building setback line. The Board of Adjustment may grant a minor variance when that encroachment represents *approximately ten (10) percent* of the required yard, or involves only a minor portion of the structure, if the property owner can demonstrate that:

- The application of the ordinance to this particular property would create an unnecessary hardship;
- There are peculiar conditions of the property or structure which contributed to the encroachment;
- Relief, if granted, would not cause detriment to surrounding properties or, in general, the public good; and
- The relief requested would not impair, or be contrary to, the purposes and intent of the ordinance.

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

Applications for minor variances are available in the Planning Department office. Assistance for completing these applications will be provided by the Planning staff.

### REVIEW PROCEDURES

Formal application for review by the Board of Adjustment is accomplished by presenting the following to the Planning Department twenty-one (21) days prior to the meeting date (fourth Wednesday of each month, except November and December):

- completed APPLICATION FORM (attached)
- copy of DEED to land, or executed CERTIFICATE OF OWNERSHIP (attached)
- PLOT PLAN
- FILING FEE      Minor Variance    \$300.00
- An ACCURATE AND CURRENT LIST OF NAMES AND ADDRESSES of all property owners of record adjacent to, or directly across the street from, the subject property. Forms are attached for this purpose and a RADIUS MAP will be furnished to the applicant by the Planning Department delineating the notice area. Notice, by certified mail, shall be mailed to the abutting property owners by the Planning Department staff not less than fifteen (15) days before the meeting of the Board, and shall contain the facts listed in Section 441(11)(d) of Chapter 22, the Zoning Ordinance. These owners and any other citizen may protest the application if they so desire.

The Planning staff will research and analyze the application and prepare a Staff Report with recommendation, which will be provided to members of the Board and mailed to each applicant.

The regular meeting of the Board of Adjustment is usually held on the fourth Wednesday of each month in the Norman Municipal Building Conference Room (201-A West Gray) at 4:30 p.m. (No meeting is scheduled during November, and the December meeting is moved earlier in the month to accommodate the holidays.)

At the public hearing on the application which is held by the Board, the Planning staff will introduce the application, and the applicant and any interested citizens will have the opportunity to speak to the Board concerning the application.

The concurring vote of three (3) members of the Board is necessary to decide in favor of an application. Minutes of the Board meeting are kept as a public record filed in the office of the City Clerk. Minutes are normally approved at the next regular meeting of the Board of Adjustment. **Recourse from the decision of the Board of Adjustment must be taken by appeal to the District court within ten (10) days after the meeting at which the Board's decision was rendered.** If no appeal is filed within ten days of the meeting, the Board's decision is considered final.



Application for Minor Variance  
**BOARD OF ADJUSTMENT**

Case No. \_\_\_\_\_

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
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NAME AND PHONE NUMBER OF CONTACT PERSON(S)	EMAIL ADDRESS
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**Legal Description of Property:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Requests Hearing for:**  
 MINOR VARIANCE from Chapter 22, Section \_\_\_\_\_

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

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

SIGNATURE OF APPLICANTS: _____ _____ _____	ADDRESS AND TELEPHONE: _____ _____ _____
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- Application
- Proof of Ownership
- Notice List and Radius Map
- Plot Plan
- Filing Fee of \$300.00

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