

BOARD OF ADJUSTMENT MINUTES

JANUARY 27, 2021

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, at 4:30 p.m., on Wednesday, January 27, 2021. 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.

Item No. 1, being:

CALL TO ORDER

Chairman Andrew Seamans called the meeting to order at 4:30 p.m.

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Item No. 2, being:

ROLL CALL

MEMBERS PRESENT

Brad Worster
Curtis McCarty
Mike Thompson
Rick Roberts
Andrew Seamans

MEMBERS ABSENT

None

A quorum was present.

STAFF PRESENT
in person unless noted

Lora Hoggatt, Planning Services Manager
Roné Tromble, Recording Secretary
Elisabeth Muckala, Asst. City Attorney

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Item No. 3, being:

ELECTION OF OFFICERS FOR 2021

Rick Roberts moved to nominate the following slate of officers for 2021: Andrew Seamans, Chair; Curtis McCarty, Vice Chair; and Brad Worster, Secretary. Curtis McCarty seconded the motion.

There being no further discussion, a vote was taken with the following result:

YEAS	Brad Worster, Curtis McCarty, Mike Thompson, Rick Roberts, Andrew Seamans
NAYS	None

Ms. Tromble announced that the motion to elect the slate of officers for 2021 passed by a vote of 5-0.

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Item No. 4, being:

APPROVAL OF MINUTES OF THE DECEMBER 2, 2020 REGULAR MEETING

Curtis McCarty moved to approve the minutes of the December 2, 2020 Regular Meeting as presented. Mike Thompson seconded the motion.

There being no further discussion, a vote was taken with the following result:

YEAS	Brad Worster, Curtis McCarty, Mike Thompson, Rick Roberts, Andrew Seamans
NAYS	None
ABSENT	None

Ms. Tromble announced that the motion to approve the December 2, 2020 Board of Adjustment Regular Meeting Minutes as presented passed by a vote of 5-0.

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Item No. 5, being:

BOA-2021-12 – BUD BROTHERS DISPENSARY REQUESTS A VARIANCE TO 18:412(3) TO ALLOW THE ADDITION OF A DIGITAL SIGN TO THE EXISTING SIGN POLE FOR PROPERTY LOCATED AT 1100 NORTH PORTER AVENUE.

This item has been withdrawn by the applicant. It appears on the agenda only as information because it was postponed at the December 2, 2020 meeting.

No action was needed.

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Item No. 6, being:

BOA-2021-13 – DREW AND LEAH SANDEFER REQUEST A VARIANCE FROM 22:421.1(3)(A) OF APPROXIMATELY 1.5' TO THE FRONT YARD SETBACK FOR THE SOUTHWEST CORNER OF THE EXISTING HOUSE ON PROPERTY LOCATED AT 3301 WINCHESTER CIRCLE.

ITEMS SUBMITTED FOR THE RECORD:

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

PRESENTATION BY STAFF:

Ms. Hoggatt reviewed the staff report, a copy of which is filed with the minutes.

PRESENTATION BY THE APPLICANT:

The applicants were present and available to answer questions, but did not make a presentation.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Brad Worster moved to approve the Variance requested in BOA-2021-13 as presented. Rick Roberts seconded the motion.

There being no further discussion, a vote was taken with the following result:

YEAS	Brad Worster, Curtis McCarty, Mike Thompson, Rick Roberts, Andrew Seamans
NAYS	None
ABSENT	None

Ms. Tromble announced that the motion, to approve the Variance as requested, passed by a vote of 5-0.

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

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Item No. 7, being:

BOA-2021-15 – FRANKLIN BUSINESS PARK, L.L.C. REQUESTS A VARIANCE TO 18:601(c)(11) TO ALLOW RELOCATION OF AN EXISTING BILLBOARD ON THE PROPERTY TO A LOCATION CLOSER TO THE PROPERTY'S SOUTHERN BORDER FOR LOT THREE (3), IN BLOCK ONE (1), OF FRANKLIN BUSINESS PARK ADDITION SECTION 3.

ITEMS SUBMITTED FOR THE RECORD:

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

PRESENTATION BY STAFF:

Ms. Hoggatt reviewed the staff report, a copy of which is filed with the minutes.

PRESENTATION BY THE APPLICANT:

Gunner Joyce, Rieger Law Group, 136 Thompson Drive, representing the applicant – This is the location right off I-35 – Franklin Business Park. This actual portion of it is not built out yet. Here's an aerial of it, and you can see the billboard that we're seeking to relocate toward the south of the property. There are seven billboards in this surrounding area; all of them are within 1,000 feet from each other. They were all built before that spacing requirement was put into effect. So we are seeking to actually increase distance between signs 2 and 3, and move 2 closer to the south portion of the property line. Here is an existing view from the highway. This is the billboard that we're talking about, and you can see some of the other ones along this site. Just so you have a visual, here's the existing distances between the two billboards rights now – it's about 500 feet – that's the yellow line. And to the property line it is 722 feet, so it is impossible to relocate this billboard anywhere onsite and comply with the 1,000 foot requirement. That's why we're seeking the variance here. The summary, real quick, like we said is just to move to the south. It is going to increase distance. Lora noted there is a billboard to the south, but it is over 1,000 feet from the property line – it's about 1,100 feet from the property line, so any movement to the south is not going to violate that 1,000 foot distance to the billboard that's farther to the south. That is basically the request. Happy to take any questions you guys might have.

Mr. McCarty – So the one that you're looking at moving is the one that says Forest on it?
Mr. Joyce – Correct.

Mr. Roberts – If I'm understanding, you're bringing everything more into compliance?

Mr. Joyce – That's correct. It's not exactly into strict compliance, because compliance – any new relocation of a billboard would trigger the 1,000 foot requirement that was put into place. But you're right, we're meeting the spirit of that by increasing distance.

Mr. Roberts – And are you infringing on any right-of-ways to the property line to the south?

Mr. Joyce – No, sir.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Rick Roberts moved to approve the Variance requested in BOA-2021-15 as presented. Mike Thompson seconded the motion.

There being no further discussion, a vote was taken with the following result:

YEAS	Brad Worster, Curtis McCarty, Mike Thompson, Rick Roberts, Andrew Seamans
NAYS	None
ABSENT	None

Ms. Tromble announced that the motion, to approve the Variance as requested, passed by a vote of 5-0.

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

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Item No. 8, being:

MISCELLANEOUS COMMENTS OF THE BOARD OF ADJUSTMENT AND STAFF

Beth Muckala – I just wanted to catch you up a little bit on our Magnum case. Our Magnum case had a development since our last meeting. My last update told you that they had filed a petition for certiorari, which the City had opposed. The Supreme Court let us know on December 14 that they will be accepting certiorari review, which means any time in the next 6 months to a year and a half we should know what the Supreme Court thinks. They have not requested any further briefing or anything. But if they do anything, I will be sure to update you.

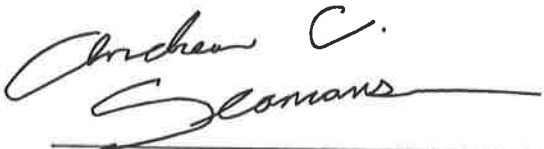
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Item No. 8, being:

ADJOURNMENT

There being no further business and no objection, the meeting adjourned at 4:40 p.m.

PASSED and ADOPTED this 24th day of February, 2021.



Board of Adjustment

