

BOARD OF ADJUSTMENT MINUTES

MARCH 28, 2012

The Board of Adjustment of the City of Norman, Cleveland County, Oklahoma, met in Regular Session in the South Conference Room of the Norman Municipal Building, 201-A West Gray, at 4:30 p.m., March 28, 2012. Notice and agenda of said meeting were posted in the Municipal Building at the above address and at www.normanok.gov/content/board-agendas at least 24 hours prior to the beginning of the meeting.

Item No. 1, being:

CALL TO ORDER

Chairman Tom Sherman called the meeting to order at 4:30 p.m.

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Item No. 2, being:

ROLL CALL

MEMBERS PRESENT

Margaret Farmer
Jim Ruhl
Hank Ryan
Howard Saxion
Tom Sherman

MEMBERS ABSENT

None

A quorum was present.

STAFF PRESENT

Doug Kosciński, Manager, Current Planning
Wayne Stenis, Planner II
Roné Tromble, Recording Secretary

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Item No. 3, being:

APPROVAL OF MINUTES OF THE FEBRUARY 22, 2012 REGULAR MEETING.

Ms. Farmer noted a correction to page 4, the fourth paragraph says "Ms. Smith" but should be "Mr. Smith."

Margaret Farmer moved to approve the minutes of the February 22, 2012 Regular Meeting as corrected. Hank Ryan seconded the motion.

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

YEAS

Margaret Farmer, Jim Ruhl, Hank Ryan, Howard Saxion, Tom Sherman

NAYS

None

ABSENT

None

Chairman Sherman announced that the motion to approve the February 22, 2012 Minutes passed by a vote of 5-0.

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Item No. 4, being:

BOA-1112-14 – S.P. HOLDING COMPANY/LAMBDA CHI ALPHA FRATERNITY REQUEST A VARIANCE OF APPROXIMATELY 10' FROM THE 25' FRONT YARD SETBACK, A VARIANCE OF APPROXIMATELY 11' FROM THE 20' REAR YARD SETBACK, AND A VARIANCE TO THE TOTAL IMPERVIOUS AREA FOR A PROPOSED EXPANSION TO PROPERTY LOCATED AT 904 COLLEGE AVENUE.

ITEMS SUBMITTED FOR THE RECORD

1. Staff Report
2. Location Map
3. Applicant's Statement of Justification
4. Site Plan
5. Aerial Photo
6. Historic Photographs

PRESENTATION BY STAFF

Mr. Stenis reviewed the staff report, a copy of which is filed with the minutes. There were no protests filed on this variance request.

Mr. Ryan asked if they are adding additional parking. Mr. Koscinski said they are not adding parking, but may be restriping. They own additional property at the south end of the block which has been approved for parking, and they currently rent parking from University Lutheran Church.

Ms. Farmer asked for clarification of where the front of the lot lies. Chairman Sherman indicated this property has always been addressed off of College Avenue. Mr. Koscinski explained that when this was built, Lindsey Street probably didn't exist. Ms. Farmer commented that the dining room will be very close to the sidewalk, and asked if there is any barricade for the parking. Mr. Stenis stated there is a curb. Mr. Ryan suggested they install bollards or bumper blocks.

Ms. Farmer commented that 4% additional impervious area doesn't sound like a lot, but it is a good deal over the allowed amount. She believes the safety issues outweigh this issue. Mr. Ryan commented that they could change the front walk to something that is not impervious, but it is better for everybody the way it is.

Chairman Sherman commented that the primary encroachments relate to the fire stairs, which are a safety issue. Mr. Ryan commented that there is value to the historic building. Mr. Koscinski stated that this is one of the oldest in this location. Ms. Farmer added that the diagonal entryway gives the feel of open space. Mr. Ryan stated that the first photo of this house in a yearbook is in the Sooner Yearbook from 1931. Chairman Sherman added that when the base was being built, the military appropriated larger facilities to house military personnel.

PRESENTATION BY THE APPLICANT

The applicant did not make a formal presentation but was available to respond to questions.

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT

Mr. Ryan said he thinks this is a good plan for working around some site limitations. Chairman Sherman commented that this property has more limitations than most. They have done as good a job as possible to make it palatable, and there were no protests.

Hank Ryan moved to approve a Variance of approximately 10' from the 25' front yard setback, a Variance of approximately 11' from the 20' rear yard setback, and a Variance to the total impervious area (an increase from 81% to 85% coverage). Jim Ruhl seconded the motion.

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

YEAS	Margaret Farmer, Jim Ruhl, Hank Ryan, Howard Saxion, Tom Sherman
NAYS	None
ABSENT	None

Chairman Sherman announced that the motion to grant the Variances passed by a vote of 5-0. He noted the 10-day appeal period and informed the applicant that they cannot begin construction until after that period.

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Item No. 5, being:

BOA-1112-15 – KARL OFFEN REQUESTS A VARIANCE OF APPROXIMATELY 2' TO THE 5' SIDE YARD SETBACK TO ALLOW CONSTRUCTION OF A SECOND STORY ADDITION TO AN EXISTING GARAGE LOCATED AT 919 S. LAHOMA AVENUE.

ITEMS SUBMITTED FOR THE RECORD

1. Staff Report
2. Location Map
3. Applicant's Statement of Justification
4. Site Plan
5. Enlarged Site Plan
6. Photo – Front Elevation
7. 3D Elevation of Project
8. Floor Plan (upstairs)
9. Floor Plan (downstairs)
10. Aerial Photo of Lot

PRESENTATION BY STAFF

Mr. Stenis reviewed the staff report, a copy of which is filed with the minutes. There was one protest filed on this variance request.

Mr. Ryan commented that the protesting property does not have a sight line to the subject property.

Ms. Farmer asked whether the applicant knows if the existing structure will be able to support a second story. Mr. Stenis indicated we have not received that information. Chairman Sherman commented that they will have to make sure it can support it whether or not the variance is granted. Mr. Ryan asked whether, if the variance is granted and they find out the existing structure cannot support the addition, they would be able to raze the existing structure and build a new structure. Mr. Koscinski indicated it will depend on how the Board words their variance approval. He noted that one of the main reasons for the variance is the pre-existing condition of the existing garage structure; if it goes away, most of the need for the variance also goes.

PRESENTATION BY THE APPLICANT

Karl Offen, the applicant, took photographs of all the out-buildings along the alley from his house up to Brooks. Only two properties do not have out-buildings that are separated that have been redone recently. Some of them are two-story, and some of them are rentals with separate addresses. It is not his objective to rent this space.

Mr. Koscinski noted that the original zoning ordinance for this era did not impose setbacks, and single-family zoning allowed two families. There is not to be a kitchen in this addition; there will be a bathroom. He added that there is an alley behind the property, but there is not access to the alley at this time; there is a very large tree.

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT

Ms. Farmer commented that these houses are really small, and if we want people to buy them and make them better, they have to be livable. In most cases, we have seen improvement by approving the variances.

Hank Ryan moved to approve a Variance of approximately 2' to the 5' side yard setback, provided that if the existing structure will not support a second story and has to be razed this Variance will not apply to a new structure. Howard Saxion seconded the motion.

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

YEAS	Margaret Farmer, Jim Ruhl, Hank Ryan, Howard Saxion, Tom Sherman
NAYS	None
ABSENT	None

Chairman Sherman announced that the motion to grant the Variance passed by a vote of 5-0. He noted the 10-day appeal period and informed the applicant that they cannot begin construction until after that period, although they can apply for a building permit before that appeal period ends.

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Item No. 6, being:

MISCELLANEOUS DISCUSSION

Mr. Koscinski announced that he will be retiring on April 19, and this is his last meeting with the Board.

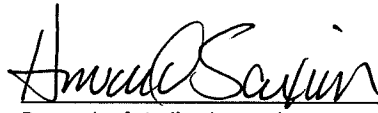
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Item No. 7, being:

ADJOURNMENT

There being no further business, Chairman Sherman adjourned the meeting at 5:03 p.m.

PASSED and ADOPTED this 25 day of April, 2012.



Board of Adjustment