

BOARD OF ADJUSTMENT MINUTES

APRIL 25, 2012

The Board of Adjustment of the City of Norman, Cleveland County, Oklahoma, met in Regular Session in the City Council Chambers of the Norman Municipal Building, 201 West Gray, at 4:30 p.m., April 25, 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 4:33 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

Susan Connors, Director, Planning & Community Development
Wayne Stenis, Planner II
Terry Floyd, Development Coordinator
Roné Tromble, Recording Secretary

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Item No. 3, being:

APPROVAL OF MINUTES OF THE MARCH 28, 2012 REGULAR MEETING.

Hank Ryan moved to approve the minutes of the March 28, 2012 Regular Meeting as submitted. 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 approve the March 28, 2012 Minutes passed by a vote of 5-0.

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Item No. 4, being:

BOA-1112-16 – KURT & WENDY WILLIAMS REQUEST A VARIANCE OF APPROXIMATELY 10' TO THE 25' PLATTED SIDE YARD (NORTH) SETBACK TO ALLOW THE ADDITION OF A SINGLE-CAR GARAGE WITH A SECOND STORY BEDROOM, ON PROPERTY LOCATED AT 410 SCARLETT STREET.

ITEMS SUBMITTED FOR THE RECORD

1. Staff Report
2. Location Map
3. Applicant's Statement of Justification
4. Site Plan
5. Plat Map

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 commented that if this property had a 15' setback a variance would not be needed.

PRESENTATION BY THE APPLICANT

Mark Krittenbrink, representing the applicants, was available to answer questions.

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT

Hank Ryan moved to approve a Variance of not more than 11'. Margaret Farmer 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.

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Item No. 5, being:

BOA-1112-17 – MARK KRITTENBRINK, AGENT OF THE OWNER, REQUESTS A VARIANCE OF APPROXIMATELY 2' TO THE 15' SIDE YARD (NORTH) SETBACK TO ALLOW TWO COVERED PORCHES, ONE OF WHICH HAS A SECOND STORY ROOM, FOR PROPERTY LOCATED AT 900 ELM STREET.

ITEMS SUBMITTED FOR THE RECORD

1. Staff Report
2. Location Map
3. Applicant's Statement of Justification
4. Site Plan
5. Plat Map

PRESENTATION BY STAFF

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

Ms. Farmer commented that she thought the City was going to try to do something about the flooding in this neighborhood. Mr. Stenis indicated there has been discussion of a drainage project through the area but he is not aware that it would change the right-of-way. Ms. Connors added that the project that is being discussed for Lindsey Street is from 24th Avenue to Berry Road, so this site would be to the east of that project, and "Lake McGee" should be handled by that project. Ms. Farmer commented that she has seen cars pretty deep in flooding at Elm. Chairman Sherman commented that, regardless of whether the variance is approved or not, if they ever decide to widen Lindsey Street, the subject property would probably have to be purchased for right-of-way.

Ms. Farmer asked if there is a sidewalk at this property. Mr. Stenis explained that the layout of the sidewalk is what alerted the builder to do the survey.

PRESENTATION BY THE APPLICANT

Mark Krittenbrink, representing the applicant, stated that there is a sidewalk that runs along the east side of the property along Elm Street, which is built 3' inside the property line. They also spent quite a bit of time with the City, and revised the site plan two or three times, to make sure they were addressing all of the runoff on-site. They actually decreased the impervious surface just a bit and they are below what is required by code and below what was on the site previously.

Chairman Sherman asked whether there is a sidewalk on the north side of the property. Mr. Krittenbrink said there is not at this time, and one did not previously exist there. The applicants may want to put one in on that side.

Ms. Farmer asked about parking for the property. Mr. Stenis indicated it is shown on the site plan on the west side. Mr. Krittenbrink added that there are six parking spaces for six beds.

Ms. Farmer commented that work on this project did not stop while they were waiting for the variance. Mr. Stenis said he is not aware of a stop work order, and the applicant was going ahead at their own risk. The builder initiated this application.

Mr. Ryan asked if a 2' variance is enough. Mr. Krittenbrink responded that 2' is enough, but 2'6" would be great. When he talked with Doug, he was told the owner could go ahead and build, but when they want to sell it, a question will come up. The applicant felt it would be best to go through this process now, so it is clean for any future sale of the property. The owner would prefer to be in compliance.

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT

Hank Ryan moved to approve a Variance of not more than 2'6" to the 15' side yard (north) setback. 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 Variance passed by a vote of 5-0. He added that the 10-day waiting period seems irrelevant in this instance.

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Item No. 6, being:
MISCELLANEOUS DISCUSSION
None

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Item No. 7, being:
ADJOURNMENT
There being no further business, Chairman Sherman adjourned the meeting at 4:52 p.m.

PASSED and ADOPTED this 27 day of June, 2012.



Board of Adjustment