

BOARD OF ADJUSTMENT MINUTES

SEPTEMBER 26, 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., September 26, 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
Hank Ryan
Howard Saxion
Andrew Seamans
Tom Sherman

MEMBERS ABSENT

None

A quorum was present.

STAFF PRESENT

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

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Item No. 3, being:

APPROVAL OF MINUTES OF THE JULY 25, 2012 REGULAR MEETING.

Hank Ryan moved to approve the minutes of the July 25, 2012 Regular Meeting as submitted. Margaret Farmer seconded the motion.

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

YEAS

Margaret Farmer, Hank Ryan, Howard
Saxion, Andrew, Seamans, Tom Sherman

NAYS

None

ABSENT

None

Chairman Sherman announced that the motion to approve the July 25, 2012 Minutes passed by a vote of 5-0.

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Item No. 4, being:

BOA-1213-03 – PAUL BRYAN REQUESTS A VARIANCE OF 150' TO THE 400' SETBACK FROM THE CENTERLINE OF INDIAN HILLS ROAD (NORTHERN COMMUNITY SEPARATOR OVERLAY DISTRICT) TO ALLOW CONSTRUCTION OF A NEW HOUSE AT 350 WEST INDIAN HILLS ROAD.

ITEMS SUBMITTED FOR THE RECORD

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

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. Saxion noted that the site plan shows the house almost immediately adjacent to the pipeline easement, and asked if there is a setback required from the easement, and the size of the pipeline. Mr. Stenis responded that the pipeline easement is 50', but there is no setback requirement for the main structure. There would be a 1' setback from the pipeline for any accessory buildings. He did not know the size of the pipeline.

PRESENTATION BY THE APPLICANT

Warren Peacock, WPM Design Group, representing the applicant – Because of the topography, the pipeline, the lake, and some other restrictions, where they want to put the house is the best possible location to prevent any drainage problems. It's going to be a large house – 12,000 square feet. The house is currently sitting back from Indian Hills Road about 308', so we have a little latitude to move that if we need to. They have been working with the pipeline company and I think the pipeline company indicated, as long as we're outside their easement, they're fine. I do not know what the size of the pipeline is, though.

Chairman Sherman asked what the side yard setback is for this A-2 zone. Mr. Stenis indicated it is 25'. Chairman Sherman asked if it would be possible to move the house to the southwest along the pipeline easement. Mr. Peacock explained that the proposed location is almost the highest point on the lot; if it is moved to the west it gets down into a hole which creates a potential problem.

Ms. Farmer commented that the existing trees look newly planted, and asked if the house will be located in the middle of them. Mr. Peacock responded that the owner has done all the planting and landscaping. The house will be located to fit in the trees. If he needs to move one of the trees, they will move it. With that expensive a house, they want to make a really nice development.

Mr. Ryan asked if the footprint of the house is already fixed. He doesn't want to approve something and then have something completely different constructed. Mr. Peacock said it is his understanding the architectural plans are done. If the variance is approved, they will submit for a building permit within a week or so.

Mr. Ryan asked whether a 300' setback would work. Mr. Peacock responded that it would work, but they would prefer 250', in case there are any adjustments that need to be made.

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT

Mr. Ryan commented that the concept of the overlay is good, but it doesn't seem to be having much effect. There are only a few houses that are giving that buffer so people would know where Moore ended and Norman began. Some of the existing houses on the south side of Indian Hills Road which precede the overlay are very close to the road.

Chairman Sherman said he understands why the overlay was done, but he's not sure it has a practical application or works. If you really want to know where Moore and Norman stop, put good signs up.

Mr. Ryan added that he thinks the amount of setback requested will accomplish the purpose as well as an additional 150'. Chairman Sherman agreed.

Howard Saxion moved to approve the Variance as requested of 150' to the 400' front yard setback from the centerline of Indian Hills Road to allow construction of a new house at 350 West Indian Hills Road. Hank Ryan seconded the motion.

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

YEAS	Margaret Farmer, Hank Ryan, Howard Saxion, Andrew Seamans, 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 before construction can be started; the applicant may apply for their building permit immediately.

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Item No. 5, being:

MISCELLANEOUS DISCUSSION

Chairman Sherman welcomed Andrew Seamans to the Board.

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Item No. 6, being:

ADJOURNMENT

There being no further business, Chairman Sherman adjourned the meeting at 4:41 p.m.

PASSED and ADOPTED this 24 day of October, 2012.



Board of Adjustment