

BOARD OF ADJUSTMENT MINUTES

JULY 24, 2013

The Board of Adjustment of the City of Norman, Cleveland County, Oklahoma, met in Regular Session in Conference Room C of the Norman Municipal Building, 201-A West Gray, at 4:30 p.m., July 24, 2013. 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 Andrew Seamans called the meeting to order at 4:30 p.m.

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Item No. 2, being:

ROLL CALL

MEMBERS PRESENT

Hank Ryan
Cindy Deckard
Thomas Ballenger
Andrew Seamans

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:

ELECTION OF NEW VICE CHAIR

Hank Ryan moved to elect Thomas Ballenger as Vice Chair. Cindy Deckard seconded the motion.

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

YEAS

Hank Ryan, Cindy Deckard, Thomas Ballenger,
Andrew Seamans

NAYS

None

Chairman Seamans announced that the motion to elect Thomas Ballenger as Vice Chair passed by a vote of 4-0.

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Item No. 4, being:

APPROVAL OF MINUTES OF THE APRIL 24, 2013 REGULAR MEETING

Hank Ryan moved to approve the minutes of the April 24, 2013 Regular Meeting as presented.

Cindy Deckard seconded the motion.

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

YEAS	Hank Ryan, Andrew Seamans
NAYS	None
ABSTAIN	Cindy Deckard, Thomas Ballenger

Chairman Seamans announced that the motion to approve the April 24, 2013 Minutes as presented passed by a vote of 2-0-2.

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Item No. 5, being:

BOA-1314-3 – HEATH AND CARY HANS REQUEST A VARIANCE OF APPROXIMATELY 9' TO THE 25' FRONT YARD SETBACK AT THE NORTHEAST CORNER OF THE PROPERTY WHERE THE SETBACK CURVES TO MATCH THE CUL-DE-SAC TO ALLOW FOR PLACEMENT OF A DETACHED GARAGE ON PROPERTY LOCATED AT 4504 CANONBURY CIRCLE.

ITEMS SUBMITTED FOR THE RECORD

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

PRESENTATION BY STAFF

Mr. Stenis reviewed the staff report, a copy of which is filed with the minutes. He noted that it will not be a detached garage, but will have a porte cochere. There were no filed protests on this application.

PRESENTATION BY THE APPLICANT

Curtis McCarty, C.A. McCarty Construction, representing the applicant – He has been working with the applicants for about six months on the plans and design of their new home. They want a house with a porte cochere, which is a drive-under garage. There is a parking court behind the detached garage and the attached garage. Because of the natural movement of a car when you back out of your garage, you can't make a 90-degree turn. The reason for the requested garage location is so they don't have to make a 3 or 4-point turn. The garage is not going to exceed the building line except for in the hashed part where the curve of the street starts and the 25' building line begins to curve. The variance will allow them to scoot the garage up a little bit, keep the back entry garage, and have it wide enough that the angle can create a good motion of a car versus having a sharp 90-degree corner to work around. They are also trying to stay with the neighborhood aesthetic of porte cocheres and follow the architectural controls of the neighborhood.

Mr. Ballenger commented that it appears this is the only lot that has this problem with just a corner clipped. He asked if the variance that was granted before was in this community. Mr. Stenis indicated it was in Eaglecliff.

Mr. McCarty added that they will be meeting all the side yard setbacks. A 15' setback would be the worst case scenario at the corner of the garage. A portion of it would be right up to the straight portion of the building line. Locating the garage at the building line makes it very difficult for a car to get in and out.

Mr. Ryan commented that his main question was whether the garage would block the vision of the property to the north. He is not as concerned, since this is a cul-de-sac, as he would be if this were a street. Mr. McCarty responded that they meet the 10' sight triangle that is required on corner lots. He said he had talked to the neighbor to the west who had called him and wanted to know what it was about and he explained the encroachment to them.

Mr. Seamans asked if there is anything in the covenants that would require the garage to be set back further than the front of the house. Mr. McCarty indicated there is not. He stated that the developer has already approved the plans for this.

AUDIENCE PARTICIPATION

None

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT

Mr. Ryan commented that the neighbors didn't attend this meeting or file a protest. If they had, he would have a problem with the variance. Mr. McCarty noted that the driveway on the property to the north is set away from the property line and there is still the 5' setback to the side of the garage. The neighbors on the north have a hammerhead on their side yard to back out of their garage, so probably will not be backing out into the street.

Hank Ryan moved to approve the variance as requested. Thomas Ballenger seconded the motion.

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

YEAS	Hank Ryan, Cindy Deckard, Thomas Ballenger, Andrew Seamans
NAYS	None

Chairman Seamans announced that the motion to grant the Variance as requested passed by a vote of 4-0. He noted the 10-day appeal period before the decision is final.

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Item No. 6, being:

MISCELLANEOUS DISCUSSION

Chairman Seamans welcomed new members Cindy Deckard and Thomas Ballenger to the Board.

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Item No. 7, being:

ADJOURNMENT

There being no further business, Chairman Seamans adjourned the meeting at 4:46 p.m.

PASSED and ADOPTED this 28th day of August, 2013.

Henry G. Ryan, Secretary
Board of Adjustment