

BOARD OF ADJUSTMENT MINUTES

SEPTEMBER 25, 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 A, 201-A West Gray, at 4:30 p.m., September 25, 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.

* * *

Item No. 2, being:

ROLL CALL

MEMBERS PRESENT

Hank Ryan
Thomas Ballenger
Andrew Seamans

MEMBERS ABSENT

Cindy Deckard

A quorum was present.

STAFF PRESENT

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

* * *

Item No. 3, being:

APPROVAL OF MINUTES OF THE AUGUST 28, 2013 REGULAR MEETING

Mr. Ryan noted that on page 8 of the minutes, in the third paragraph of Presentation by the Application, Ms. Deckard's name is misspelled. Ms. Tromble noted that the first paragraph on page 1 should be corrected to say the meeting was held August 28, rather than July 24 as indicated.

Hank Ryan moved to approve the minutes of the August 28, 2013 Regular Meeting as corrected. Tom Ballenger seconded the motion.

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

YEAS

Hank Ryan, Tom Ballenger, Andrew Seamans

NAYS

None

ABSENT

Cindy Deckard

Chairman Seamans announced that the motion to approve the August 28, 2013 Minutes as corrected passed by a vote of 3-0.

* * *

Item No. 4, being:

BOA-1314-7 -- JAY REINKE REQUESTS A VARIANCE OF 2' TO THE 7' ENHANCED SIDE YARD (NORTH) SETBACK FOR A STRUCTURE IN EXCESS OF 12' IN HEIGHT TO ALLOW FOR A DETACHED GARAGE LOCATED AT THE NORMAL 5' SIDE SETBACK FOR PROPERTY LOCATED AT 757 DE BARR AVENUE.

ITEMS SUBMITTED FOR THE RECORD:

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

PRESENTATION BY STAFF:

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

PRESENTATION BY THE APPLICANT:

Mark Krittenbrink, representing the applicant – He indicated that some of the reasons for the request are that the applicant has large vehicles that won't fit in a smaller garage, and they are trying to align the doors with the existing driveway. There are other buildings in the neighborhood that have been built within the past year that don't meet the setbacks; he specifically mentioned 706 Jenkins and 726/724 Jenkins.

Mr. Ryan commented that he didn't see a significant issue with moving the building 2' and making it conform to the code. There are several ways to tweak the garage so that it will conform, some of which were suggested in the staff report.

Ms. Connors clarified that the setback issues stems from the height of the structure and because it is an accessory structure. Main buildings have a 5' setback. The additional setback comes into play because the proposed garage is over 12' in height.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Mr. Ryan commented that he agrees with the staff recommendation. In this case, there is more than one option to make the building conform to the codes. This is a new structure and thus has a clean slate. Lining the doors up with the driveway is not a requirement.

Jay Reinke, the applicant, argued that meeting the setback would put part of the garage doors behind the house.

Mr. Ryan added that he has driven by the location, and he would not be able to support the requested variance.

Hank Ryan moved to deny the variance. Tom Ballenger seconded the motion.

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

YEAS	Hank Ryan, Thomas Ballenger, Andrew Seamans
NAYS	None
ABSENT	Cynthia Deckard

Chairman Seamans announced that the motion to deny the Variance passed by a vote of 3-0.

Chairman Seamans commented that he believes there are other options that can be incorporated into the design to fit within the code requirements.

* * *

Item No. 5, being:

MISCELLANEOUS DISCUSSION

None

Item No. 6, being:

ADJOURNMENT

There being no further business and no objection, the meeting adjourned at 4:56 p.m.

PASSED and ADOPTED this 11th day of December, 2013.

Devin A. Ryan, SECRETARY
Board of Adjustment