

BOARD OF ADJUSTMENT MINUTES

NOVEMBER 19, 2014

The Board of Adjustment of the City of Norman, Cleveland County, Oklahoma, met in Special Session in Conference Room D of the Norman Municipal Building A, 201-A West Gray, at 4:30 p.m., on November 19, 2014. 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

Cindy Deckard
Todd Marple
Andrew Seamans

MEMBERS ABSENT

Hank Ryan

A quorum was present.

STAFF PRESENT

Wayne Stenis, Planner II
Roné Tromble, Recording Secretary
Susan Connors, Director, Planning & Community
Development
Leah Messner, Asst. City Attorney

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Item No. 3, being:

BOA-1415-10 – WP OKLAHOMA NURSING, L.L.C. REQUESTS A SPECIAL EXCEPTION TO THE REQUIRED NUMBER OF OFF-STREET PARKING SPACES FOR AN EXISTING FACILITY LOCATED AT 501 E. ROBINSON STREET.

ITEMS SUBMITTED FOR THE RECORD:

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

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.

Mr. Marple asked for clarification on the handicapped spaces. Mr. Stenis explained there are currently two marked handicapped spaces. It will take two regular spaces to make the third handicapped space, but they will still have 73 total spaces.

PRESENTATION BY THE APPLICANT:

Sean Rieger, representing WP Oklahoma Nursing, L.L.C. – I appreciate the opportunity to address you again on this occasion. Mr. Stenis really went through it very well, I think. I would just add a few points. One is we're excited to bring this property back into use; it's been vacant for 6 years. I remember growing up when it was a nursing home; my sister worked there, and cousin. It has sat vacant for a while now. I know our neighbors to the west – the Haralson family – has voiced concerns that it has been vacant and they've had some vagrants and some issues like that. We've committed to them to work on a fencing issue and some trees -- issues that this successful project, if we can get it approved, will allow that to happen. We anticipate a complete remodel of the interior and complete upgrade, because we have to come up to current standards.

Really the only reason we are here in front of any process of the City of Norman is because it went vacant. It was a special use, and the way the ordinances of the City work is, once you are a special use, if you lose the continuous use for more than – I think it's 2 years, or a certain period of time – you lose that special use. So we were no longer allowed to operate as a special use. The party I represent bought this out of foreclosure. They simply had to come back through the process to reopen it, even though it's the same use, same layout – they have to come back through the process.

It is a very tight site. It is a site that was built back in, I believe, circa 1961 or so, and so it has a tight drive around it that is limiting us to some degree as to how much more parking we can do on it. Obviously, it is a nursing home; there really is no anticipation of any of the residents driving. It's merely employee use.

A key component here is the Haralson family has told us that they have a drainage issue – that has left our property onto theirs and they have more or less requested us not to add to the impervious area and to not exacerbate that problem. So that's part of the request, that we not add another parking lot to send more water onto their site. We don't want to do that. We are very confident we can function on this property with the 73 spaces, and we really have no doubt about that. We think it is a very reasonable request.

We appreciate staff working with us and really helping us to come to this hearing and with their support so that we have their support in asking for yours. So, with that, I would turn it over back to the Board and I thank you very much for your time.

Mr. Marple asked if the two storage buildings, covering four parking spaces, are portable buildings that could be moved to a grass area. Mr. Rieger responded that they are pretty large storage buildings. If they had to find additional spaces, they likely would look at additional paved areas at the northwest corner and around the storage building in the center. They would like to not move the storage buildings. It's not necessarily a temporary building – it's a rather large building and if they were to attempt to move it, it would probably fall apart. Mr. Rieger committed to urging the client to look at the possibility.

AUDIENCE PARTICIPATION:

Mr. Haralson indicated they believe their issues have been agreed to.

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Cindy Deckard moved to approve the Special Exception to the parking standards to allow 73 parking spaces, rather than the required 80, with the added condition that parking must be brought up to Code standards if the use is expanded or demolished and rebuilt. Todd Marple seconded the motion.

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

YEAS	Cindy Deckard, Todd Marple, Andrew Seamans
NAYS	None
ABSENT	Hank Ryan

Ms. Tromble announced that the motion to grant the Special Exception with an additional condition passed by a vote of 3-0.

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Item No. 4, being:

ADJOURNMENT

There being no further business and no objection, the meeting adjourned at 4:43 p.m.

PASSED and ADOPTED this 10th day of DECEMBER, 2014.



Board of Adjustment