

BOARD OF ADJUSTMENT MINUTES

JANUARY 28, 2015

The Board of Adjustment of the City of Norman, Cleveland County, Oklahoma, met in Regular Session in Conference Room D of the Norman Municipal Building A, 201-A West Gray, at 4:30 p.m., January 28, 2015. 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

Todd Marple
Curtis McCarty
Andrew Seamans

MEMBERS ABSENT

Hank Ryan

A quorum was present.

STAFF PRESENT

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

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Item No. 3, being:

ELECTION OF OFFICERS FOR 2015

Todd Marple nominated Andrew Seamans as Chairman, Curtis McCarty as Vice-Chairman, and Hank Ryan as Secretary.

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

YEAS

Todd Marple, Curtis McCarty, Andrew Seamans

NAYS

None

ABSENT

Hank Ryan

The motion to adopt the above slate of officers passed by a vote of 3-0.

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Item No. 4, being:

APPROVAL OF MINUTES OF THE DECEMBER 10, 2014 REGULAR MEETING

Chairman Seamans asked if the minutes should include the content of the apology that Mr. Ryan read at the last meeting. Ms. Messner indicated that, since the minutes are not verbatim, it is up to the Board what they want included.

Todd Marple moved to approve the minutes of the December 10, 2014 Regular Meeting as presented. Curtis McCarty seconded the motion.

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

YEAS	Todd Marple, Curtis McCarty, Andrew Seamans
NAYS	None
ABSENT	Hank Ryan

Ms. Tromble announced that the motion to approve the December 10, 2014 Minutes as presented passed by a vote of 3-0.

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Item No. 5, being:

BOA-1415-14 – FIRST FIDELITY BANK REQUESTS A VARIANCE TO THE PERIPHERAL LANDSCAPE REQUIREMENTS FOR PROPERTY LOCATED AT 118 N. PETERS AVENUE.

ITEMS SUBMITTED FOR THE RECORD:

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

PRESENTATION BY STAFF:

Mr. Stenis reviewed the staff report, a copy of which is filed with the minutes.

PRESENTATION BY THE APPLICANT:

Sean Crandall, representing the applicant, provided a color site plan and photographs of the property, as well as a rendering of the new signage. By postponing this application at the last meeting, it allowed them to talk with Mr. Clinton and rework the sign so it no longer requires a variance, which is a win-win for everybody. They are having a difficult time working within the parameters of the code with regard to the parking lot. There are currently 35 spaces and they need to get the maximum number of spaces possible. There are 43 colleagues that office downtown, there are 7 tenants with well over 20 employees, and they would like to have at least 10 spaces for customers. So even with the new proposed site plan they would be over capacity. To have to comply with the 10' landscaping, and losing 3 spaces, would be very difficult for them. This project has been 5 years in the making. The park has been in existence for 30 years. They have tried to figure out a way to retain the large oak tree, but they're afraid any work will kill that tree. They are proposing a more mature tree plan than required by the City and hope to provide some great interior landscaping and tree canopy structure with trees on the City's approved tree list. The existing trees are almost exclusively Bradford pears and are very difficult to maintain.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Curtis McCarty moved to grant the variance as requested. Todd Marple seconded the motion.

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

YEAS	Todd Marple, Curtis McCarty, Andrew Seamans
NAYS	None
ABSENT	Hank Ryan

Ms. Tromble announced that the motion to grant the Variance as requested passed by a vote of 3-0.

Chairman Seamans noted that there is a ten-day appeal period before a permit can be issued.

Item No. 6, being:

BOA-1415-17 – BRIDGESTONE RETAIL OPERATIONS/HIBDON TIRES PLUS REQUESTS A VARIANCE TO THE PERIPHERAL LANDSCAPE REQUIREMENTS, THE STREET LANDSCAPE REQUIREMENTS, AND THE INTERIOR LANDSCAPE REQUIREMENTS FOR PROPERTY LOCATED AT 221 NORTH INTERSTATE DRIVE.

ITEMS SUBMITTED FOR THE RECORD:

1. Staff Report
2. Location Map
3. Applicant's Statement of Justification
4. 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. McCarty asked for clarification on what striped areas staff is suggesting could be landscaped. Mr. Stenis provided a colored site plan showing the areas he was discussing. Mr. McCarty asked the total area of the striped areas. Mr. Stenis indicated it is 900 square feet.

PRESENTATION BY THE APPLICANT:

Chip Ashley, representing the applicant, stated that the striped areas were designed for the drainage and circulation on the lot. Bridgestone is open to landscaping those areas. They would request, if possible, that the two striped triangles on the northern property line be retained as striped to allow trucks a little more room to maneuver through a tight area. They do not have a problem with landscaping the two triangles along the east property line and the triangle adjacent to the handicapped parking spaces.

Mr. McCarty asked if the driveways shown are the existing drives. Mr. Ashley responded affirmatively. He indicated they may resurface the drives. He commented that they are required to have 37 parking spaces. He added that the other Tires Plus down the road is changing tires in the parking lot, so they really need to get this site rebuilt.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Mr. McCarty asked whether staff is recommending that the striped triangles be curbed and raised for the landscaping. Mr. Stenis said that is what he would envision.

Curtis McCarty moved to grant the landscaping variances as requested, with the condition that the three cross-hatched areas shown on the south side of the building and on the east side of the property to be landscaped, rather than striped paving. Todd Marple seconded the motion.

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

YEAS
NAYS
ABSENT

Todd Marple, Curtis McCarty, Andrew Seamans
None
Hank Ryan

Ms. Tromble announced that the motion to grant the Variances with the condition passed by a vote of 3-0.

Chairman Seamans noted that there is a ten-day appeal period before the variance is final.

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Item No. 7, being:

BOA-1415-18 – REPUBLIC BANK & TRUST/REPUBLIC NATIONAL BANK REQUEST A VARIANCE TO SECTION 18-504 OF THE SIGN CODE FOR A 17' VARIANCE TO THE 25' REQUIRED SETBACK FOR A SIGN FOR PROPERTY GENERALLY LOCATED AT 3550 WEST ROBINSON STREET.

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:

Sean Rieger, representing the applicant, provided copies of exhibits and photos of other signs in the area. This is virtually the same request that the Board had last month. It is a request to locate a sign within the 25' building setback line. It is out of the sight triangle. They are proposing a low monument professional sign in keeping with the Republic Bank buildings. The reason they are doing this is that they now have more tenants on the property and they need better identification of all the tenants. This is a developed property and the parking lot is in the back so there is really nowhere to locate the sign out of the building setback area. The First Fidelity Bank request was approved right across the street. The applicant has no objection to the condition suggested by staff.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Todd Marple moved to grant the variance as requested, with the condition that if the consent to encroach is not granted by City Council, the variance will be automatically revoked. Curtis McCarty seconded the motion.

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

YEAS	Todd Marple, Curtis McCarty, Andrew Seamans
NAYS	None
ABSENT	Hank Ryan

Ms. Tromble announced that the motion to grant the Variance with the condition passed by a vote of 3-0.

Mr. McCarty reminded the applicant of the ten-day appeal period before the variance is final.

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Item No. 8, being:

MISCELLANEOUS DISCUSSION


None

Item No. 9, being:

ADJOURNMENT

There being no further business and no objection, the meeting adjourned at 5:04 p.m.

PASSED and ADOPTED this 25th day of February, 2015.



Board of Adjustment