

# BOARD OF ADJUSTMENT MINUTES

FEBRUARY 28, 2018

The Board of Adjustment of the City of Norman, Cleveland County, Oklahoma, met in Regular Session in City Council Chambers, 201 West Gray, at 4:30 p.m., on Wednesday, February 28, 2018. Notice and agenda of said meeting were posted in the Municipal Building at the above address and at [www.normanok.gov/content/board-agendas](http://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

Brad Worster  
Mike Thompson  
James Howard  
Andrew Seamans

MEMBERS ABSENT

Curtis McCarty

A quorum was present.

STAFF PRESENT

Susan Connors, Director, Planning & Community  
Development  
Wayne Stenis, Planner II  
Roné Tromble, Recording Secretary  
David Woods, Oil & Gas Inspector  
Elisabeth Muckala, Asst. City Attorney

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Item No. 3, being:

## APPROVAL OF MINUTES OF THE JANUARY 24, 2018 REGULAR MEETING AND THE JANUARY 17, 2018 STUDY SESSION

*Brad Worster moved to approve the minutes of the January 24, 2018 Regular Meeting and the January 17, 2018 Study Session as presented. Mike Thompson seconded the motion.*

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

YEAS	Brad Worster, Mike Thompson, James Howard, Andrew Seamans
NAYS	None
ABSENT	Curtis McCarty

Ms. Tromble announced that the motion to approve the January 24, 2018 and January 17, 2018 Minutes as presented passed by a vote of 4-0.

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Item No. 5, being:

**BOA-1718-6 – ARROWHEAD ENERGY, INC. REQUESTS A VARIANCE TO SECTION 13-1509(a)(4) WHICH PROHIBITS ISSUANCE OF AN OIL AND GAS EXPLORATION PERMIT WITHIN ANY AREA DESIGNATED AS A STREAM PLANNING CORRIDOR OR WITHIN 300 FEET FROM THE TOP OF THE BANK, FOR PROPERTY LOCATED NEAR THE NORTHEAST CORNER OF EAST ROCK CREEK ROAD AND CABIN ROAD.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Postponement Memo
3. Request for Postponement

The applicant has requested postponement until the March 28, 2018 meeting.

**DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:**

*Mike Thompson moved to postpone BOA-1718-6 to the March 28, 2018 meeting. James Howard seconded the motion.*

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

YEAS	Brad Worster, Mike Thompson, James Howard, Andrew Seamans
NAYS	None
ABSENT	Curtis McCarty

Ms. Tromble announced that the motion, to postpone BOA-1718-6 to the March 28, 2018 meeting, passed by a vote of 4-0.

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Item No. 4, being:

**BOA-1718-10 – JAMES GEDDES REQUESTS A VARIANCE TO EXCEED THE 65% IMPERVIOUS COVERAGE REQUIREMENT BY APPROXIMATELY 556 SQUARE FEET FOR PROPERTY ZONED R-1, SINGLE FAMILY DWELLING DISTRICT, AND LOCATED AT 1810 MARYMOUNT ROAD.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Staff Report
3. Application with Attachments
4. Engineers Report
5. Plat

**PRESENTATION BY STAFF:**

Mr. Stenis reviewed the staff report, a copy of which is filed with the minutes. Staff does not support the variance request because it does not meet the criteria to be granted a variance and recommends that a minimum of 556 sf of impervious lot material be removed.

Mr. Howard – I noticed in the applicant's letter that there was a comment about the paving at the front being poured at the time of construction. Maybe I misconstrued that, but it seemed like he was saying that all the paving that was on the drive was poured during the original construction of the home. Are there any joints or any evidence of those being poured in separate pours?

Mr. Stenis did not know. Ms. Connors – The additional concrete drive wasn't on the original permit, so if it was poured at that time it wasn't permitted. Mr. Stenis noted that on the original permit the total impervious was 42%.

**PRESENTATION BY THE APPLICANT:**

James Geddes, the applicant – This is the first Board of Adjustment hearing I've been to for a variance. I don't know the process. I didn't want to speak out of turn. I'm actually hoping to request a postponement of this hearing for one month to get some additional information and possibly wait until we have all five Board members.

**AUDIENCE PARTICIPATION:**

None

**DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:**

*Brad Worster moved to postpone the Variance to the March 28, 2018 meeting. Mike Thompson seconded the motion.*

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

YEAS	Brad Worster, Mike Thompson, James Howard, Andrew Seamans
NAYS	None
ABSENT	Curtis McCarty

Ms. Tromble announced that the motion, to postpone the Variance to the March 28, 2018 meeting, passed by a vote of 4-0.

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Item No. 6, being:

**MISCELLANEOUS COMMENTS**

Mr. Worster – I sent an email earlier. I know that the notice requirements for mailing everyone is a 300' radius, I guess. And I know that for the protest to count on a protest map, the neighbors, or whomever, have to sign all of those to be official for a formal protest. But I also know that sometimes we get emails or phone calls from those neighbors that get notices, and then if they're not signed sometimes we don't see those at all. I was going to ask if we could then see those even if we couldn't count them as official protests, just like we'll let anybody come talk at the microphone. I don't want to ignore somebody who was a neighbor that just didn't know the proper procedure through the whole thing, and be able to at least have that input still. So I didn't know if that's a policy.

Ms. Connors – Let us look into that and we will see if we can't forward those. We make it pretty clear in the letters that we send out that if they want their comments to even come forward, they need to be signed. Let us see if we can change that language.

Mr. Worster – I can see the full protest map counting and making sure we've got the right person so someone's not out surveying the neighborhood and forging letters or something. But just for general input, since we'll pretty much let anybody in the street come in and talk to us about it, if the neighbors commented, I think it would be helpful for us to know.

Mr. Howard – I understand their position in terms of providing the proper representation from the constituents of this great city. But maybe a better approach would be, if something is received by their office, just to send a complimentary letter to them saying please resubmit this in the proper format and restate the requirements so that they have that opportunity. I think that's a much safer option, and it reiterates the rules that are set in place and makes it a level playing field for all those that are participating.

Ms. Connors – I think we're talking about two different things. Certainly if something is going to count in the protest area – although, with this Board, it doesn't have any affect because it doesn't go to City Council for any kind of vote, so the protest area doesn't really have an effect on your vote no matter how it happens. We will look into this.

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Item No. 7, being:

**ADJOURNMENT**

There being no further business and no objection, the meeting adjourned at 4:45 p.m.

PASSED and ADOPTED this 28<sup>th</sup> day of March, 2018.

  
Board of Adjustment