

BOARD OF ADJUSTMENT MINUTES

MAY 23, 2018

The Board of Adjustment of the City of Norman, Cleveland County, Oklahoma, met in Regular Session in Conference Room D of Building A of the Norman Municipal Complex, 201 West Gray, at 4:30 p.m., on Wednesday, May 23, 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 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
Curtis McCarty
Mike Thompson
James Howard
Andrew Seamans

MEMBERS ABSENT

None

A quorum was present.

STAFF PRESENT

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

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Item No. 3, being:

APPROVAL OF MINUTES OF THE APRIL 25, 2018 REGULAR MEETING

Mike Thompson moved to approve the minutes of the April 25, 2018 Regular Meeting as presented. Brad Worster seconded the motion.

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

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

Ms. Tromble announced that the motion to approve the April 25, 2018 Board of Adjustment Regular Meeting Minutes as presented passed by a vote of 5-0.

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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.

This application has been withdrawn by the applicant.

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Item No. 4, being:

BOA-1718-14 – VICTORY FAMILY CHURCH REQUESTS A VARIANCE TO SECTION 431.4, EXTERIOR APPEARANCE, FOR TEMPORARY PORTABLE CLASSROOMS GENERALLY LOCATED AT 4343 NORTH FLOOD AVENUE.

ITEMS SUBMITTED FOR THE RECORD:

1. Staff Report
2. Location Map
3. Application with Attachments

PRESENTATION BY STAFF:

Mr. Stenis reviewed the staff report, a copy of which is filed with the minutes. Staff supports the variance as requested because of the temporary nature of the buildings and their limited visibility from the public rights-of-way. No protests were received.

Mr. McCarty – Do we have a timeframe what “temporary” means? Is it 12 months, 18 months? What does that mean to us?

Ms. Connors – There is no time limit in the code. We don’t really talk about temporary uses in the code.

PRESENTATION BY THE APPLICANT:

Jennifer Zumwalt, Outreach Director at Victory Family Church – Our building is expanding; we’ve run out of classroom space for our adults. We’ve converted everything into children’s space, so we would like to have the temporary space so that we can have our adult small groups back on campus. Right now we’ve been renting some space from another location and it’s made some difficulties in childcare and different things. We want to offer that to our congregational members to be able to be on-site where their children are.

Mr. McCarty – How long do you anticipate these buildings being there before you’re able to expand?

Ms. Zumwalt – We’re in the process right now of expanding on our building, and we’re hoping that that is completed hopefully by the end of this year. I’m not sure how long the executive team wants to have the temporary buildings there, but I know Pastor Adam and he wants everything inside our building and for it to look really pretty. We understand where the City is coming from and that there’s not masonry and all the different things on there. I would anticipate less than two years, but I can’t definitively say how long.

Mr. Seamans – Do you have a lease for the buildings?

Ms. Zumwalt – Yes, we are leasing them. I think the lease was maybe a 12-month lease, with the option to renew if we needed to do that.

Mr. McCarty – Did you say the building is currently under construction, or you're working on ...

Ms. Zumwalt – We're adding onto it.

Mr. McCarty – It's currently under construction?

Ms. Zumwalt – Uh-huh.

Mr. McCarty – It's currently under construction, and that will take away the temporary buildings?

Ms. Zumwalt – Eventually. Yes. When that's done. There are some adult classroom space that we're supposed to have in the new part of the building.

Mr. McCarty – But you feel within 12 months it could be ...

Ms. Zumwalt – I can't definitely say, but we hope so. That's what we want, too.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Mr. Stenis – The neighbor to the north – the pet facility that rescues animals – did come by and ask for clarification on the request. Once I explained what it was, she had no objection.

Curtis McCarty moved to approve the Variance as requested for a period of eighteen months, and at that time they would have to reapply for further timeframe. James Howard seconded the motion.

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

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

Ms. Tromble announced that the motion, to approve the Variance for a period of 18 months, passed by a vote of 5-0.

Mr. Seamans noted that there is a 10-day appeal period before the Board's decision is final.

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Item No. 5, being:

BOA-1718-15 – RANDY & DEBORA MCLAIN REQUEST A VARIANCE OF 8' TO THE 20' REAR YARD SETBACK TO ALLOW FOR A LARGER COVERED PATIO FOR PROPERTY LOCATED AT 4012 MILFORD PLACE.

ITEMS SUBMITTED FOR THE RECORD:

1. Staff Report
2. Location Map
3. Application with Attachments
4. Aerial Photo

PRESENTATION BY STAFF:

Mr. Stenis reviewed the staff report, a copy of which is filed with the minutes. Staff supports this variance request because it follows the intent of the Code and should not negatively affect others. No written protests were received.

PRESENTATION BY THE APPLICANT:

Randy McLain, the applicant – I think that covers it. That's the reason we asked for it, is just because we're not affecting anybody behind us. It's just a large detention pond behind us so we don't feel like we're going to be encroaching on a neighbor or anything like that. The existing patio is 6' out right now and we're wanting to expand another 10', so it's going to be a total of 16'. It's just one corner of the structure is going to be over that original 20' setback.

Mr. Thompson – About 25%?

Mr. McLain – Yeah, about 25%. So it's not all the structure. We have one post that was going to be inside that 20' area.

Mr. McCarty – Are you the original owners?

Mr. McLain – Yes.

Mr. McCarty – This survey is from 1996 it appears. Have you done any work to your house since this survey was done? Anything to the outside of the house? So this is accurate, except the pool is not on there.

Mr. McLain – '96 it was not on there.

Mr. McCarty – I was looking at the survey provided and the date on it was from 1996. I didn't know if that had been changed on the outside.

Mr. McLain – The only thing would be the pool.

Mr. Stenis – The pool shows in the aerial photo on the next page.

Mr. McCarty – I saw that. I just didn't know if the structure had actually been added onto or anything.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Mike Thompson moved to approve the Variance as requested. Curtis McCarty seconded the motion.

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

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

Ms. Tromble announced that the motion, to approve the Variance as requested, passed by a vote of 5-0.

Mr. Seamans noted there is a 10-day appeal period before this decision is final.

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Item No. 7, being:

MISCELLANEOUS COMMENTS

Mr. Howard – At our last meeting, we had discussion about setting some limits on postponements. Has anything started to move forward on that, or any advisement on that?

Ms. Connors – There really isn't any way that we can limit the number of postponements. City Council took this up a year or so ago and they even dropped it. There was discussion that we should limit the number of postponements at City Council and Planning Commission, but that has not happened and I would say that this Board, at this point in time, should not consider that.

Mr. Howard – That's what I needed to know. Thank you.


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Item No. 8, being:

ADJOURNMENT

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

PASSED and ADOPTED this 27th day of June, 2018.



Board of Adjustment

Andrew Geamans