

## BOARD OF ADJUSTMENT MINUTES

SEPTEMBER 26, 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, September 26, 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

Curtis McCarty  
Mike Thompson  
James Howard  
Brad Worster  
Andrew Seamans

MEMBERS ABSENT

None

A quorum was present.

STAFF PRESENT

Wayne Stenis, Planner II  
Jane Hudson, Interim 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 AUGUST 22, 2018 REGULAR MEETING**

*Mike Thompson moved to approve the minutes of the August 22, 2018 Regular Meeting as presented. Curtis McCarty seconded the motion.*

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

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

Ms. Tromble announced that the motion to approve the August 22, 2018 Board of Adjustment Regular Meeting Minutes as presented passed by a vote of 5-0.

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Item No. 4, being:

**BOA-1819-02 – WHISTLER SIGN COMPANY REQUESTS A VARIANCE TO THE 35' HEIGHT LIMITATION FOR A DIGITAL OFF-PREMISE SIGN ON PROPERTY LOCATED AT 501 N. INTERSTATE DRIVE.**

**ITEMS SUBMITTED FOR THE RECORD:**

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

Mr. Seamans noted that the applicant has requested postponement of this item to the October 24, 2018 meeting.

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

*Curtis McCarty moved to postpone BOA-1819-02 to the October 24, 2018 meeting. Brad Worster seconded the motion.*

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

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

Ms. Tromble announced that the motion, to postpone this item to the October 24, 2018 meeting, passed by a vote of 5-0.

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Item No. 5, being:

**BOA-1819-07 – CIARRA HOLDINGS, L.P. REQUESTS A VARIANCE OF APPROXIMATELY 11' TO THE REQUIRED 25' SIDE YARD (SOUTH) SETBACK FOR AN EXISTING SHOP BUILDING FOR PROPERTY LOCATED AT 2701 36<sup>TH</sup> AVENUE S.E.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Staff Report with Aerial Photos
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 granting the variance request unless there are objections from the adjacent property owner affected to the south. No written letters of support or protest were received.

**PRESENTATION BY THE APPLICANT:**

Frank and Dawn Casey, the applicants, were present but did not make a presentation. They were available to respond to questions.

Mr. Casey – We hired Cleary Buildings to build the building. When the contract asked if there was any permits that weren't issued, we found that we didn't get one on that, so we disclosed that.

Mr. Thompson – The property owner to the south is not here?

Mr. Seamans – Did you ever ask the builder if there was a permit pulled?

Mr. Casey – I come off of a ranch. I've never lived in town or anything. So I'm sorry.

Ms. Casey – I did speak with Tom Bex who is on our south side. He said he received the notice and that he wasn't going to come; that he doesn't have a problem with it.

Mr. McCarty – Is this a metal building? Does it have electrical, heating and cooling, plumbing in it?

Ms. Casey – I brought pictures.

Mr. Casey – It doesn't have any plumbing, other than just a hydrant. It has electrical.

Mr. McCarty – I don't need to see your pictures. So there's an existing building there. It got damaged at some point and rebuilt.

Mr. Casey – The building that we built is a little bigger and we just went a little closer to the property line.

Ms. Casey – Trying to keep it high enough, because the area floods. There's a terrace that runs through the property diagonally, and the water from Vester's creek comes all the way to the terrace when it floods. And then a couple of times all of the watershed from the tract that is on our south side – that tract is higher, and so the water pools on the high side of the terrace and in an attempt to keep the building out of that area that

pools we tried to keep it as far to the south as we could so that it would stay out of that flood area.

Mr. McCarty – What year was it put in? 2016? It says between 2013 and 2017.

Mr. Casey – 2015. We started taking the other one out in 2014. We bought at the end – August, I think – of 2014.

**AUDIENCE PARTICIPATION:**

Vester Adams, the neighbor to the north, was present.

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

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

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

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

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

Mr. Seamans noted that there is a 10-day appeal period before the variance is final and the building permit can be signed.

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Item No. 6, being:

**MISCELLANEOUS COMMENTS OF THE BOARD OF ADJUSTMENT AND STAFF**

None

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Item No. 7, being:

**ADJOURNMENT**

There being no further business and no objection, the meeting adjourned at 4:41 p.m.

PASSED and ADOPTED this 24<sup>th</sup> day of October, 2018.

  
Board of Adjustment