BOARD OF ADJUSTMENT MINUTES

JANUARY 26, 2022

The Board of Adjustment of the City of Norman, Cleveland County, Oklahoma, met in Regular Session in City Council Chambers of the Norman Municipal Complex, 201 West Gray Street, at 4:30 p.m., on Wednesday, January 26, 2022. Notice and agenda of said meeting were posted in the Municipal Building at the above address and at https://www.normanok.gov/your-government/public-information/agendas-and-minutes in excess of 24 hours prior to the beginning of the meeting.

Item No. 1, being:
CALL TO ORDER
Vice Chairman Curtis McCarty 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 Patrick Schrank James Howard
MEMBERS ABSENT	Andrew Seamans

A quorum was present.

STAFF PRESENT	Lora Hoggatt, Planning Services Manager Logan Hubble, Planner I Anais Starr, Planner II Roné Tromble, Admin. Tech. IV Elisabeth Muckala, Asst. City Attorney

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Item No. 3, being:
ELECTION OF OFFICERS FOR 2022
Brad Worster moved to nominate the following slate of officers for 2022: Curtis McCarty, Chair; James Howard, Vice Chair; and Brad Worster, Secretary. James Howard seconded the motion.

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

YEAS	Brad Worster, Curtis McCarty, Patrick Schrank, James Howard
NAYS	None
ABSENT	Andrew Seamans

Ms. Tromble announced that the motion to elect the slate of officers for 2022 passed by a vote of 4-0.

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Item No. 4, being:

APPROVAL OF MINUTES OF THE DECEMBER 1, 2021 REGULAR MEETING

Brad Worster moved to approve the minutes of the December 1, 2021 Regular Meeting as presented. Patrick Schrank seconded the motion. There being no further discussion, a vote was taken with the following result:

YEAS	Brad Worster, Curtis McCarty, Patrick Schrank, James Howard
NAYS	None
ABSENT	Andrew Seamans

The motion to approve the December 1, 2021 Board of Adjustment Regular Meeting Minutes as presented passed by a vote of 4-0.

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Item No. 5, being:
BOA-2122-7 – KEVIN EASLEY HAS FILED AN APPEAL OF THE DECISION OF THE HISTORIC DISTRICT COMMISSION ON THE GROUNDS THAT THE HISTORIC DISTRICT COMMISSION FAILED TO APPLY THE PROPER STANDARDS FOR PROPERTY LOCATED AT 549 S. LAHOMA AVENUE.

ITEMS SUBMITTED FOR THE RECORD:

1. Staff Report
2. City of Norman's Brief Regarding Continuances
3. Historic District Commission Minutes – October 4, 2021
4. Location Map
5. Application
6. City of Norman's Hearing Brief with Exhibits

Chairman McCarty announced that the applicant has requested postponement of this item to the February 23, 2022 meeting of the Board.

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:
Curtis McCarty moved to postpone BOA-2122-7 to the February 23, 2022 meeting. Brad Worster seconded the motion.

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

YEAS	James Howard, Patrick Schrank, Curtis McCarty, Brad Worster
NAYS	None
ABSENT	Andrew Seamans

The motion, to postpone BOA-2122-7, passed by a vote of 4-0.

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Item No. 6, being:
BOA-2122-12 – ROBERT P. THOMPSON REQUESTS A SPECIAL EXCEPTION UNDER 22:441(7)(A) TO PERMIT THE EXTENSION OF A DISTRICT WHERE THE BOUNDARY LINE OF A DISTRICT DIVIDES A LOT IN SINGLE OWNERSHIP AS SHOWN OF RECORD, EXTENDING THE C-1, LOCAL COMMERCIAL DISTRICT, FOR PROPERTY LOCATED AT 527 W. EUFAULA STREET.

ITEMS SUBMITTED FOR THE RECORD:
1. Staff Report with Map Exhibit
2. Location Map
3. Application with Attachments

PRESENTATION BY STAFF:
1. Logan Hubble reviewed the staff report, a copy of which is filed with the minutes.

2. Mr. Worster said he read in the staff report that this was zoned C-1 before, and when they rezoned a portion of the neighborhood from R-3 to R-1 this was accidentally included.

3. Mr. Hubble indicated there was a discrepancy between the map that was used when they were discussing what was going to be rezoned and the legal description that was used.

PRESENTATION BY THE APPLICANT:
1. Robert Thompson – Probably the only thing I have to clarify is that, when the neighborhood made an effort to downzone from R-3 to R-1, I was involved in that and our agreement was that as long as all of the commercial property remained commercial, I was fine with that. I know that was also the understanding of the homeowners. So when they approached me about buying their home last year, they were confident because the map that had been published the evening of the meeting had excluded this particular piece from downzoning – so they were confident that the piece was still commercial. They were in a hurry to sell; I was in a hurry to buy it, so we didn't really try to make sure that was the case. That being the case, when we found out that it had actually been included in the legal description, but not the map, I approached the staff to try to find out the best approach to take to going back to commercial. That being said, because we have on the property very close to this property line two historic trees that are going to assure the neighborhood that actually this piece of property is going to continue to look like a yard. We wouldn't be able to do anything to the property, other than use it for outdoor seating. It's not going to really be developable without ruining those trees. We made a presentation to the neighborhood. I went door-to-door and sought the involvement of the neighborhood, and I think we had 20 people out of the 50 that I had invited, and everybody was happy to see that happen. They were happy to have us really in control of that piece of property. I have a landscaper's architectural drawing of what we plan to do with the property, if you'd like to look at it, but it's really just landscaping.

2. Mr. McCarty asked for a brief description of what is planned.

3. Mr. Thompson – The area that's between the store and the garage that's on this piece of property doesn't drain well. We've already put down crushed rock and decomposed granite so that it will drain well and still be pervious surface, but it'll drain well and won't be muddy. Then we'll put picnic tables on that surface between the garage and then a little bit back into the back yard. The rest of the yard, which is a fairly sizable piece of the lot, looks like the back yard of the house and we'll keep it as back yard.

4. Mr. Worster said he didn't see a legal description for the piece of property. Mr. Shrank said it is on the survey on the last page of the packet. Mr. Thompson added that staff had requested he do a lot line adjustment to join the property to the commercial property, and that has been done.

AUDIENCE PARTICIPATION:
None

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:
Mr. Howard asked if there have been any protest letters. Mr. Hubble indicated there were not.

Patrick Schrank moved to approve the Special Exception as requested in BOA-2122-12. Brad Worster seconded the motion.

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

YEAS	James Howard, Patrick Schrank, Curtis McCarty, Brad Worster
NAYS	None
ABSENT	Andrew Seamans

The motion, to approve the Special Exception as requested, passed by a vote of 4-0.

Mr. McCarty noted the 10-day appeal period before the decision is considered final.

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Item No. 7, being:
MISCELLANEOUS COMMENTS OF THE BOARD OF ADJUSTMENT AND STAFF
None

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Item No. 8, being:
ADJOURNMENT
There being no further business and no objection, the meeting adjourned at 4:42 p.m.

PASSED and ADOPTED this 23rd day of February, 2022.

Board of Adjustment