



STAFF REPORT
Board of Adjustment
April 18, 2024

Item No. IV.B. 3.

Case No. 15575: Request of Tyler Bedner for a variance to Standards for Accessory Buildings in the R-1 Single Family Residential District, located at 11233 Shady Oak Lane.

I. GENERAL INFORMATION

A. CASE HISTORY:

This is a new application.

B. EXISTING ZONING AND LAND USE:

Subject site	R-1/Vacant
North:	R-1/Vacant
South:	R-1/Residential
East:	R-1/Vacant
West:	R-1/Vacant

C. ZONING ORDINANCE:

The applicant requests the following variances to Chapter 59 of the Oklahoma City Municipal Code, 2020, as amended:

Article XII, Section 12200.2 D. No accessory building shall be constructed upon a lot until the construction of the main building has actually commenced.

Article XII, Section 12200.2 E. No accessory building or structure shall be used unless the main building on the lot is also in use.

II. SUMMARY OF APPLICATION

The applicant is requesting a variance to construct an accessory building before his primary residence is built on the property. The applicant would like to build and use the 30'x40' garage/shop with 20' lean-to for storage, security, construction supply housing, hobby and auto parking.

III. STATUTORY STANDARDS

In order for a variance to be granted in accordance with State Statute requirements, the applicant must prove:

- (a) The application of the Ordinance to the particular piece of property would create an unnecessary hardship;
- (b) Such conditions are peculiar to the particular piece of property involved;

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- (c) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Ordinance or Comprehensive Plan; and
- (d) The variance, if granted, would be the minimum necessary to alleviate the unnecessary hardship.

The applicant has submitted the following information to address the statutory standards:

See attached statutory standards and exhibits.

V. PLANNING DEPARTMENT REVIEW

The applicant has submitted a building permit for the accessory structure (BLDR-2024-01011).

At the time of this report, a permit for the primary residence had not been filed. If granted, staff suggests the Board establish a timeframe for this variance that ensures the intent of the request.

In order for this variance to be granted, the required statutory standards listed above must be satisfied, as determined by a majority vote of the Board from information provided in this staff report, and/or evidence presented at the hearing by the applicant, Board Members, or others, in support or protest of the application.