



# City of Norman, OK

Municipal Building Council  
Chambers  
201 West Gray Street  
Norman, OK 73069

## Text File

File Number: O-1213-21

Agenda Date: 1/22/2013

Version: 1

Status: Non-Consent Items

In Control: City Council

File Type: Zoning Ordinance

### Title

ORDINANCE NO. O-1213-21 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING A PART OF A TWENTY (20) FOOT RIGHT-OF-WAY (ALLEY) LOCATED IN BLOCK FIVE (5) OF FRANKLIN ADDITION TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

### Body

**BACKGROUND:** Franklin Addition was filed of record March 9, 1908 as a residential subdivision in Cleveland County. The property is located north of Franklin Road and east of 72nd Avenue N.E. Franklin Baptist Church is currently located on the property. Within Block 5, a twenty foot (20') right-of-way (alley) was dedicated in 1908 for utilities and alley purposes to serve the properties. The alley was never constructed nor was the right-of-way ever used for public utility purposes. This property was annexed into the Norman city limits in 1961.

On May 21, 1984, District Court action vacated the twenty foot (20') right-of-way (alley) located west of this request, or, more specifically, that portion of right-of-way (alley) lying between Lots 1 through 8 and 33 through 40 in Block 5.

**DISCUSSION:** Franklin Baptist Church is requesting partial closure of the right-of-way (alley) for Lots 9 through 13 fronting what is now Franklin Court and the west twenty-two feet (22') of Lot 29 and all of Lots 30 through 32 located north of the twenty foot (20') right-of-way (alley) within Block 5. Planning Commission, at its meeting of December 13, 2012, by a vote of 8-0, recommended to City Council that the partial closure of the twenty foot right-of-way (alley) be approved. The City did not receive any letters of protest. There was no opposition at the meeting. It was discovered that the request did not include Lot 13, Block 5, owned by the church. It was allowed to be included at the Planning Commission meeting because the radius map with the adjustment would not include any new properties and additional property owners would not be required to be notified as a result of including the lot.

If approved, the church will not have to meet rear setback requirements for their proposed classrooms. The remaining alley right-of-way east of this property is currently undeveloped. The property owner adjacent to that portion of the alley right-of-way may come forward in the future with additional requests for closure.

**RECOMMENDATION:** Based on the fact the public utility companies and City of Norman have not and do not plan to use the public right-of-way (alley), Staff recommends approval of the request for partial closure of a twenty foot (20') right-of-way (alley) located north of Lots 9 through 13 and the same twenty foot (20') right-of-way (alley) located south of the west twenty-two feet (22') of Lot 29 and all of Lots 30 through 32, Block 5, of the Franklin Addition of Norman. Also, Staff does not object to the potential vacation of that portion of right-of-way being requested to be closed.