



DATE: February 12, 2014

TO: Jeff Bryant, City Attorney
Rone Tromble, Administrative Technician IV
Ken Danner, Subdivision Manager
Ken Komiske, Director of Utilities
Jane Hudson, Principal Planner

FROM: Brenda Hall, City Clerk

SUBJECT: Request for Consent to Encroachment No. 1314-5

I am in receipt of an encroachment request for permission to encroach on a utility easement located at 300 Greens Parkway for a driveway that has already been constructed. I am forwarding the letter of request and site plan. The application fee has been paid. After the information has been received from the Planning Department, Public Works Department, and Utilities Department and a determination has been made on whether to recommend approval or denial, please forward your recommendation and Consent to Encroachment Form, if needed, to my office in order that it may be scheduled as an agenda item.

This item will be scheduled as an agenda item around March 25, 2014, and the information must be received in my office by March 10, 2014. If there is a problem in meeting that timeframe, please advise.

smr
attachments

Legal -

office memorandum

Craig Wood
300 Greens Pkwy
Norman, OK. 73069
January 31, 2014

Brenda Hall
City Of Norman
201 West Gray
Norman, OK. 73070

Dear Brenda Hall:

I am writing in response a letter received from the city or Norman (Case # V027576-061113) concerning concrete poured at 300 Greens Pkwy. After many conversations with the Planning and Code Enforcement we are asking for "Consent to Encroach" on the side of the house over the Utility easement.

In the spring of 2013 we removed a Brick fence on the Greens Property that had fallen over. We then poured a 5ft wide slab of concrete alongside the current driveway over the area the fence had occupied. During this time the adjoining lot was being built on. We received a letter from the city concerning both the Concrete poured (above case#) and another letter about a restriction of access to the sewer (case# V027577-061113). The Access to the Sewer was promptly solved as the adjoining lot Builder was never "denied" access but we helped him connect the City sewer to his house.

When we addressed the Poured Concrete with the City we were told to speak with Ken Danner, I spoke with him and he made me aware the letter was actually referring to a slab of concrete we did not pour. The slab in question was present when we purchased the property. I explained the concrete was very helpful as we used it for parking a trailer at the side of the house. He instructed us to include both slabs in our application.

Since the conversation with Ken Danner we have installed a gate to the Side yard, a large section of fence has been rebuilt, and the adjoining lot construction has been completed, and sidewalk poured. The Home owner that purchased the adjoining house installed a fence at the lot line.

We removed the short Brick fence and poured next to the driveway without applying for a permit, so that is our wrong we need to correct. Our purpose was to clean up the mess of the fallen fence and to grant a larger access to the driveway at the street. Ken Danner also made me aware the utility easement, at some time in the future might need accessed. I stated there was clear access and we would grant access if needed without a problem. We understand that the city is not responsible to repair the concrete if disturbed.

If you have questions please contact me by phone at 405-760-9775 or by email at Cwood0425@yahoo.com. I have enclosed a few pictures and Drawings of the Concrete. I look forward to hearing from you.

Sincerely,

Craig Wood

FILED IN THE OFFICE
OF THE CITY CLERK
ON 2/12/14



The City of NORMAN

201 West Gray • P.O. Box 370
Norman, Oklahoma • 73070

CODE COMPLIANCE

6/12/2013

COX FAMILY TRT COX, GERALDINE L-TRTEE
300 GREENS PARKWAY
NORMAN, OK 73069

RE: The additional concrete you poured next to your driveway is in an easement. Without a consent to encroach, this pour is illegal. The currently existing concrete is preventing the adjoining property from connecting to the sewer line. Please contact this office immediately. Thank you!

Violation Address: 300 Greens Parkway

and/or Account #: R0141507 Parcel ID #: NC29 HGHV4 2 15 001 Case#: V027577-061113

Dear COX FAMILY TRT COX, GERALDINE L-TRTEE:

Please be advised that an inspection of the above referenced property reveals a violation of the Code of the City of Norman as follows:

Article II. Section 10-205. Health and Safety Nuisances. Obstruction in easement or right-of-way is a nuisance.

- (a) Except as hereinafter provided, no person shall place or cause to be placed any structure, obstruction, or impediment within any public easement or right-of-way; and the continued existence of such structure, obstruction, or impediment shall constitute a public nuisance.
- (b) Exceptions to the above subsection (a) are those fences, trees, and shrubs which do not restrict the access or usage of the public easement or right-of-way.
- (d) Upon written notice by the City, the person placing or causing to be placed, or permitting the continued presence of the structure, obstruction, or impediment, shall remove the same.

Further, height requirements are as follows: **7' (seven feet)** over sidewalks and **13' (thirteen feet)** over streets and alleys.

If this nuisance is not abated within ten (10) days of the date of this letter, the City will abate the violation as allowed in Section 10-201, Abatement of Nuisances, which includes a lien being placed upon the property if the invoice is not paid. The **minimum** abatement cost, if required, would be \$250.00. Instead of, or in addition to the abatement costs, charges may be filed against you in municipal court for failure to comply and/or any other legal remedy available to the city in order to achieve compliance.

Your cooperation in this matter is greatly appreciated. Should you have any questions regarding this matter, please contact this office at (405) 366-5332.

Sincerely,


Joe Schier
Code Compliance Inspector



The City of
NORMAN

201 West Gray • P.O. Box 370
Norman, Oklahoma • 73070

CODE COMPLIANCE

6/12/2013

COX FAMILY TRT COX, GERALDINE L-TRTEE
300 GREENS PARKWAY
NORMAN, OK 73069

RE: There is not a concrete permit on file for the additional concrete you poured next to your driveway, blocking access to the sewer main. Please contact this office immediately. Thank you!

Violation Address: 300 Greens Parkway

and/or Account #: R0141507 Parcel ID #: NC29 HGHV4 2 15 001 Case#: V027576-061113

Dear COX FAMILY TRT COX, GERALDINE L-TRTEE:

An inspection of your property has revealed that there has been a change in the use of land, structure, or an impervious surface on your property without the proper permits and subsequent inspections being obtained from the City of Norman as required. This is in violation of the following city ordinance:

Chapter 22, SEC. 440.1 - BUILDING PERMIT

... It shall be unlawful for an owner to permit or do the following: Change the use of land or structure; erect, alter or move any structure; install or modify any impervious area, such as a driveway, drive approach, patio, tennis court, sidewalk, or similar permanent improvement until the building inspector has issued a building permit certifying that the plans and intended use of land, buildings, and structures are in conformity with this Ordinance...

You must apply in person for a building permit within fourteen (14) days of the date of this letter at 201 "A" W Gray. Failure to do so could result in charges being filed in municipal court, and/or any other legal remedy available to the city in order to achieve compliance. Any questions you may have will be addressed when you apply for a building permit. Building Permit's phone number is 405-366-5432.

Sincerely,


Joe Schier
Code Compliance Inspector

cc: Permit Counter

UNPLATTED

90°00'00" E
40.00'

10°00'00" E
26.46'

N 00°00'00" E
180.00'

454.45'
N 00°00'00" E

10' U/E
(SEP. INST.)

120.00'
N 00°00'00" E

25.00'
N 00°00'00" E

418.15'
N 89°45'14" W

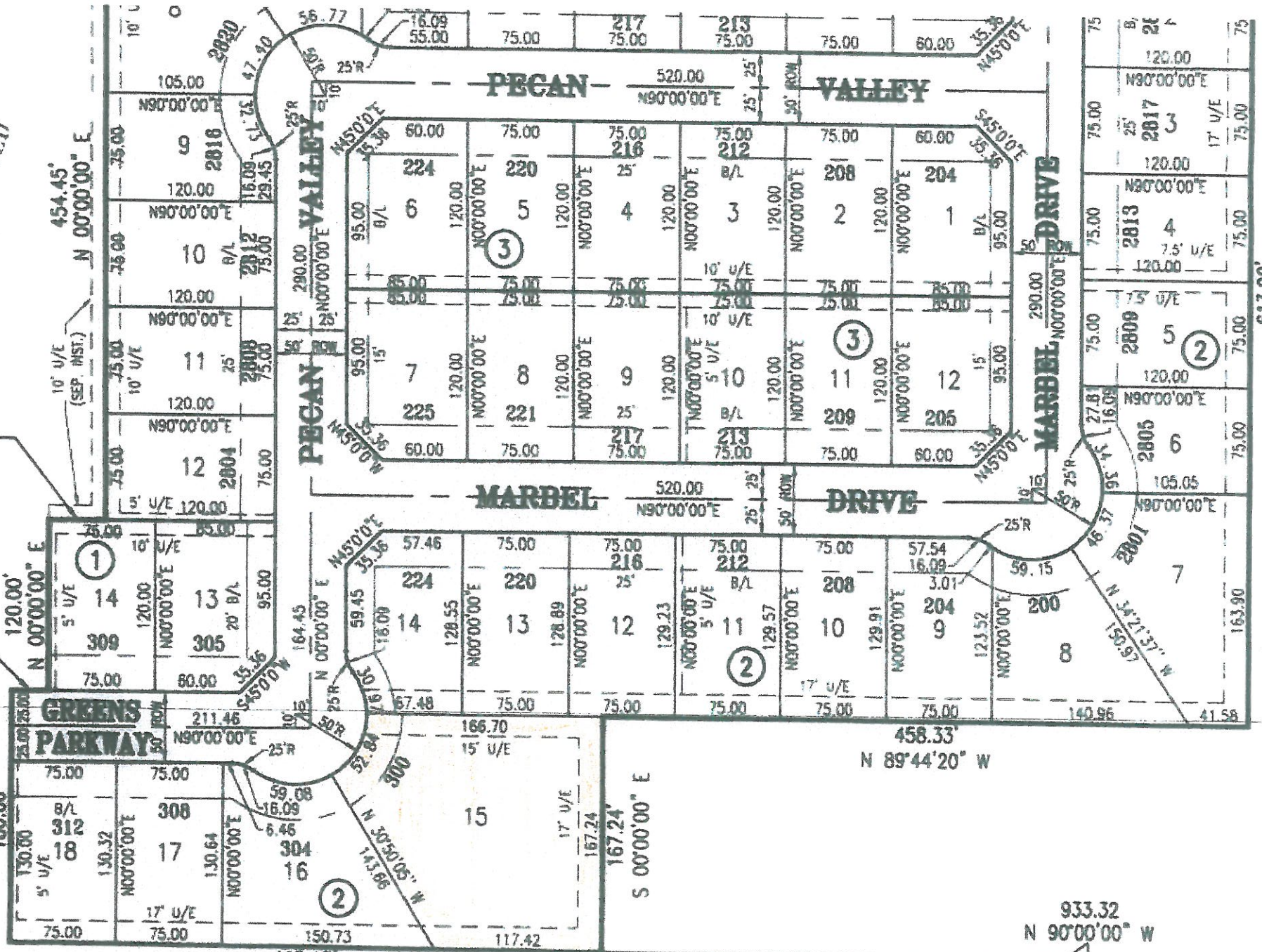
UNPLATTED

P.O.B.

458.33'
N 89°44'20" W

933.32
N 90°00'00" W

613.90'
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UNPLATTED



300 GREENS PKWY





