

MINUTES

Regular Meeting of the
Nichols Hills Board of Adjustment
Wednesday, December 16, 2020 at 5:30 PM
City Hall, 6407 Avondale Drive
Nichols Hills, OK 73116

Original agenda filed in the Office of the City Clerk at 1:55 PM on the 4th day of December, 2020.

1. Call to Order
2. Roll Call

Attendee Name	Title	Status	Arrived
Kathy Lippert		Present	
Robert Slater		Present	
Edward Clements		Present	
John Covington		Present	
Larry Herzel		Present	

3. Minutes

- a. November 18, 2020 Minutes

MOTION: Covington moved to approve the November 18, 2020 minutes as presented. Herzel seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Covington
SECONDER:	Larry Herzel
AYES:	Lippert, Slater, Clements, Covington, Herzel

4. Public Hearing

Discussion, consideration, and possible approval of the following:

- a. PUBLIC HEARING: Case No. BOA 2020-05, for which the applicants at 1121 Belford Avenue are seeking a 5'2" variance to the front yard setback, 2" variance to the west side yard setback, and 7'6" variance to the east side yard setback.

BACKGROUND

BOA 2020-05 - 1121 Belford Avenue

The property is zoned R-1-60.

The applicants desire to build an addition to a Main Building. For the proposed addition, the applicants are seeking a 5'2" variance to the front yard, leaving a 24'10" front yard setback; a 2' variance to the west side yard, leaving a 11'6" west side yard setback; and a 7'6" variance to the east side yard, leaving a 6' east side yard setback.

Mr. Eric Carlson, contractor for the project, presented the application to the Board of Adjustment members.

Following discussion among Board of Adjustment members, attorneys and staff, Chairman Slater opened the public hearing.

Mrs. Caroline Patton spoke against the application. Mrs. Patton's concerns were the trusses that are being used are generally used to support a second story. Also, Mrs. Patton stated that the concrete has already been poured for the addition which raises concerns that the contractor is not being forthright with the intentions for the property.

Mr. Kyle Jones spoke against the application. Mr. Jones's concerns were also the trusses that are being used for a one-story structure.

Mr. Eric Carlson stated that the trusses were being used to support the open spaces in the home. Also, the air duct work is easier to install with these trusses. Mr. Carlson stated there is no intention of a second story.

Mr. Cliff Stockton, owner of the property, spoke to the Board of Adjustment members of the proposed plans. Mr. Stockton stated that proposed plans have 9-foot and 10-foot ceilings with no plans for a two-story home.

No other expressed a desire to be heard, the public hearing was closed.

MOTION: Clements moved that the application number BOA 2020-05 be approved subject to conditions that the final structure built on that lot will not exceed 3600 square feet, there will not be an occupiable second story space, and the front wall of the main building will be as depicted in the plans submitted to the Board of Adjustment. Subject to those conditions:

1. The application of the ordinance to this particular piece of property would create an unnecessary hardship;
2. Such conditions are peculiar to this particular piece of property;
3. The granting of this variance will not cause substantial detriment to the public good, or impair the purposes and intent of the ordinance or the comprehensive plan; and
4. This variance is the minimum necessary to alleviate the unnecessary hardship.

Herzel seconded the motion.

RESULT:	APPROVED [4 TO 1]
MOVER:	Edward Clements
SECONDER:	Larry Herzel
AYES:	Lippert, Slater, Clements, Herzel
NAYS:	Covington

5. Adjournment

Chairman Slater adjourned the meeting.



Chairman
City of Nichols Hills, Oklahoma



City Manager
City of Nichols Hills, Oklahoma



City Clerk
City of Nichols Hills, Oklahoma