

MINUTES

Regular Meeting of the
Nichols Hills Board of Adjustment
Wednesday, February 17, 2016 at 5:30 PM
Town Hall, 6407 Avondale Drive
Nichols Hills, OK 73116

**Original Agenda Filed in the Office of the Municipal Clerk at 4
PM on the 11th day of February, 2016.**

1. Call to Order

2. Roll Call

Attendee Name	Title	Status	Arrived
Julie Hall		Present	5:35 AM
John Covington		Present	
Robert Slater		Present	
Edward Clements		Present	
Larry Herzel		Present	

3. Minutes

a. December 16, 2015 Minutes

Covington moved to approve the December 16, 2015 minutes as presented. Clements seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Covington
SECONDER:	Edward Clements
AYES:	Covington, Slater, Clements, Herzel
ABSENT:	Hall

4. Public Hearing - Variance Requests

- a. PUBLIC HEARING: Discussion, consideration and possible approval or disapproval of Case BOA 2016-01, for which the owners of 7609 Dorset, have requested a variance to build a second story onto the East side of the existing single story home, and an addition to the existing home on the west side.

BACKGROUND

BOA 2016-01 - 7609 Dorset

The existing home encroaches on the front yard setback by 5 feet; and encroaches on the East side yard setback by 5'9". The proposed second story will encroach on the East side yard setback by 5'9" and the front yard setback by 5' exactly as the existing first story.

The small addition on the west side of the existing home will encroach on the West side yard setback by 2'5" leaving a 7'7" side yard setback. This addition will be single story only.

Chairman Robert Slater noted that Board of Adjustment Member Julie Hall arrived during the reading of this agenda item.

Architect Alisha Weatherman spoke on behalf of applicant, Randy Sudderth. She provided information of the proposed variance request, stating that no windows will be installed on the East side of the home.

Following discussion, Chairman Slater opened the public hearing. No one expressed a desire to be heard; therefore, the public hearing was closed.

APPROVED: Regarding the variance request of BOA 2016-01 Clements moved approval of a variance for a side yard setback on the West side of the property encroaching by two-foot five-inches, leaving a seven-foot seven-inch side yard setback; and a variance for an encroachment on the front yard setback of five-feet exactly as house is correctly built, be approved in accordance with submitted application as presented at this meeting because:

- I. The application of the ordinance to this particular piece of property would create an unnecessary hardship;
- II. Such conditions are peculiar to this particular piece of property;

- III. 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

The variance is the minimum necessary to alleviate the unnecessary hardship. **Seconded** by Herzel.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Edward Clements
SECONDER: Larry Herzel
AYES: Hall, Covington, Slater, Clements, Herzel

Herzel made a motion to **deny** the variance request on the East side of the property for application BOA 2016-01. The motion was seconded by Covington.

RESULT: **DENY [4 TO 1]**
MOVER: Larry Herzel
SECONDER: John Covington
AYES: Covington, Slater, Clements, Herzel
NAYS: Hall

5. Public Hearing - International Property Maintenance Code Appeals
No items for consideration.
6. Items for Separate Vote
No items for consideration.
7. Adjournment

There being no further business, 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