

MINUTES

Regular Meeting of the
Nichols Hills Board of Adjustment
Wednesday, January 21, 2015 at 5:30 PM
Town Hall, 6407 Avondale Drive
Nichols Hills, OK 73116

Original Agenda Filed in the Office of the Municipal Clerk at 10:10 AM on the 12th day of January, 2015.

1. Call to Order

2. Roll Call

Attendee Name	Title	Status	Arrived
Julie Hall		Present	
John Covington		Present	
Robert Slater		Absent	
Tom Flesher		Present	
Edward Clements		Present	

3. Minutes

a. Board of Adjustment Minutes - December 17, 2014

Hall moved to approve the December 17, 2014 minutes as presented. Flesher seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Julie Hall
SECONDER:	Tom Flesher
AYES:	Hall, Covington, Flesher, Clements
ABSENT:	Slater

4. Public Hearing - Variance Requests

- a. PUBLIC HEARING: Discussion, consideration and possible approval or disapproval of Case BOA 2014-08, for which the owners of 1209 NW 63rd have requested a variance to rebuild in the same location of existing home.

BACKGROUND:

The property is zoned R-1-60. The current front yard setback is 25 feet. The proposed structure will encroach upon the front yard setback by 10' 8" leaving a 14' 2" front yard setback, which is a violation of the zoning code. The current side yard setback is 13 feet. The proposed structure will encroach upon the side yard setback by 6' 5" leaving a 6' 5" side yard setback, which is a violation of the zoning code.

Following the presentation by the applicant, Co-Chairman Flesher opened the public hearing. Carol Harrington and other neighbors spoke opposing this variance request.

Following in depth discussion by board members, Covington moved to approve the front yard setback request of application number BOA 2014-08 where the applicant has requested to encroach upon the front yard setback by 10' 8" leaving a 14'2" front yard setback 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 Clements.

Co-Chairman Flesher announced the variance for the front yard setback has been approved.

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

Board members continued discussion of the variance request for the side yard setback. Following discussion the public hearing was closed. Clements moved deny the side yard setback for BOA 2014-08. Covington seconded the denial of the side yard setback.

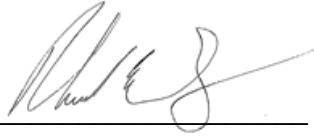
RESULT:	DENIED [3 TO 1]
AYES:	Covington, Flesher, Clements
NAYS:	Hall
ABSENT:	Slater

5. Public Hearing - International Property Maintenance Code Appeals

6. Adjournment

There being no further business, Hall moved to adjourn the meeting. Covington seconded the motion.

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



Chairman
City of Nichols Hills, Oklahoma



City Manager
City of Nichols Hills, Oklahoma



City Clerk
City of Nichols Hills, Oklahoma