

MINUTES

Regular Meeting of the
Nichols Hills Board of Adjustment
Wednesday, April 15, 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 3:30 PM on the 9th day of April, 2015.

1. Call to Order

2. Roll Call

Attendee Name	Title	Status	Arrived
Julie Hall		Present	5:31 PM
John Covington		Present	
Robert Slater		Absent	
Tom Flesher		Present	
Edward Clements		Present	

3. Public Hearing - Variance Requests

- a. Discussion, consideration and possible approval or disapproval of Case BOA 2015-01, for which the owners of 1209 NW 63rd, have requested a variance to rebuild in the same location as the current home.

BACKGROUND

BOA 2015-01 - 1209 NW 63rd Street

The property is zoned R-1-60.

The current side yard setback is 13 feet. The proposed structure will encroach upon the side yard setback by 7' leaving a 6' side setback, which is a violation of the zoning code.

Following discussion among the applicant Mr. Randy Sudderth, Board of Adjustment members and staff, the Public Hearing was opened. Ms. Sharon Branch, Ms. Carole Harrington, Ms. Ann Kilpatrick and Mr. Brad Ober shared concerns of the proposed new structure. No others expressed a desire to be heard; therefore, the public hearing was closed.

APPROVED: Covington Moved that application number BOA 2015-01 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 Hall.

Clements moved amend the motion subject to 17 foot setback between the west wall of the first story and the west wall of the second story at any point along the west line of the property line. Covington seconded the amended motion.

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

- b. PUBLIC HEARING: Discussion, consideration and possible approval or disapproval of Case BOA 2015-02, for which the owners of 7007 Nichols Road lot, have requested a variance add onto the rear of the existing home.

BACKGROUND

BOA 2015-02 - 7007 Nichols Road, a corner lot

The property is zoned E-2.

The current rear yard setback is 40 feet. The proposed structure will encroach upon the rear yard setback by 8' 11" leaving a 31' 1" rear yard setback, which is a violation of the zoning code.

Following discussion among the applicant Mr. Mark Carmouche with Stellar Construction, Board of Adjustment members and staff, the Public Hearing was opened. Seeing that no one present expressed a desire to be heard, the public hearing was closed.

APPROVED: Hall Moved that application number **BOA 2015-02** be approved in accordance with submitted application as presented at this meeting because:

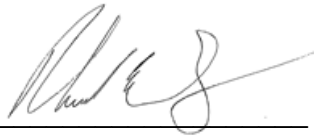
- I. The application of the ordinance to this particular piece of property would create an unnecessary hardship;
- II. Such conditions are peculiar to this particular piece of property;
- III. The granting of this variance will not cause substantial detriment to the public good, or impair the purposes and intent of the ordinance or the comprehensive plan; and

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

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

4. Public Hearing - International Property Maintenance Code Appeals
5. Items for Separate Vote
6. Adjournment

There being no further business, the meeting was adjourned.



Chairman
City of Nichols Hills, Oklahoma



City Manager
City of Nichols Hills, Oklahoma



City Clerk
City of Nichols Hills, Oklahoma