

MINUTES

Regular Meeting of the
Nichols Hills Board of Adjustment
Wednesday, February 21, 2024 at 5:30 PM
City Hall, 6407 Avondale Drive
Nichols Hills, OK 73116

1. Call to Order
2. Roll Call

Attendee Name	Title	Status	Arrived
Kathy Lippert		Absent	
Robert Slater		Present	
Edward Clements		Present	5:32 PM
John Covington		Present	
Larry Herzel		Present	

3. Minutes
 - a. January 17, 2024

MOTION: Herzel moved to approve the January 17, 2024 minutes as presented. Covington seconded the motion.

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

4. Public Hearing

Consideration of adoption, approval, acceptance, rejection, amendment, and/or postponement of the following:

- a. PUBLIC HEARING: Case No. BOA-2024-03, for which the applicants at 1712 Elmhurst Avenue are seeking a 1'4" variance from the east side yard setback, leaving a 10'2" east side yard setback.

BACKGROUND
BOA-2024-03 1712 Elmhurst Avenue

The property is zoned R-1-75.

The applicants desire to enclose their existing porch. For the proposed enclosure, the applications are seeking a 1'4" variance from the east side yard setback, leaving a 10'2" east side yard setback.

Mr. Morgan Connelly presented the application to the Board of Adjustment.

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

No one expressing a desire to be heard, the public hearing was closed.

MOTION: Covington moved that application number BOA-2024-03 be approved because the application of the ordinance to this particular piece of property would create an unnecessary hardship; such conditions are peculiar to this particular piece of property; 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 this variance is the minimum necessary to alleviate the unnecessary hardship. Clements seconded the motion.

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

- b. PUBLIC HEARING: Case No. BOA-2024-04, for which the applicants at 6911 Avondale Drive are seeking a 10' variance from the west side yard setback. The applicants are also seeking a front elevation variance.

BACKGROUND
BOA-2024-04 6911 Avondale Drive

The property is zoned E-1.

The applicants desire to build a new main building. For the proposed new house, the applicant is seeking a 10' variance from the west side yard setback, leaving a 70' west side yard setback.

The applicants are also seeking a front elevation variance to move the front elevation of the property from Avondale Drive to NW Grand Boulevard.

Mr. Scott Spradling, representing Mrs. Susan Binkowski, presented the application to the Board of Adjustment.

Mr. David Wendling, Studio Architecture, spoke to the Board of Adjustment members concerning the home's placement and the requested variance.

Mrs. Susan Binkowski expressed to the Board of Adjustment the design challenges and the expenses that have been incurred, relying on the Board of Adjustment's prior variance granted in 2022.

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

Seeing no others expressing a desire to be heard, the public hearing was closed.

MOTION: Clements moved that application BOA-2024-04 be approved because the application of the ordinance to this particular piece of property would create an unnecessary hardship; such conditions are peculiar to this particular piece of property; 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; this variance is the

minimum necessary to alleviate the unnecessary hardship.
Covington seconded the motion.

RESULT:	APPROVED [3 TO 1]
MOVER:	Edward Clements
SECONDER:	John Covington
AYES:	Slater, Clements, Covington
NAYS:	Herzel
ABSENT:	Lippert

- c. PUBLIC HEARING: Case No. BOA-2024-05, for which the applicants at 1711 Elmhurst Avenue desire to appeal the City Code Official's decision to not issue a permit for an accessory structure (Sports Court). Alternatively, the applicant is seeking a 1'6" variance from the west side yard setback.

BACKGROUND

BOA-2024-05 1711 Elmhurst Avenue

The property is zoned R-1-75.

The applicants desire to appeal the City Code Official's decision to deny the issuance of a permit for an accessory structure (Sports Court).

In the event the appeal is unsuccessful, the applicant is seeking a 1'6" variance from the west side yard setback, leaving a 4'6" west side yard setback.

MOTION: Clements moved to continue agenda item 4c to the next regular schedule meeting. Covington seconded the motion.

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

5. Adjournment

MOTION: There being no further business, Covington moved to adjourn the meeting. Clements seconded the motion.

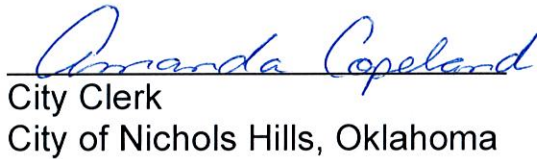
RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Covington
SECONDER:	Edward Clements
AYES:	Slater, Clements, Covington, Herzel
ABSENT:	Lippert



Chairman
City of Nichols Hills, Oklahoma



City Manager
City of Nichols Hills, Oklahoma



City Clerk
City of Nichols Hills, Oklahoma