

MINUTES

Regular Meeting of the
Nichols Hills Board of Adjustment
Wednesday, March 20, 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		Present	
Robert Slater		Present	
Edward Clements		Absent	
John Covington		Present	
Larry Herzel		Present	

3. Minutes

- a. February 21, 2024

MOTION: Herzel moved to approve the February 21, 2024 minutes as presented. Covington seconded the motion.

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

4. Public Hearing

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

- a. 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.

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: Lippert moved to continue agenda item 4a to the next regular schedule meeting. Covington seconded the motion.

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

- b. **PUBLIC HEARING:** Case No. BOA-2024-06, for which the applicants at 1204 Belford Avenue are seeking a 1'8 1/2" variance from the west side yard setback. The applicants are also seeking a 6' building envelope variance on the west side of the building.

BOA-2024-06 1204 Belford Avenue

The property is zoned R-1-60.

The applicants desire to build an addition to the dwelling. For the proposed addition, the applications are seeking a 1'8 ½ " variance from the west side yard setback, leaving a 4'9 ½ " west side yard setback. For the proposed addition, the applicants are also seeking a 6' building envelope variance on the west side of the dwelling.

Mr. Matt Cooper, Cooper Custom Builds, presented the application to the Board of Adjustment.

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

Mr. Harvey Deutsch asked for clarification of the side yard setback.

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

MOTION: Herzel moved that application number BOA-2024-06 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 of the comprehensive plan; and this variance is the minimum necessary to alleviate the unnecessary hardship. Lippert seconded the motion.

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

- c. PUBLIC HEARING: Case No. BOA-2024-07, for which the applicants at 6403 N. Hillcrest Avenue are seeking a 4'5 1/4" variance from the north side yard setback.

BOA-2024-07 6403 N. Hillcrest Avenue

The property is zoned E-1-75.

The applicants desire to build an addition to the dwelling. For the proposed addition, the applications are seeking a 4'5 1/4" variance from the north side yard setback, leaving a 3'6 3/4" west side yard

setback.

Mr. Lance Cornman, builder, presented the application to the Board of Adjustment.

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: Covington moved that application number BOA-2024-07 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 of the comprehensive plan; and this variance is the minimum necessary to alleviate the unnecessary hardship. Herzel seconded the motion.

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

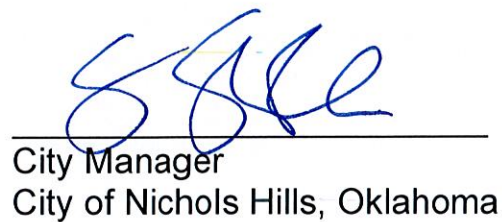
5. Adjournment

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

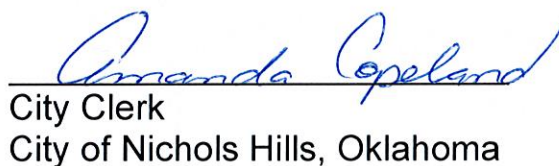
RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Covington
SECONDER:	Larry Herzel
AYES:	Lippert, Slater, Covington, Herzel
ABSENT:	Clements



Chairman
City of Nichols Hills, Oklahoma



City Manager
City of Nichols Hills, Oklahoma



City Clerk
City of Nichols Hills, Oklahoma