

MINUTES

Regular Meeting of the
Nichols Hills Board of Adjustment
Wednesday, April 17, 2024 at 5:30 PM
City Hall, 6407 Avondale Drive
Nichols Hills, OK 73116

1. Call to Order
2. Roll Call

Attendees Present	Arrived
Chairman Robert Slater	5:30
Member Larry Herzel	5:30
Vice-Chairman Edward Clements	5:30
Member Kathy Lippert	5:30
Member John Covington	5:30

3. Minutes

- a. March 20, 2024 Minutes

MOTION: Larry Herzel moved to approve the March 20, 2024 minutes as approved. John Covington seconded the motion.

RESULT: (UNANIMOUS)

MOVER: Larry Herzel

SECONDER: John Covington

AYES: Robert Slater, Larry Herzel, Edward Clements, Kathy Lippert, John Covington

4. Public Hearings

- 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).

Mr. Travis Brown and Matt Hill, representing Mr. Michael Reel, 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.

The Board of Adjustment took no action on the appeal.

MOTION: Edward Clements moved that application number BOA-2024-05 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. Kathy Lippert seconded the motion.

RESULT: (UNANIMOUS)

MOVER: Edward Clements

SECONDER: Kathy Lippert

AYES: Robert Slater, Larry Herzel, Edward Clements, Kathy Lippert, John Covington

- b. PUBLIC HEARING: Case No. BOA-2024-08, for which the applicants at 1809 W. Wilshire Boulevard are seeking an 18" height variance.

BOA-2024-08 1809 W. Wilshire Boulevard

The property is zoned R-1-75.

The applicants desire to build a front yard wall. For the proposed wall, the applications are seeking an 18" height variance resulting in a 48" height front yard wall.

Mr. Fadi and Mrs. Nellie Gebrail, property owners, 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: Edward Clements moved that application number BOA-2024-08 be approved to the extent that the Board of Adjustment will allow an additional six inches of see-through decorative fencing above the current code of six inches for a total of twelve inches on top of a thirty-inch fixed fence 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. Kathy Lippert seconded the motion.

RESULT: (Yes 4, No 1, Abstained 0)

MOVER: Edward Clements

SECONDER: Kathy Lippert

AYES: Larry Herzel, Edward Clements, Kathy Lippert, John Covington

NAYS: Robert Slater

- c. PUBLIC HEARING: Case No. BOA-2024-09, for which the applicants at 1808 Westminster Place are seeking a 2' front yard variance, a 2' east side yard setback variance, and a 1' west side yard setback variance.

BOA-2024-09 1808 Westminster Place

The property is zoned R-1-60.

The applicants desire to build an addition to the main dwelling. For the proposed addition, the applications are seeking a 2' front yard variance leaving a 38' front yard setback. For the proposed addition, the applicants are also seeking a 2' east side yard setback variance, leaving a 4'6" east side yard setback. For the proposed addition, the applicants are also seeking a 1' west side yard setback variance, leaving a 5'6" west side yard setback.

Ms. Donna Rosentreter, Diamond R Construction, 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: John Covington moved that application number BOA-2024-09 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.

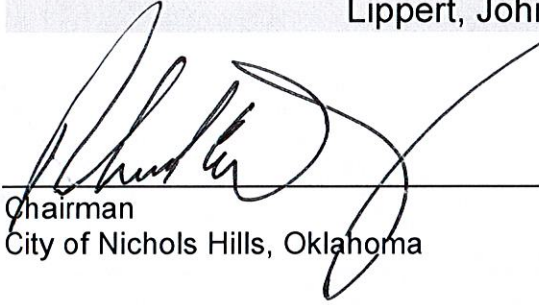
Larry Herzel seconded the motion.

RESULT: (UNANIMOUS)
MOVER: John Covington
SECONDER: Larry Herzel
AYES: Robert Slater, Larry Herzel, Kathy Lippert, John Covington

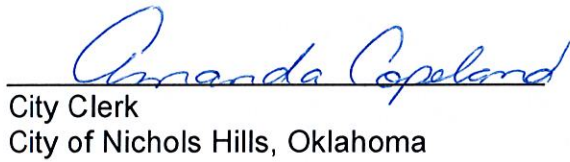
5. Adjournment

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

RESULT: (UNANIMOUS)
MOVER: Edward Clements
SECONDER: John Covington
AYES: Robert Slater, Larry Herzel, Edward Clements, Kathy Lippert, John Covington


Chairman
City of Nichols Hills, Oklahoma


City Manager
City of Nichols Hills, Oklahoma


City Clerk
City of Nichols Hills, Oklahoma