

MINUTES

Regular Meeting of the
Nichols Hills Building Commission
Tuesday, January 16, 2024 at 4:00 PM
City Hall, 6407 Avondale Drive
Nichols Hills, OK 73116

1. Call to Order
2. Roll Call

Attendee Name	Title	Status	Arrived
Larry Herzel	Chairman	Present	
John Lippert		Present	
Tori Raines		Present	
Rusty Caston		Present	
Jeff Oakley		Absent	

3. Citizens Desiring to be Heard

The purpose of this time is to allow members of the public to speak to the Building Commission on any matter that is not otherwise set for consideration on this Agenda.

No one expressed a desire to be heard.

4. Minutes

a. November 14, 2023 Minutes

MOTION: Herzel moved to approve the November 14, 2023 minutes subject to amending the second paragraph on page three to read: "City Council and Building Commission members agreed with the proposed ordinance to prohibit the changing of the homes' historical street frontage." Raines seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Larry Herzel
SECONDER:	Tori Raines, Chairman
AYES:	Herzel, Lippert, Raines, Caston
ABSENT:	Oakley

b. November 21, 2023 Minutes

MOTION: Herzel moved to approve the November 21, 2023 subject to correcting Herzel's vote on the 1209 Mulberry Lane application to "yes". Caston seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Larry Herzel
SECONDER:	Rusty Caston
AYES:	Herzel, Lippert, Raines, Caston
ABSENT:	Oakley

5. Public Hearings

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

- a. Certificate of Approval Application - 6502 Lenox Avenue, Nichols Hills, OK.

Mr. Sam Gresham, Sam Gresham Architecture, presented the application (new main building) to the Building Commission.

Following discussion among the Building Commission members, staff and the applicant, Chairman Raines opened the public hearing.

Mr. and Mrs. Stan Shrigo spoke of their concerns of replacing the sewer lines and French drains on their property that will be removed in the demolition of the proposed home.

Mr. Tim Hughes, Tim Hughes Custom Homes, LLC, explained to the Building Commission members the process that will be taken to ensure the sewer lines and French drains on Mr. and Mrs. Shrigo's property are properly replaced.

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

MOTION: Caston moved to approve subject to resolution of the sanitary sewer line satisfactory to the neighbor before the footing inspection is performed, and check the overall height based on the centroid elevation of the property. Raines seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rusty Caston
SECONDER:	Tori Raines, Chairman
AYES:	Herzel, Lippert, Raines, Caston
ABSENT:	Oakley

- b. Certificate of Approval Application - 1104 Marlboro Lane, Nichols Hills, OK.

Mr. Nathan Vaughn, with Harrison Kennedy Homes LLC, presented the application (new main building) to the Building Commission.

Following discussion among the Building Commission members, staff and the applicant, Chairman Raines opened the public hearing.

Mr. Curtis Wilson spoke of his concerns of allowing builders to build within the codes. Mr. Wilson spoke in favor of the application.

Mrs. Laurel Kallenberger spoke of her concerns on the drainage of the property. Mrs. Kallenberger also spoke in favor of the application.

Mr. Dave LeNorman spoke in favor of the application.

MOTION: Herzel moved to approve subject to completion and submission of the landscape plan corrected as per our form on the website, and submission of the neighbor's signatures approving the application. Caston seconded the motion.

RESULT:	DENIED [2 TO 2]
MOVER:	Larry Herzel, Tori Raines
SECONDER:	John Lippert, Rusty Caston
AYES:	Herzel, Caston
NAYS:	Lippert, Raines
ABSENT:	Oakley

MOTION: Raines moved to continue to the next regular schedule meeting. Lippert seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Tori Raines, Chairman
SECONDER:	John Lippert
AYES:	Herzel, Lippert, Raines, Caston
ABSENT:	Oakley

6. Items for Separate Vote

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

- a. An Ordinance amending Section 50-372 of the Nichols Hills City Code regarding Applications for Certificate of Approval; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Mrs. Carla Sharpe, attorney for the City, presented the proposed ordinance regarding section cut requirements for Building Commission Certificate of Approval applications to the Building Commission.

MOTION: Raines moved to recommend approval to the Planning Commission. Caston seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Tori Raines, Chairman
SECONDER:	Rusty Caston
AYES:	Herzel, Lippert, Raines, Caston
ABSENT:	Oakley

- b. An Ordinance amending Section 50-140 of the Nichols Hills City Code regarding prohibited exterior building materials; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

No action taken.

- c. An Ordinance regarding the calculation of the centroid for Building Commission applications; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Mrs. Carla Sharpe, attorney for the City, presented the proposed ordinance to the Building Commission.

MOTION: Herzel moved to recommend approval to the Planning Commission. Lippert seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Larry Herzel
SECONDER:	John Lippert
AYES:	Herzel, Lippert, Raines, Caston
ABSENT:	Oakley

- d. Discuss restrictions for accessory or secondary structures in residential zoning districts.

Mr. Jeff Blake, with Gumerson Blake Design Build, spoke to the Building Commission members concerning amending the City Code to allow breezeways to an accessory structure.

Mr. Curtis Wilson spoke in favor of allowing amending the code concerning breezeways.

The Commission members expressed support to amend the ten-foot separation between a main building and an accessory structure to six-foot. Also, the Commission expressed support to allow breezeways, provided they are open and unconditioned, to be attached to the main building without adding to the square footage or pushing the accessory structure to twenty-five feet off the rear yard setback.

7. Adjournment

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Tori Raines, Chairman
SECONDER:	Rusty Caston
AYES:	Herzel, Lippert, Raines, Caston
ABSENT:	Oakley



Chairman
Building Commission
City of Nichols Hills, Oklahoma



City Manager
Building Commission
City of Nichols Hills, Oklahoma

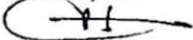


City Clerk
City of Nichols Hills, Oklahoma

Ms. Copeland,

Attached is a document that I would like to be a part of the January 16 meeting/minutes regarding demo and build at 6502 Lenox. We will be in attendance to personally address the potential problem as outlined in the enclosed document. We are not objecting to the demo or build, but wish to document to the Building Commission a situation that conjoins the properties at 6502 and 6504 Lenox.

Thank you.



Stan Shrager



Barb Shrager

Stan and Barb Shrigo
6504 N. Lenox Ave.
Nichols Hills, Ok

January 7, 2024

RE: Applicant Sam Gresham BC-2024-01

Proposed project: Demolition and construction of main dwelling @ 6502 Lenox Ave.

Attention Nichols Hills Building Commission,

We have resided at 6504 N. Lenox since December. 1988

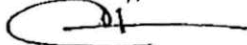
In 1992 the original clay sewer line from our home failed and needed to be replaced. A sewer contractor was consulted who in turn discussed situation with Nichols Hills. Given the lapse of time from the original build of our home, there was no clear understanding where our sewer line drained, plus the same line originated from our basement (not near ground level). The same sewer line connects up with a separate living space behind our garage. Due to depth of sewer line from our house (again basement at 10 foot depth) and grade differential to facilitate flow, Nichols Hills proposed (I was present) that the best solution (mainly because of grade and 10 foot depth) was to dig the trench for the PVC line from our home and then advance same dig to the south across the backyard of 6502 Lenox and attach to the main line. This was accomplished and line has been functional ever since. We had to resod the 6502 backyard.

The current home foot print seems well removed from the sewer line, so I do not anticipate a problem, but all demo activity should be aware of this situation. Any new and/or proposed construction that builds over our sewer line needs to address or remediate potential interruption of our sewer line.

I realize this is not a desirable situation and I have discussed this with Tim Hughes. He was on site at 6504 Lenox where I outlined the "lay" of the sewer line in the context of our basement and its directional course across the backyard space at 6502 Lenox.

I am not objecting to the demo or build, but only responsible address of the situation as detailed above by all parties concerned.

Sincerely,



Stan Shrigo

Barb Shrigo

cc. Tim Hughes Construction

Enclosed: Diagram of sewer line as detailed above.

WEST

↑
EST

LENDX AVE

6502

HOME

6504

HOME

SEWER LINE

↑
N

