

1. Agenda

Documents:

[2022-09-20 BUILDING COMMISSION - PUBLIC AGENDA-1746.PDF](#)

2. Meeting Materials

Documents:

[2022-09-20 BUILDING COMMISSION - FULL AGENDA-1746.PDF](#)

AGENDA

Regular Meeting of the
Nichols Hills Building Commission
Tuesday, September 20, 2022 at 4:00 PM
City Hall, 6407 Avondale Drive
Nichols Hills, OK 73116

If special assistance is needed for this meeting by any person wishing to attend, please contact the City Clerk's office no later than 48 hours prior to the meeting, and such assistance will be provided.

Official action may be taken by the Building Commission only on items that appear on this Agenda. The Building Commission may dispose of the business set out on this Agenda by accepting, approving, adopting, rejecting, amending, or postponing action as to each item, as determined by the Building Commission.

1. Call to Order
2. Roll Call
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.

4. Minutes
 - a. August 16, 2022 Minutes
5. Public Hearings

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

- a. Certificate of Approval Application - 1401 Sherwood Lane, Nichols Hills, OK.
- b. Certificate of Approval Application - 1717 Coventry Lane, Nichols Hills, OK.
- c. Designation of "Architectural Resource", as the term is defined in Section 50-342 of the Nichols Hills City Code.

6. Items for Separate Vote

- a. "No-build vertical envelope" requirements for residential zoning districts.
- b. Draft ordinance regarding the requirements for the architectural renderings and facade changes.
- c. Review of International Building Codes and related Building Codes.
 - i. International Building Code
 - ii. International Residential Code
 - iii. International Existing Building Code
 - iv. International Property Maintenance Code
 - v. International Mechanical Code
 - vi. National Electric Code
 - vii. International Plumbing Code
 - viii. International Fire Code
 - ix. International Fuel Gas Code
 - x. NFPA 101 Life Safety Code

7. Adjournment

I certify that the forgoing was filed in the Office of the City Clerk at 2:25 PM on the 16th day of September, 2022 and posted in prominent view on the window at City Hall, 6407 Avondale Drive, at 2:45 PM on the 16th day of September, 2022; posted to the City of Nichols Hills website at <http://www.nicholshills.net> at 5:00 PM on the 16th of September, 2022; and transmitted by email at 5:00 PM on the 16th day of September, 2022 to those persons who have requested to be included on such notices pursuant to the Open Meeting Act and to those who have requested such notice.



City Clerk
City of Nichols Hills, Oklahoma

AGENDA

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City Clerk
City of Nichols Hills, Oklahoma

MINUTES

Regular Meeting of the
Nichols Hills Building Commission
Tuesday, August 16, 2022 at 4:00 PM
City Hall, 6407 Avondale Drive
Nichols Hills, OK 73116

**Original agenda filed in the Office of the City Clerk at 10:11 AM
on the 12th day of August, 2022.**

1. Call to Order
2. Roll Call

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

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. July 19, 2022 Minutes

MOTION: Lippert moved to approve the July 19, 2022 minutes as presented. Oakley seconded the motion.

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

5. Public Hearings

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

- a. Certificate of Approval Application - 7005 Trenton Road, Nichols Hills, OK.

Mr. Grant Willoughby, owner of the property, presented the application to the Building Commission.

Following discussion among the Building Commission Members, staff and applicant, Chairman Herzel opened the public hearing.

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

MOTION: Lippert moved to approve the application as submitted. Oakley seconded the motion.

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

- b. Certificate of Approval Application - 1711 Elmhurst Avenue, Nichols Hills, OK.

Mr. Bryan Beavers, Bryan Beavers Construction, presented the application to the Building Commission.

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

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

MOTION: Lippert moved to approve the application as submitted. Oakley seconded the motion.

Attachment: August 16 2022 Minutes (6055 : 3 August 16, 2022 Minutes)

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

- c. Certificate of Approval Application - 1120 Larchmont Lane, Nichols Hills, OK.

Mr. Ryan Smith, owner, presented the application to the members of the Building Commission.

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

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

MOTION: Lippert moved to approve subject to the site plan showing the pervious pavers on the driveway, and having the engineer stamp and update the date on the civil plan. Oakley seconded the motion.

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

- d. Certificate of Approval Application - 1117 Glenwood Avenue, Nichols Hills, OK.

Mr. Tony Say, owner of the property, presented the application to the Building Commission.

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

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

MOTION: Oakley moved to approve subject to the following conditions: 1) Demo back garage and do not build it back; 2) Modify the driveway layout to coordinate with what is existing; 3) Add landscaping screening to the east going north to screen the adjoining property from the second-floor bedroom window; 4) Recalculate the centroid to lower the elevation to be in compliance with the ordinance; 5) Show surface inlet structures at the rear of the property to drain to the street. Lippert seconded the motion.

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

6. Items for Separate Vote

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

- a. "No-build vertical envelope" requirements for residential zoning districts: update regarding Planning Commission directives.

Mr. Curtis Wilson presented to the Building Commission different ideas on how to calculate the No-Build vertical envelopes for the R-1-75 and R-1-60 districts in Nichols Hills. Mr. Wilson will prepare a proposal to present to the Commission at a future meeting.

- b. Landscape requirements for Certificate of Approvals.

Commissioner Oakley discussed with Building Commission members what would trigger the applicant to be required to provide a landscape plan for remodels or additions in the backyard. Also discussed was reworking the landscape point system. Mrs. Carla Sharpe, attorney for the City, will draft a proposed landscaping ordinance to present at a meeting in the

future.

- c. Possible process changes regarding when previously-approved Certificates of Approval should be submitted for additional review.

Building Commissioners and staff discussed when changes to the previously approved Certificates of Approval should be submitted for additional reviews by the Commission. The Commission agreed to leave the ordinance as it is.

- d. Possible process changes as to when architectural renderings should be required in the review process.

Building Commission members and staff discussed when to require architectural renderings for the backyard additions. Commissioners recommend that for additions or remodels in the backyard that are not visible from the street a rendering is not needed. For street views additions or remodels that are visible from the street, renderings and elevations are required.

Mrs. Carla Sharpe, attorney for the City, will bring back a proposed ordinance for the Building Commission to review at the next meeting.

7. Adjournment

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

Attachment: August 16 2022 Minutes (6055 : 3 August 16, 2022 Minutes)

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



Chairman
Building Commission
City of Nichols Hills, Oklahoma



City Manager
Building Commission
City of Nichols Hills, Oklahoma



City Clerk
City of Nichols Hills, Oklahoma

See City Clerk's office.

See City Clerk's office.

See City Clerk's office.

Published in _____ on _____, 2022

ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE V OF CHAPTER 50 OF THE NICHOLS HILLS CITY CODE REGARDING THE BUILDING COMMISSION REVIEW PROCESS; REPEALING ALL CONFLICTING ORDINANCES OR PARTS OF ORDINANCES; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

EMERGENCY ORDINANCE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NICHOLS HILLS, OKLAHOMA:

Section 1. Section 50-341 is hereby amended, with deleted language stricken through and new language underlined, to wit:

Sec. 50-341. When Certificates of Approval are required; advance consultation with the City encouraged.

(a) Certificates of Approval issued by the Building Commission are required before application may be made to move or demolish a Building or to construct a Main Building, a Secondary Building or an Addition to a Main or Secondary Building (except Minor Additions as defined in subsection(b)). Further, the Code Official may refer applications for certain alterations to Main or Secondary Buildings to the Building Commission for a Certificate of Approval prior to granting a Building Permit.

(b) *Minor Additions.* Building Commission review is not required for Minor Additions to the first floors of a Main or Secondary Buildings when such Additions are less than or equal to 15% of the total square footage of the existing Building, provided that such Minor Additions shall be allowed only once every ten years. Second and successive Additions within such 10-year period require Building Commission review.

(c) *Façade alterations.* Notwithstanding subsection (b) regarding Minor Additions, a Certificate of Approval is required (and the Addition will not be deemed to be a Minor Addition) if the appearance of the façade of a Building on its street-facing side will be altered, and such façade alterations span over 50 feet of the Building.

(e) Certificates of Approval are not required to apply for Building Permits for fences, swimming pools, or Accessory Buildings or Structures when such proposed construction is the only work for which the Building Permit is sought. However, the Building Commission shall review proposals for fences, swimming pools, and Accessory Buildings and Structures that are part of a proposed project that requires a Certificate of Approval.

(~~de~~) It is a violation of this Chapter for any person to move or demolish a Building or to construct a Main Building, Secondary Building, or an Addition to a Main or Secondary Building for which a Certificate of Approval is required until a Certificate of Approval has been obtained from the Building Commission as set out in this Article.

(~~ef~~) While this Article does not require submittal of any documentation prior to formal application for a Certificate of Approval, property owners are encouraged to consult with the City prior to making formal application to become familiar with the policies and requirements set forth in this Article.

Section 2. Section 50-372 is hereby amended, with new language underlined, to wit:

Sec. 50-372. Application for Certificate of Approval.

(b) For construction of a new Main or Secondary Building, or construction of an Addition to an existing Main or Secondary Building for which a Certificate of Approval is required:

(3) Except as set out in subsection (f), floor plans, renderings, elevation drawings, and other pertinent drawings, with the Centroid determined as set out in Section 50-3 and that determination signed and sealed by a licensed engineer or architect.

(f) Renderings for Additions. Renderings are not required for rear yard Additions that are not visible from the street. For construction of an Addition to an existing Main Building or Secondary Building, renderings may be required for front and side yard Additions and for rear yard Additions that are visible from the Street. In order to make that determination, the Chief Building Inspector will coordinate a meeting with two Building Commissioners, at which meeting the Commissioners will offer a recommendation as to whether the City should require renderings for the project. The Chief Building Inspector will consider such recommendation in making a determination and instruct the applicant accordingly.

Section 3. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 4. The provisions of this ordinance are severable and if any part or provision hereof shall be adjudged invalid by any court of competent jurisdiction, such adjudication shall not affect or impair any of the remaining parts or provisions hereof.

Section 5. EMERGENCY SECTION. WHEREAS, in the judgment of the Council it is necessary for the preservation of the peace, health, welfare and safety of the City of Nichols Hills, Oklahoma, and of the inhabitants thereof that the provisions of this ordinance

be put into full force and effect immediately, and therefore an emergency is hereby declared to exist by reason whereof this ordinance shall take effect and be in full force from and after its passage as provided by law.

PASSED by the Council of the City of Nichols Hills, Oklahoma, on the _____ day of _____, 2022.

APPROVED by the Mayor of the City of Nichols Hills, Oklahoma, on the _____ day of _____, 2022.

ATTEST:

Mayor

City Clerk

Reviewed as to Form and Legality:

City Attorney