

1. Agenda

Documents:

[2021-07-20 BUILDING COMMISSION - PUBLIC AGENDA-1643.PDF](#)

2. Meeting Materials

Documents:

[2021-07-20 BUILDING COMMISSION - FULL AGENDA-1643.PDF](#)

AGENDA

Regular Meeting of the
Nichols Hills Building Commission
Tuesday, July 20, 2021 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 adopting, approving, denying, continuing, or taking other 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. June 15, 2021 Minutes

5. Public Hearings

Discussion, consideration, and possible approval of the following:

a. Certificate of Approval Application - 7301 Waverly Avenue, Nichols Hills, OK.

b. Certificate of Approval Application - 6800 NW Grand Boulevard, Nichols Hills, OK.

6. Items for Separate Vote

Items listed in this section of this Agenda are usually discussed, considered, and voted on individually by the Building Commission.

Discussion, consideration, and possible recommendation of approval to the Planning Commission of the following:

- a. Amendments to Section 50-3 of the City Code (Zoning) regarding definitions of the following words, terms and phrases used in Chapter 50 of the City Code, including establishment of formulas and diagrams for calculating the same:
 - i. Lot coverage
 - ii. Centroid
 - iii. Floor area, gross
 - iv. Floor area ratio
 - v. Attic
 - vi. Buildable area
 - vii. Building height
 - viii. Lot depth
 - ix. No-build vertical envelope
 - x. Lot width

7. Adjournment

I certify that the forgoing was filed in the Office of the City Clerk at 2:50 PM on the 9th day of July, 2021 and posted in prominent view on the window at City Hall, 6407 Avondale Drive, at 3:15 PM on the 9th day of July, 2021; posted to the City of Nichols Hills website at <http://www.nicholshills.net> at 5:00 PM on the 9th of July, 2021; and transmitted by email at 5:00 PM on the 9th day of July, 2021 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

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City Clerk
City of Nichols Hills, Oklahoma

MINUTES

Regular Meeting of the
Nichols Hills Building Commission
Tuesday, June 15, 2021 at 4:00 PM
City Hall, 6407 Avondale Drive
Nichols Hills, OK 73116

**Original agenda filed in the Office of the City Clerk at 4:15 PM on
the 4th day of June, 2021.**

1. Call to Order
2. Roll Call

Attendee Name	Title	Status	Arrived
Larry Herzel		Present	
John Lippert	Chairman	Present	
Tori Raines		Present	
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. May 18, 2021 Minutes
 - b. June 1, 2021 Minutes

MOTION: Raines moved to approve the May 18, 2021 and June 1, 2021 minutes as presented. Herzel seconded the motion.

Attachment: June 15 2021 Minutes 1 (5283 : 3 June 15, 2021 Minutes)

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

5. Public Hearings

Discussion, consideration, and possible approval of the following:

- a. Certificate of Approval Application - 1806 Dorchester Place, Nichols Hills, OK.

Mr. Jeff Blake, with Gumerson Blake Design Build, presented the application to the members of the Building Commission.

Chairman Lippert opened the public hearing.

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

MOTION: Oakley moved to approve agenda item 5a as presented. Herzel seconded the motion.

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

- b. Certificate of Approval Application - 6408 Briarwood Lane, Nichols Hills, OK.

Mr. Richard Costanzo, property owner, presented the application to the Building Commission.

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

Mr. Tom Kilpatrick spoke in opposition of the application. Mr. Kilpatrick also conveyed the concerns of two neighbors, Ms. Betty Jo Law, who also opposes the application, and Roxanne and Jack Marshall, who would like to see the property upgraded but are concerned the proposal is not up to standards. Mr. Kilpatrick's concerns were: 1) size of the addition; 2) height of the proposed addition; 3) lack of privacy because the addition would be higher than the neighboring properties; 4) drainage of the property; 5) quality of proposed improvements.

Mr. Patrick Wetwiska spoke in opposition of the application. Mr. Wetwiska stated his concerns were loss of privacy, the size of the addition, and drainage of the property.

Mr. Saul Barragan, with S & B Premier Construction, stated that the work his company would provide, once approved, would be quality work.

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

MOTION: Raines moved to continue to a date certain with the expectation that plans will be submitted that reflects what is being proposed and the findings of the City's drainage pipe at the property. Oakley seconded the motion.

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

6. Items for Separate Vote

Items listed in this section of this Agenda are usually discussed, considered, and voted on individually by the Building Commission.

- a. Discussion, consideration, and possible action regarding drainage information required in Building Commission Applications.

- Building Commission Members and staff discussed Ordinance 1192 regarding drainage. Building Commissioners requested staff to amend item (e)(3) to read “does not increase the flow to exceed the capacity of existing and/or proposed underground drainage pipes to the street.”
- b. Amendments to Section 50-3 of the City Code (Zoning) regarding definitions of the following words, terms and phrases used in Chapter 50 of the City Code, including establishment of formulas and diagrams for calculating the same:
- i. Attic
 - ii. Centroid elevation
 - iii. No build envelope

Building Commission Members discussed the definition of Attic. All members agreed upon the proposed definition.

The Building Commission Members and staff also discussed the definition of Centroid Elevation and using the proposed diagrams in the City’s Code.

Mr. Jeff Blake spoke to the Building Commission of his concerns determining the centroid and how that affects the height of the proposed homes. Mr. Blake also spoke of his concerns of the requirements of an engineer certified drainage plans to applicants with smaller homes.

The Building Commission Members agreed to continue the discussion of definitions at the next meeting.

- c. Discussion, consideration, and possible action regarding exterior lighting requirements.

Building Commission Members and staff discussed the existing ordinance on exterior lighting.

- d. Discussion, consideration, and possible action regarding minimum information to be provided by an applicant at a preliminary meeting.

Building Commission Members requested staff to email applicants site plans, floor plans, and elevation plans two days before the preliminary meeting to the Commission Members.

7. Adjournment

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jeff Oakley
SECONDER:	Larry Herzel
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.

Attic Definition from Zoning Ordinances

Existing Ordinance Language:

No existing definition.

Proposed Ordinance Language:

Attic means the space in a building that is directly below the roof structure and that is unfinished, uninhabitable, and not air conditioned. At least 50 percent of the perimeter of the space must have a plate height of 48-inches or less above the Attic floor structure. The only permitted use of an Attic is storage. Attics are not included in floor area calculations.

Buildable Area Definition from Zoning Ordinances

Existing Ordinance Language:

No existing language.

Proposed Ordinance Language:

Buildable area means that portion of a single parcel of land, determined by setback lines, occupied or intended to be occupied by a building(s) or structure(s). The buildable area is that area between the front yard setback line, the calculated rear yard setback line, and the side yard setback lines.

Commentary:

The calculated rear yard setback line in R-1-60 and R-1-75 shall be 15 feet; however, the physical rear yard setback lines shall be that as designated in the district regulations.

Centroid Definition from Zoning Ordinances

Existing Ordinance Language:

Centroid means a point at the center of the lot on undisturbed ground calculated by the following: Determine the front and rear yard main building setbacks and the side property lines. Draw diagonal lines from each of these corners and where the lines cross is the centroid of the lot.

Proposed Ordinance Language:

Centroid means a point on a building parcel located in three dimensions at the center of a parcel. The center point of the parcel is determined by the intersection of diagonal lines drawn from the intersections of the front and rear yard main building setbacks and the side property lines. The elevation of the centroid is calculated by extending vertically from the center point of the parcel. The centroid point is the lower elevation at the center of the parcel when either: 1) a straight line is extended through the natural grade at the median points of the front and rear main building setbacks or (2) a straight line is extended through the natural grade points on the two side property lines.

Floor Area Gross Definition from Zoning Ordinances

Existing Ordinance Language:

Floor area, gross, means the sum of the gross horizontal areas of all the floors of a building or buildings, measured from the exterior faces of exterior walls or from the centerline of walls separating the two buildings, and including, but not limited to, the following spaces unless specifically excluded herein:

- (1) Elevator shafts and stairwells at each floor;
- (2) Penthouses;
- (3) Interior balconies, mezzanines, and enclosed covered porches and enclosed steps;
- (4) Accessory uses in enclosed covered space, but no including uncovered space used for off-street parking;
- (5) Basements shall be excluded from calculations;
- (6) Enclosed areas within a pitched roof but above the plate line of the structure shall be excluded from calculations;
- (7) Garages shall be excluded from calculations.

Proposed Ordinance Language:

Floor area, gross, means the sum of the gross horizontal areas of all of the floors of a building or buildings, measured from the exterior faces of exterior walls or from the centerline of walls separating the two buildings, and including, but not limited to, the following spaces unless specifically excluded herein:

- (1) Elevator shafts and stairwells at each floor, to be calculated only once at ground level;
- (2) Habitable penthouses;
- (3) Interior balconies, mezzanines, and enclosed covered porches and enclosed steps;
- (4) Accessory uses in enclosed covered space.

The following space are excluded from the calculation of gross floor area:

- (1) Basements;
- (2) Attics;
- (3) Garages, when not used as dwelling space;
- (4) Mechanical spaces.

Floor Area Ratio Definition from Zoning Ordinances

Existing Ordinance Language:

Floor area ratio means a mathematical expression determined by dividing the gross floor area of a building by the buildable area of a lot, as determined by setback lines, on which the building is located.

Proposed Ordinance Language:

Floor area ratio means a mathematical expression determined by dividing the gross floor area of a building or buildings by the buildable area of a parcel, as determined by the setback lines as designated in the district regulations, on which the building or buildings is located.

Building Height Definition from Zoning Ordinances

Existing Ordinance Language:

Building height means the vertical distance from the ground elevation of the lot, established prior to any filing or excavation operations, by locating the centroid of the proposed structure as it will be placed on the lot and measuring to the horizontal plane intersected by the highest point of the structure. Chimneys and antennas shall not be considered as structural elements for the purpose of measuring building height.

Proposed Ordinance Language:

Building height means the vertical distance from the Centroid of the parcel to the horizontal plane intersected by the highest point of the building. The allowable building height shall be as established by the same method for building height to the horizontal plane height as stated in the district regulations applicable for the building. Chimneys and antennas shall not be considered as structural elements for the purpose of measuring building height.

Lot Coverage Definition from Zoning Ordinances

Existing Ordinance Language:

Lot coverage means the percentage of the buildable area of a lot which is covered by a roof or other structure and is not open to the sky. Lot coverage includes, but is not necessarily limited to, the main building, secondary buildings, accessory buildings, covered porches and decks, covered terraces, carports, and porte cocheres. Lot coverage does not include unenclosed swimming pools, unenclosed tennis or game courts, and driveways.

Proposed Ordinance Language:

No change

Commentary:

Do we count roof overhangs in the lot coverage calculation?

Lot Depth and Lot Width Definitions from Zoning Ordinances

Existing Ordinance Language:

Lot depth means the average distance of the side lines of the lot, measured from the street line of the lot to its rear line.

Lot width means the distance between side property lines, measured at the front yard setback line.

Proposed Ordinance Language:

Lot depth means the distance measured from the median of the front property line to the median of the rear property line.

Lot width means the distance between the side property lines, measured at the front yard setback line.

(No proposed change)

Commentary:

Do we change the word “lot” to “parcel” everywhere?

The overall size of the lot can be calculated by depth times width or, in the case of an irregular parcel, by the surveyor’s calculation.

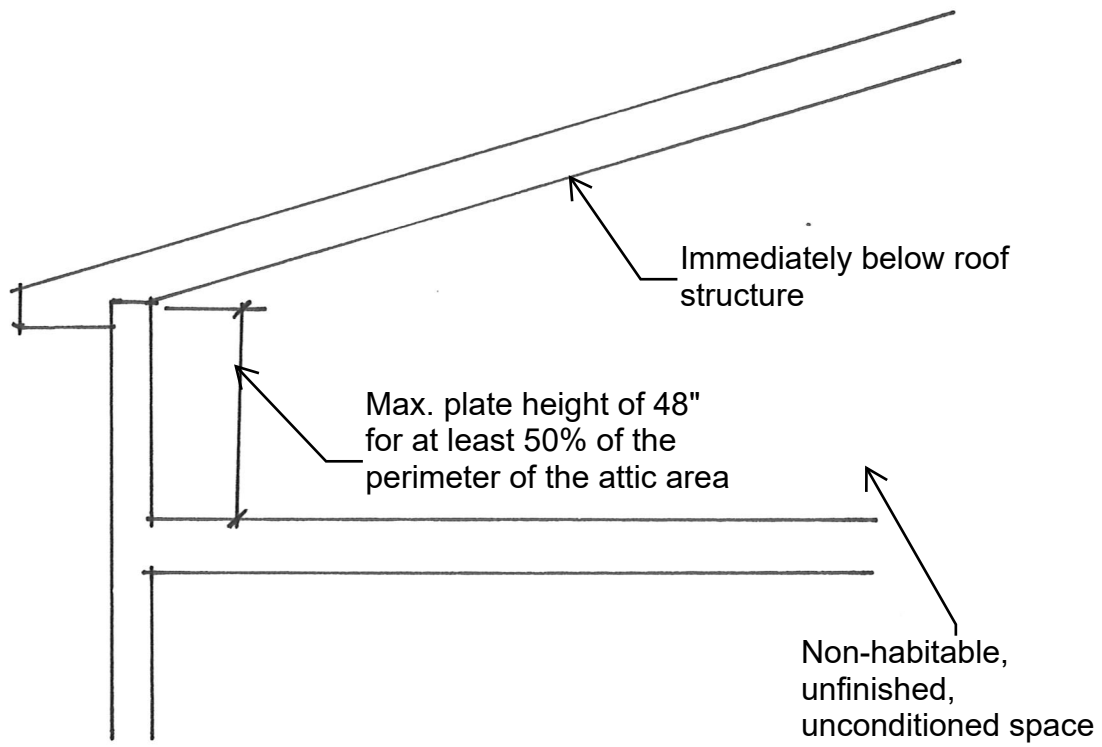
No-Build Vertical Envelope Zoning Ordinances

Existing Ordinance Language:

No existing definition.

Proposed Ordinance Language:

No build vertical envelope means that portion of a building adjacent to the side yard property line as to which construction is not permitted as stated in the district regulations applicable for the building.



ATTIC SPACE