

1. Agenda

Documents:

[2023-01-18 BOARD OF ADJUSTMENT - PUBLIC AGENDA-1778.PDF](#)

2. Meeting Materials

Documents:

[2023-01-18 BOARD OF ADJUSTMENT - FULL AGENDA-1778.PDF](#)

AGENDA

Regular Meeting of the
Nichols Hills Board of Adjustment
Wednesday, January 18, 2023 at 5:30 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 Board only on items that appear on this Agenda. The Board 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 Board.

1. Call to Order
2. Roll Call
3. Minutes
 - a. December 21, 2022
4. Public Hearing

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

- a. PUBLIC HEARING: Case No. BOA-2023-01, for which the applicants at 2401 NW Grand Boulevard are seeking a 42" height variance.

BOA-2023-01 2401 NW Grand Boulevard

The property is zoned E-2.

The applicants desire to construct a fence. For the proposed variance, the applicants are seeking a 42" height variance.

- b. PUBLIC HEARING: Case No. BOA-2023-02, for which the applicants at 1209 Mulberry Lane are seeking a 15' variance to the rear yard setback.

BOA-2023-02 1209 Mulberry Lane

The property is zoned R-1-60.

The applicants desire to construct an addition to the main dwelling. For the proposed addition, the applicants are seeking a 15' variance to the rear yard setback, leaving an 10' rear yard setback.

5. Adjournment

I certify that the forgoing was filed in the Office of the City Clerk at 1:54 PM on the 6th day of January, 2023 and posted in prominent view on the window at City Hall, 6407 Avondale Drive, at 2:15 PM on the 6th day of January, 2023; posted to the City of Nichols Hills website at <http://www.nicholshills.net> at 5:00 PM on the 6th of January, 2023; and transmitted by email at 5:00 PM on the 6th day of January, 2023 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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 - a. December 21, 2022
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- a. PUBLIC HEARING: Case No. BOA-2023-01, for which the applicants at 2401 NW Grand Boulevard are seeking a 42" height variance.

BOA-2023-01 2401 NW Grand Boulevard

The property is zoned E-2.

The applicants desire to construct a fence. For the proposed variance, the applicants are seeking a 42" height variance.

- b. PUBLIC HEARING: Case No. BOA-2023-02, for which the applicants at 1209 Mulberry Lane are seeking a 15' variance to the rear yard setback.

BOA-2023-02 1209 Mulberry Lane

The property is zoned R-1-60.

The applicants desire to construct an addition to the main dwelling. For the proposed addition, the applicants are seeking a 15' variance to the rear yard setback, leaving an 10' rear yard setback.

5. Adjournment

I certify that the forgoing was filed in the Office of the City Clerk at 1:54 PM on the 6th day of January, 2023 and posted in prominent view on the window at City Hall, 6407 Avondale Drive, at 2:15 PM on the 6th day of January, 2023; posted to the City of Nichols Hills website at <http://www.nicholshills.net> at 5:00 PM on the 6th of January, 2023; and transmitted by email at 5:00 PM on the 6th day of January, 2023 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

MINUTES

Regular Meeting of the
Nichols Hills Board of Adjustment
Wednesday, December 21, 2022 at 5:30 PM
City Hall, 6407 Avondale Drive
Nichols Hills, OK 73116

**Original agenda filed in the Office of the City Clerk at 2:00 PM on
the 9th day of December, 2022.**

1. Call to Order
2. Roll Call

Attendee Name	Title	Status	Arrived
Kathy Lippert		Present	
Robert Slater		Present	
Edward Clements		Present	
John Covington		Present	
Larry Herzel		Present	

3. Minutes

- a. November 16, 2022 Minutes

MOTION: Covington moved to approve the November 16, 2022 minutes as presented. Herzel seconded the motion.

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

4. Public Hearing

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

- a. PUBLIC HEARING: Case No. BOA-2022-13, for which the applicants at 1706 Drakestone Avenue are seeking a 3' variance from the front yard setback.

BOA 2022-13 - 1706 Drakestone Avnue

The property is zoned R-1-75.

The applicants desire to extend the existing garage. For the proposed variance, the applicants are seeking a 3' variance to the front yard setback, leaving an 47' front yard setback.

Mr. Mike Siatkowski, property owner, presented the application to the Board of Adjustment. Jared McCuistion, with Akaren Black Company, discussed the different options that they had considered before applying for the variance.

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

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

MOTION: Lippert moved that application number BOA 2022-13 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. Herzel seconded the motion.

RESULT:	APPROVED [4 TO 1]
MOVER:	Kathy Lippert
SECONDER:	Larry Herzel
AYES:	Lippert, Clements, Covington, Herzel
NAYS:	Slater

- b. PUBLIC HEARING: Case No. BOA-2022-14, for which the applicants at 6911 Avondale Drive are seeking a 45' variance from the west side yard setback.

BOA -2022-14- 6911 Avondale Drive

The property is zoned E-1.

The applicants desire to construct a new house. For the proposed new house, the applicants are seeking a 45' variance to the west side yard setback, leaving an 80' west side yard setback.

Mr. David Wendling, Studio Architecture, 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 expressed a desire to be heard, the public hearing was closed.

MOTION: Herzel moved that application number BOA 2022-14 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. Covington seconded the motion.

RESULT:	APPROVED [4 TO 1]
MOVER:	Larry Herzel
SECONDER:	John Covington
AYES:	Slater, Clements, Covington, Herzel
NAYS:	Lippert

5. Adjournment

Chairman Slater adjourned the meeting.

Chairman
City of Nichols Hills, Oklahoma

City Manager
City of Nichols Hills, Oklahoma

City Clerk
City of Nichols Hills, Oklahoma

See City Clerk's office.

See City Clerk's office.