

1. Agenda

Documents:

[2023-04-19 BOARD OF ADJUSTMENT - PUBLIC AGENDA-1798.PDF](#)

2. Meeting Materials

Documents:

[2023-04-19 BOARD OF ADJUSTMENT - FULL AGENDA-1798.PDF](#)

AGENDA

Regular Meeting of the
Nichols Hills Board of Adjustment
Wednesday, April 19, 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. March 15, 2023
4. Public Hearing

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

- a. PUBLIC HEARING: Case No. BOA-2023-05, for which the applicants at 6833 NW Grand Boulevard are seeking a 4,128.78 square foot (9.4%) Floor Area Ratio variance.

BACKGROUND

BOA 2023-05 6833 NW Grand Boulevard (formerly 6911 Avondale Drive)

The property is zoned E-1.

The applicants desire to construct a new house. The allowable Floor Area Ratio (FAR) is 35% or 15,320.22 square feet. For the proposed construction, the applicants are seeking a 4,128.78 square foot (9.4%) variance from the allowable FAR, for a

proposed 19,449 square foot (44.4%) FAR.

- b. PUBLIC HEARING: Case No. BOA-2023-06, for which the applicants at 1101 Belford Avenue are seeking a 2'8" variance from the rear yard setback.

BACKGROUND

BOA 2023-06 1101 Belford Avenue

The property is zoned R-1-60.

The applicants desire to construct an accessory structure. For the proposed accessory structure, the applicants are seeking a 2'8" variance from the rear yard setback for accessory structures, leaving a 7'4" rear yard setback.

- c. PUBLIC HEARING: Case No. BOA-2023-07, for which the applicants at 1417 Canterbury Place are seeking a 6' fence and retaining wall height variance.

BACKGROUND

BOA 2023-07 1417 Canterbury Place

The property is zoned R-1-75.

The applicants desire to construct a retaining wall and fence. For the proposed retaining wall and fence, the applicants are seeking a 6' height variance.

- d. PUBLIC HEARING: Case No. BOA-2023-08, for which the applicants at 1502 Buttram Road are seeking a 2'4" rear yard setback variance.

BACKGROUND

BOA 2023-08 1502 Buttram Road

The property is zoned E-2.

The applicants desire to keep a basketball court in its current location. For the proposed variance, the applicants are seeking a 2'4" variance from the rear side yard setback, leaving a 7'8" rear yard setback.

5. Adjournment

I certify that the forgoing was filed in the Office of the City Clerk at 4:18 PM on the 7th day of April, 2023 and posted in prominent view on the window at City Hall, 6407 Avondale Drive, at 4:30 PM on the 7th day of April, 2023; posted to the City of Nichols Hills website at <http://www.nicholshills.net> at 5:00 PM on the 7th of April, 2023; and transmitted by email at 5:00 PM on the 7th day of April, 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

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City Clerk
City of Nichols Hills, Oklahoma

MINUTES

Regular Meeting of the
Nichols Hills Board of Adjustment
Wednesday, March 15, 2023 at 5:30 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 3rd day of March, 2023.**

1. Call to Order
2. Roll Call

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

3. Minutes

a. February 15, 2023

MOTION: Herzel moved to approve the February 15, 2023 minutes as presented. Covington seconded the motion.

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

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 variance for a wood fence, vinyl coated chain link fence, and wood gate on a secondary lot of double frontage lots.

BACKGROUND

BOA-2023-01 2401 NW Grand Boulevard

The property is zoned E-2.

The applicants desire to build a wood fence, vinyl coated chain link fence, and wood gate to an existing fence on a secondary lot of double frontage lots.

Mr. Todd Edmonds, Principal with HSEarchitects, presented the application to the Board of Adjustment.

Mr. Henry Hood, representing the applicant, reviewed the requirements necessary for the approval of the application. Mr. Hood stated that: 1) The hardship is the increased number of trespassers. 2) The conditions that are peculiar to this particular piece of property are that this property is the only one without a gate across the driveway. There are three other properties with adjoining lots in the City that face parallel roads that have gates and walls surrounding their properties. Mr. Keesee's is the only property without such security. 3) The application will not cause substantial detriment to the public good, or impair the purposes and intent of the ordinance or the comprehensive plan. The fence will only enhance the property. 4) The variance is the minimum necessary to alleviate the unnecessary hardship. The fence will match the fences in the area and provide security with a low impact.

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

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

MOTION: Covington moved that application number BOA 2023-01 be approved in accordance with the last plans submitted to the City which show wrought iron rather than wood fencing and further the new lessor height of the fencing, 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. Lippert seconded the motion.

RESULT:	APPROVED [3 TO 0]
MOVER:	John Covington
SECONDER:	Kathy Lippert
AYES:	Lippert, Slater, Covington
ABSENT:	Clements
RECUSED:	Herzel

5. Adjournment

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

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

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.

See City Clerk's office.

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