



CITY OF NICHOLS HILLS, OKLAHOMA
Application for Nichols Hills Board of Adjustment
Hearing and Action

Staff use only
Case # _____
Date filed _____
Fee receipt # _____

Completed applications should be submitted to the Nichols Hills Public Works Department via email at buildinginspections@nicholshills.net.

Required fee should be submitted to the Nichols Hills City Clerk, 6407 Avondale Drive, Nichols Hills, Oklahoma 73116.

Applicant is encouraged to consult the applicable provisions of the Nichols Hills City Code (“the Code”) regarding the Nichols Hills Board of Adjustment when completing this Application.

Attach a separate sheet to provide complete answers if necessary.

Applicant’s name: _____

Mailing address: _____

Telephone number(s): _____

Email address(es): _____

Address and legal description of subject property: _____

Current zoning classification: _____

Present use of the property: _____

This is an application for: Variance Appeal from administrative official decision

The following must be attached to this Application:

- 1. **Proof of authority.** Proof of applicant’s authority to make this Application by attaching a copy of the applicable deed evidencing applicant’s ownership or an affidavit regarding ownership (a form for which is attached to this Application).
- 2. **Ownership list.** Report certified by a bonded abstractor stating the names and mailing addresses for the owner(s) of record whose property is within a 300-foot radius of the exterior boundary of the subject property.
- 3. **Supporting Information.**
 - (a) For Applications that relate to a denied Application for Building Permit (or other Application related to Chapter 50 of the Code): a copy of the denied Application and originals of all supporting information that was required for it pursuant to the Code (specifically Sec. 50-188(c) for Applications for Building Permits).
 - (b) For Applications for a variance prior to submission of an Application for Building Permit: photos of the subject building or building site; a conceptual site plan drawn to scale showing the exact size and location of lots or land, the size and location of buildings and floor plans, and measurements showing distance from

the outside line of buildings (existing and proposed) to the outside property lines; renderings of the proposed changes to the site; and a survey meeting the requirements of Sec. 50-188(c) of the Code.

4. Explanatory Statements. Provide responses applicable to this Application. Attach additional pages as necessary to provide complete answers.

(a) **Variance requests.** See Sec. 50-158 of the Code.

i. State the details of the variance you are seeking.

If the variance sought relates to a development regulation applicable for the District in which the property is located (setback, lot coverage, floor area ratio, height, no build envelope), complete the worksheet that follows on page 4.

ii. Code Section(s) from which a variance is requested:

iii. State why you believe application of such Code Section(s) to the particular piece of property creates an unnecessary hardship.

iv. State why you believe such conditions are peculiar to the particular piece of property involved.

v. State whether you believe the relief, if granted, would cause a detriment to the public good and why.

vi. State whether you believe the relief, if granted, would impair the purposes and intent of the City's zoning ordinances and why.

vii. State how the variance, if granted, would be the minimum necessary to alleviate the unnecessary hardship.

(b) **Appeals.** See Sec. 50-294 of the Code.

i. State the details of the relief you are seeking.

ii. Date and nature of the order, requirement, decision or determination appealed:

iii. Name and title of the City officer who made the order, requirement, decision or determination appealed:

iv. Details of the alleged error in the order, requirement, decision or determination appealed:

This Application will be considered officially submitted and filed only after it is examined by the City Clerk and found to have met the applicable requirements of Chapter 50 of the Code and those set out in this Application and after the fee of \$750 as required by the Code has been paid. At that time, the City Clerk will set the Application for hearing before the Nichols Hills Board of Adjustment. Applicant will be advised of the date and time for that hearing. It is highly recommended that applicant attend (or have a representative attend) the hearing and be prepared to answer questions.

The above statements in this Application and all attachments to it are true and correct.

Submitted and agreed to this __ day of _____, 202__.

Signature: _____

Print applicant's full legal name: _____

Print signatory party's title if applicant is a legal entity: _____

**Application for Variance – Development Regulation
Worksheet**

Applicant's Name: _____

Property Address: _____

Applicable Structure: (Check as applicable)

<input type="checkbox"/> Main Building	<input type="checkbox"/> New	<input type="checkbox"/> Addition
<input type="checkbox"/> Accessory Building	<input type="checkbox"/> New	<input type="checkbox"/> Addition
<input type="checkbox"/> Fence	<input type="checkbox"/> New	<input type="checkbox"/> Addition

Type of Adjustment Sought: Provide information in inches and feet. Do not use decimals.

	Allowed by City Code	Proposed Variance	Amount over Allowed
Front Yard Setback			
Rear Yard Setback			
Side Yard Setback (specify north, south, east or west side)			
Building Lot Coverage			
Floor Area Ratio			
Height			
No Build Envelope			
Other	Explanation:		

Form of affidavit regarding ownership

Affidavit

STATE OF _____

COUNTY OF _____

[Full legal name], being first duly sworn, states:

1. My name is *[full legal name]*. My address is *[full address]*. I am over the age of 18. I am a resident of the State of *[state]*. I have personal knowledge of the matters stated in this Affidavit.
2. I am the current and legal owner of the property in the City of Nichols Hills with the address of *[insert address]* and more particularly described as:

[Insert legal description]

3. I am the applicant for the hearing and action by the Board of Adjustment pursuant to the Nichols Hills City Code.
4. This address and legal description accurately describe the property for which hearing and action is requested.

I declare to the best of my knowledge and belief that the information in this Affidavit is true, correct, and complete.

Executed this _____ day of _____, 202_.

[Full legal name]

Notary Acknowledgment

Subscribed and sworn to before me this _____ day of _____, 202_.

Notary Public

My Commission Expires: _____
Comm. No. _____