



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: GID-1516-31

File ID: GID-1516-31

Type: Development, Deferrals
and Variances

Status: Non-Consent Items

Version: 1

Reference: Item 22

In Control: City Council

Department: Planning and
Community
Development
Department

Cost:

File Created: 12/01/2015

File Name: 506 S LAHOMA HDC APPEAL

Final Action:

Title: SUBMISSION OF A NOTICE OF APPEAL REQUESTING CITY COUNCIL OVERTURN THE DECISION OF THE HISTORIC DISTRICT COMMISSION REGARDING AN APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS FOR MODIFICATIONS AT 506 SOUTH LAHOMA AVENUE.

Notes: ACTION NEEDED: Motion to approve or reject the appeal to overturn the decision of the Historic District Commission for property located at 506 South Lahoma Avenue.

ACTION TAKEN: _____

Agenda Date: 12/08/2015

Agenda Number: 22

Attachments: Original Appeal Letter, HDC Staff Report 9-14-15, HDC Minutes 9-14-15, 506 S Lahoma Denial letter 9-14-15, HDC Staff Report 10-5-15, HDC Minutes 10-5-15, HDC Staff Report 11-2-15, HDC Minutes 11-2-15 Unapproved, 506 S Lahoma Denial Letter 11-2-15, Applicant Appeal brief, Applicants Presentation to City Council

Project Manager: Anais Starr, Historic District Planner

Entered by: anais.starr@normanok.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File GID-1516-31

Body

BACKGROUND: The property at 506 S. Lahoma is a two-story circa 1916 bungalow/craftsman contributing structure with an existing concrete/paver driveway and rear parking pad with turnaround space. The driveway is located along the side property line as is found typically in the Chautauqua Historic District, however, the driveway curves and terminates into a large concrete and brick parking pad located in the middle of the rear yard. The rear parking pad was installed legally prior to the establishment of the Chautauqua Historic District in 1995. There has never been a garage located on this property, however, during the course of the first meeting

regarding this request, the original property owner who installed the driveway and rear parking pad stated that the placement was chosen to accommodate the installation of a two-car garage along the south property line.

On August 9, 2015, the applicant, architect Dave Boeck on behalf of the property owners, submitted an application for a Certificate of Appropriateness ("COA") for proposed changes to the property located at 506 S. Lahoma which included the installation of a 968 square foot 4-car garage, the installation of a 19-foot deep by 40-foot wide covered patio, associated additional paving, a 6-foot side yard fence and 8-foot rear yard fence.

A hearing was held before the Historic District Commission ("HDC") on September 14, 2015 to hear the COA requests. The HDC divided the application into the five proposed work items mentioned above. The HDC voted unanimously to deny the COA request for the 4-car garage, additional pavement and the covered patio. The primary reason cited for the denial of the garage was that the size was out of proportion to the property and the district. The reasons cited for denial of the covered patio was that it detracted from the main structure due to its size and location. The additional pavement was found to be out of proportion to the property and overwhelmed the residential character of the property. The side yard fence was approved at 4-feet in height and an 8-foot rear yard fence was approved.

The applicant submitted a new COA request for a garage and covered patio on September 22, 2015. The new COA request included a 638 square foot 2-car garage with two possible locations in the rear yard, a 18-foot deep by 25-foot wide covered patio, additional associated paving (for Option #2 only), and an 8-foot rear yard connecting fence (which had been left off the previous application) for the property located at 506 S. Lahoma.

A hearing was held before the Historic District Commission on October 5, 2015. The HDC divided the application into the four requested items. The HDC voted to approve the 8-foot connecting fence and continued the request for the garage, additional pavement and covered patio to a future meeting to allow time for the applicant to revise drawings based upon the Commission comments. The comments regarded the verification of existing tree location, consideration of revising the garage location, and consideration of reducing the garage size.

Subsequently, the applicant did submit revised drawings which were reviewed at the November 2, 2015 Historic District Commission Meeting. The Option #1 site plan proposed a smaller 2-car garage (572 square feet) located along the south edge of the existing parking pad. The Option #2 site plan placed the same size garage closer to the north property line while avoiding the existing mature trees located along the north property line. This location for the garage had been suggested by a Commissioner at the October 5, 2015 HDC meeting. The applicant and owner had considered Option #2, but found it a less acceptable option since it required the removal of the existing parking pad and therefore, Option # 1 was their preferred design. However, the Option #2 site plan was submitted at the request of staff to allow Commissioners to compare the two options. In addition to the revisions to the garage, the applicant also revised the patio. Revisions included a change to the proposed surface of the covered patio from concrete to flagstone and the placement of vegetation in the form of a strip of shrubs to delineate the patio area from the parking pad area, both of which had been suggested by the Commissioners.

At the November 2, 2015 Historic District Commission Meeting, the Commission voted unanimously to approve the installation of the covered patio as submitted. A motion was made to approve the garage and the garage placement as shown in Option 2. The vote was 4 to 4, resulting in a denial for the requested installation of a garage as submitted. The Commissioners found the location of the garage compatible with the Guidelines. The Commission did not vote on the additional pavement installation since, as they stated, "Since the garage was not approved, a decision on pavement to a non-existent garage was not needed."

In accordance with § 22:429.3(10) of the City's *Historic District Ordinance*, the applicant timely filed an appeal of the November 2, 2015 Historic District Commission denial on November 11, 2015, and the appeal was set to be heard by Council on December 8, 2015.

DISCUSSION:

What proposed changes were denied in the COA application request at the Historic District Commission Meeting held on November 2, 2015?

The applicant's request to install the following alterations to the property was denied:

1. Installation of a 572 square foot 2-car garage as located in Option #2 site plan submitted.

Historic Preservation Guidelines

The HDC uses the *Norman Historic District Ordinance* and the *Historic Preservation Guidelines* as the basis for evaluating all COA applications. The *Historic Preservation Guidelines* were created by members of the HDC with the assistance of City staff and were reviewed and adopted by Council in March, 2009.

Distinctive site features contribute significantly to the overall character of the Miller and Chautauqua Historic Districts and to individual properties in those districts. The consistency and repetition of site features including spacing, placement, dimension and materials creates a rhythm to the streetscape in historic districts. Site elements such as driveways and garages are one of the site features that help create the historic "rhythm" found in the Chautauqua Historic District. In the Chautauqua District a narrow, concrete driveway is usually located near the property line on the side of the residence and stretches to the rear, usually ending at a one or sometimes two-car garage. Many garages are located very near or on the property line. It is very important to maintain existing driveways and historic garage structures when possible to retain this historic site rhythm. New garages should be made compatible with this rhythm by being sensitive to placement, design, materials, finishes and size.

The Historic District Ordinance's statement regarding regulations of the rear elevation of properties provides the underlying guidance for review of modern day features such as garages. The Historic District Ordinance states:

"Changes to the rear elevations do require a COA; however, the rear elevation of a historic structure is considered a secondary elevation and is therefore regulated to a lower standard to allow flexibility for additions and other modern day appurtenances."

The Miller and Chautauqua Historic Districts were designated as historic districts in 1995 and 1997 at the request of a majority of the property owners. The *Historic Preservation Guidelines* are used to preserve property values and to protect the historic character of these neighborhoods.

Historic Preservation Handbook:

2.3 Guidelines for Garages & Accessory Structures

.5 Make New Construction Compatible. *If a new garage is the approved alternative, it shall be compatible in form, scale, size, materials, features, and finish with the principal structure. New accessory structures shall maintain the traditional height and proportion of accessory buildings in the district.*

What was the basis of the denial?

The HDC denied the request, finding that the size of the garage was larger than the typical garage structure in the district and out of proportion to the house. The applicant's request was based upon the assertion that the proposed garage was in proportion to the primary structure and was compatible with other garage sizes in the district. In addition, the applicant asserted that 572 square feet was a minimum size he would recommend to accommodate modern vehicles and storage needs. In the staff report, staff recommended approval of the 572 square foot garage size based upon several considerations including: 1) recent COA approval by the HDC of other new garage structures of similar size, 2) given that it was a two-car garage which is typical of the Chautauqua neighborhood, 3) given that the request did not involve the demolition of an existing garage (this property has never had a garage) and 4) the allowance of a larger size garage is a reasonable accommodation of modern-day appurtenances. However, four of the Commissioners felt that the garage size was not proportional to the primary structure and/or to the neighborhood and therefore did not meet the 2.3.5 Guideline for Garages & Accessory Structure.

The Commission found the location, design, materials and finishes of the garage did meet the Historic Preservation Guidelines.

Standard of Review

This appeal comes before Council on a *de novo* (or “new”) standard of review, meaning that Council is to evaluate the COA application on its merits and not simply review the HDC’s decision. As such, Council is to apply the applicable provisions of the *Historic District Ordinance* (§ 22:429.3 of the *Zoning Ordinance*) and the *Historic Preservation Guidelines* outlined above. Council may approve or deny the application for the COA in whole or in part.