

**HISTORIC DISTRICT COMMISSION
MINUTES OF**

November 2, 2015

The Historic District Commission of the City of Norman, Cleveland County, State of Oklahoma, met for the Regular Meeting on November 2, 2015, at 6:30 p.m. Notice and Agenda of the meeting were posted at 201 West Gray Building A, the Norman Municipal Building and at www.Normanok.gov twenty-four hours prior to the beginning of the meeting.

Chair Neil Robinson called the meeting to order at 6:35 p.m.

Item No. 1, being: Roll Call.

MEMBERS PRESENT: Cameron Brewer
 Anna Eddings
 Bill Hickman*
 David John
 Russell Kaplan
 Loy Macari
 Chesley Potts
 Neil Robinson

MEMBERS ABSENT: Scott Williams

STAFF MEMBERS PRESENT: Anaís Starr, Planner II
 Jolana McCart, Admin Tech IV
 Susan Connors, Planning & Community Development
 Director

GUESTS: See Attached list

Item No. 2, being: Approval of the Agenda.

Motion by D John for approval of the Agenda; **Second** by C Brewer. All approve.

Item No. 3, being: Approval of Minutes from the October 5, 2015 Regular Meeting.

Motion by A Eddings for approval of the minutes; **Second** by C Potts. All approve.

Due to a conflict of interest, C Potts recused herself from Item No. 4 and Item. No. 5.

Item No. 4, being: (HD Case 15-02b) Consideration of a request for a Certificate of Appropriateness for revisions to door configurations on the south, west, and north elevations of the primary structure for property located at 432 Chautauqua Avenue.

A Starr gave the staff report. Mark Krittenbrink, applicant architect, was present to answer questions.

The applicant submitted an amendment to a previously approved COA for the deletion of a set of French doors on the south elevation and the modification of the French doors on the west elevation; and the addition of a door on the north elevation.

Motion by C Brewer for approval of the application as submitted; **Second** by D John. All approve with 1 recusal.

Item No. 5, being: (HD Case 15-08a) Consideration of a request for a Certificate of Appropriateness for revisions to the window configuration on the proposed garage structure for property located at 432 Chautauqua Avenue.

A Starr gave the staff report; Mark Krittenbrink, applicant architect, was present to answer questions.

The applicant submitted a new drawing which shows no windows on the north elevation.

Motion by C Brewer for acceptance of the revised plan for review; **Second** by D John. All approve with 1 recusal.

Motion by R Kaplan for approval of the application as presented; **Second** by L Macari. All approve with 1 recusal.

C Potts returned to the table.

Item No. 6, being: (HD Case 15-16) Continuation of consideration of a request for a Certificate of Appropriateness for the removal of existing rear porch structures and installation of a rear parking pad for property located at 710 S Lahoma Avenue.

A Starr gave the staff report; Stan Berry, applicant representative, was present to answer questions.

Mack Caldwell - S Lahoma – Mr. Caldwell expressed concern that more parking is being added where there was already a great deal of parking in the front. He felt that the front parking now is an eyesore, which removed would soften the impact from the street.

Chair Robinson asked that the application be broken into two parts: removal of the existing rear porch structures and the installation of a covered deck to the rear of the house; and the installation of a parking area for a turnaround.

NOTE: (In the preparation of the minutes it was noted that the demolition of the small structures that exist on the rear of the house was not addressed in the meeting nor mentioned in the application, only in the staff report. Thus the "as proposed" does not cover the demolition. This part of the application is returning for approval.)

Motion by R Kaplan for approval to remove the existing structures as submitted for construction of a rear covered deck; **Second** L Macari. All approve.

L Maraci said that the applicant had done exactly as the Commission had requested at last month's meeting in regards to the rear patio.

C Potts said that through she could understand the neighbors' concerns about the front parking, that was not what was before the Commission at this time.

R Kaplan concurred with C Potts comments.

Chair Robinson said that there is now a parking lot in the front of the house and the applicant now wanted more. Turning the property into a parking lot is not necessarily desirable for the neighborhood. But requesting the front parking removed was not in the purview of the Commission, but is a good suggestion.

Motion by R Kaplan for approval to remove the existing structures as submitted for construction of a rear covered deck; **Second** L Macari. All approve.

Motion by C Potts for approval of the back patio as submitted; **Second** C Brewer. The motion passed with a vote of 6 – 1, with D John voting against.

L Macari added the suggestion that by removing a ½ moon section of the front driveway to allow for landscaping would soften the look for the neighborhood.

Item No. 7, being: (HD Case 15-17) Continuation of consideration of a request for a Certificate of Appropriateness for the installation of a garage, concrete paving, and a covered patio for property located at 506 S Lahoma Avenue.

*B Hickman arrived during the applicant's presentation.

A Starr gave the staff report; Dave Boeck, applicant architect, was present to answer questions.

See attached verbatim minutes.

Motion by D John for approval of the garage and garage placement in Plan 2. **Second** by C Potts. The motion failed with a vote of 4 – 4, with Chair Robinson, C Brewer, W Hickman and L Macari voting against.

Motion by C Brewer for approval of the covered patio as submitted. **Second** by C Potts. Approved by unanimous vote.

Item No. 8, being: Staff report on active Certificate of Appropriateness since October 5, 2015 and consideration of six month extension requests.

Updates on approved active Certificates of Appropriateness:

- **549 S Lahoma** – The attorneys have filed a request for clarification on the judge's ruling. This is to be heard November 10th.
- **410 Peters** – Owners hope to hire a contractor to finish this project soon.

- **322 Alameda** – Windows have been replaced and the project has been successfully abated.
- **415 ½ S Lahoma** – Still waiting on demo work.
- **428 Chautauqua** – Still waiting on locating the house on its footings.
- **432 Chautauqua** - Project contingent upon house relocation at 428 Chautauqua.
- **642 Chautauqua** – Work has not begun on the fence on the north & west property line.
- **311 E Keith** – Removal of the non-original addition is complete.
- **506 S Lahoma** – 8' rear fence complete

Motion by B Hickman to approve a 6 month extension for 642 S Lahoma, 415 S Lahoma, and 432 Chautauqua; **Second** by R Kaplan. **All approve.**

Item No. 9, being: Staff report on projects approved by Administrative Bypass since October 5, 2015.

710 Miller – fence – replacement of aluminum windows.
435 Chautauqua – installation of storm doors

Item No. 10, being: Staff Report on Certified Local Government (CLG) Grant.

Cynthia Savage has been selected to do the Wetzler Addition Survey. She should begin November 10th. Fall informational mail-out went out on October 26th and is completed. The Fall Historic Home design Seminar will be held November 13th and 14th.

Item No. 11, being: Consideration of meeting date for the Historic District Commission for 2016.

The July, 2016 meeting will be held on July 5th, and the September, 2016 meeting will be held on September 6th.

Item No. 12, being: Announcements

Upon his City Council approval, Jim Gassaway will replace Neil Robinson beginning in January.

Item No. 13: Adjournment

The meeting was adjourned at 9:20 p.m.

Passed and approved this 7th day of December 2015.


Chair Neil Robinson

**Norman Historic District Commission Meeting
Verbatim Minutes of November 2, 2015 for Item 7:
Continuation of Certificate of Appropriateness for 506 S Lahoma.**

HDC Commission Members:	City of Norman Staff:
Cameron Brewer Anna Eddings William Hickman David John Russ Kaplan Loy Macari Chesley Potts Neil Robinson – Chair	Susan Connors – Planning & Community Development Director Jeanne Snider – Assistant City Attorney I Anaís Starr - Historic Preservation Officer Jolana McCart – Admin Tech IV
Applicant Dave Boeck, architect for the owner	
Scott Williams was absent.	

(HDC Case 15-17) Continuation of consideration of a request for a Certificate of Appropriateness for the installation of a garage, concrete paving, and a covered patio for the property located at 506 S. Lahoma.

Anais Starr: This is 506 S Lahoma. It is a 1916 contributing bungalow to the Chautauqua District. The 1925/1944 addition to the Sanborn maps indicate a single primary structure with no accessory structures so you may have seen on some aerial photographs with some structures in the backyard but those were all added after the period of significance.

As far as COA history goes, at the meeting two months ago...the September 14th meeting, the applicants requested a four car garage, a covered patio and additional paving which was denied. However, the rear 8- foot fence was approved. At the October 5th meeting last month the applicants resubmitted a request for a two car garage, a smaller covered patio and an 8- foot connecting fence. The Commission continued that to this month. The Commission did approve an 8- foot rear connecting fence as well at last month's meeting.

So before you is the installation of a two car garage, and that...they have done some revisions as requested and they have verified as requested by the Commission the placement of the trees. The request this time is for a little bit smaller garage as you can see in your packet. They have reduced the size to 572 square feet and as I had mentioned the applicant did verify the location of the trees. I would also add that between last month's meeting and this month's meeting the owner of the property has installed additional trees and those are reflected on the drawings that are before you. The applicant looked at the suggestion by some of the Commissioners for the ...looking for the drawings that I can show you...the applicant as suggested by some Commissioners looked at placing the garage on the west side of the parking pad and reconfiguring the parking pad. The applicant and the owners looked at this and they felt that was not acceptable due to the amount of work that would have to be done and the cost associated with it. So therefore their application is for this Design #1, which is the design that you

saw last time at the October meeting. It is to place the garage on the south side of the existing parking pad. The covered patio stays where it is and as I mentioned theexisting trees are. As I mentioned, the installed trees which are along the south side of the property line as shown on your drawings.

The first item requested the parking garage, as noted earlier, this particular piece of property has not had a parking garage structure and never did have a parking garage structure. So that should be noted. It does have a legally installed parking pad that has been here by staffs research since at least 1990. Which again they had gotten the proper permits for that. At that time. 1990 was before the establishment of the Chautauqua Historic District.

The applicant is proposing a 2- car garage with finishes similar in style of the main structure. That meets the Guideline for new accessory structures as a requirement of the Guidelines. He has downsized the garage to 572 square feet. At the previous meeting it was at 638 square feet. That brings it more in line with the 2- car garages in the neighborhood. The garage will have a 9- foot wall plate but a 13- foot 8- inch ridge height with a 4/12 roof pitch. This is a typical height for a two car garage and meets the garage height in the Guidelines.

The Historic Preservation Guidelines encourages the placement of garages in the rear of the historic properties, which this one is. And usually they are found adjacent to a property line on one side of the property of the other. Normally that's where the driveway is located. This is a unique property and the drive, as stated earlier, was put in 1990 in this configuration. Due to this distinctive feature, staff feels that the Plan #1 is a practical solution to deal with the existing property elements and therefore has recommended approval because the proposed application meets the Guidelines for style, materials, size, proportions and height. And that is the garage request. Because this request does not require any additional paving, staff does not have a....there's no action needed for that.

As far as the covered patio, the Commission....Commissioners felt that it prudent not to rule...make a...final approval or rejection on the covered patio until the trees could be verified on this site plan and so that has been done but there has been no other changes to the design of the patio, so the patio still has similar...it has wood. It's behind the house which is a requirement for being consistent in its location on the rear elevation. It is a simple design that is compatible with the existing house and it does not cover up any of the existing historic features on the rear of the house. Since this meets the Guidelines for listed in the Historic Preservation Handbook for scale, location, materials and size, staff has recommended approval of that covered patio as well.

And I will back up and show some pictures here. But I took photos. As I said the owner has installed trees or shrubs...they are large shrubs...here on the south property line. 12 trees there. And so I took some pictures from across the street. This is from kind of right in front of the front door. The neighbor across the street. This is looking down the

driveway. I also...unfortunately the days I went to take these pictures, the sun was always at the wrong angle or it was raining. So kind of had to.....I wanted to show you that I took some pictures showing the new 8- foot fence that has been installed since the last meeting... that the Commission approved at the last meeting. And they opted to in the corner to go around the tree. And then in the staff report there's some discussion about the pavers and that this is...you can't simply just cut this as if it is concrete and make it all hold together. The pavers are kind of right there in the middle of concrete and sort of unravel if you tried to do that. And I think that some Commissioners asked for some information and better pictures to do with this deck. So I tried to provide those. And here's a close up look at those pavers. Here's an aerial photograph. And that is my presentation. The applicant is here as well to do a presentation but I will entertain questions from the Commission.

Chair Neil Robinson: Questions of staff? Would the applicant like to speak to us?

Dave Beck, 922 Shultz Drive: I am here to talk to you about what has transpired since the last meeting. Where's the light?

A Starr: Right there. You may want to start at the beginning.

D Beck: Yeah I'll start at the beginning. OK. At the last meeting we appreciated getting a continuance. There was a number of discussion points that came up both by presentations after my presentation last time. The big concern seems to be the immense size of the garage, the immense amount of paving. And when I get through talking about this, you will see that there is not an immense amount of parking. There is not an immense amount of paving. From the beginning we have met...come in under the City's standards for coverage for both housing, building, and paving. And we have tweaked and tweaked and tweaked to get it down even farther and there have been comments about how much excess paving we have, but I will talk to you tonight about what is there and what is needed to turn around from a garage where you don't face the street. Where you really can't back out onto the street.

And so we will start with basically Option #1, leaving the existing paving that was there. You have heard from Dan Glenn, the architect that put that in back in the 90's, that he was hoping to have a garage right there but could never afford to build it. That's what the City staff had recommended this paving right here. Basically existing paving is 851.5 square feet. And that is taken from these steps right here - basically where you see that cut off right there - and includes that paving right there. That's 851 square feet. In order to tear that out and do this, which the owner agreed and that this is what you guys wanted to see and so I put together a plan showing the garage here with those existing trees being where they are supposed to be. And what that could do to our paving and garage plan. Option #2 basically has 865- square feet of paving. But to tear this out and repave that I have a concrete contractor come in and look at that and basically we are talking of about somewhere between \$8 - \$10,000 to remove that paving right there and replace it with that paving right there. So that is a financial burden that the owner would have to take

especially since city staff is seeing this as a viable option since that is a legitimate approved paving and then we are talking about adding a garage and patio.

Recommendations from Scott Williams in talking about pulling this away from the house to do some landscaping to separate it as a covered patio was done. Did a change here access to...there were some questions as to how you access that from the house when you get to the plans we took and put some steps into that existing wood deck there to come down here. This paving is done with flagstone in sand and gravel so it's not a completely impervious surface. Doesn't touch the trees that are there. This is all existing, so that doesn't change. And so as far as this one goes, this is the option that obviously the owner would love to do because it meets the standards of the City staff has approved and puts the garage where Dan Glenn was envisioning putting it 30 years ago. We have shown landscaping, separated this. Scott had wanted some landscaping so we separated this. Patio from the house and up where we could get a gutter and downspout system and keep it from touching the house. Obviously Option #2 there are the two trees that are in question, placed where they belong. And so in order to keep the paving out of the drip line, which there was another discussion about that, importance of saving trees requires that you keep paving out of driplines so that the trees roots can collect water and grow and the tree can stay healthy. So that's the option there. It's a large oak tree. Oak trees are pretty sturdy but we have kept - tried to keep - and there's one of the trees, which is actually 2 trees. There is a small one and a larger one. There's the larger one there and the smaller one there. And there then these are the trees right here next to the patio.

On slide # 2 this gets into more detail about dimensions. Basically it's 22 x 26. And I will give you...I know that some of the protestors have been well your Guidelines say about 500 square feet. The is 572 square feet. Two things: I have designed enough garages to know that if you want to keep lawn mowers and mops and shelving and storage in the garage, getting below 22 x 26 square feet makes it really hard to have anything except for but 2 cars in there. A lot of neighbors have circle drives and 30 foot wide driveway so that they can park their cars in the driveways all the time so they do but if you want to get two cars in here and have your yard equipment and other things that's about as small as it can get without somebody complaining that they don't have any room and garages are used for storage. The neighbor to the north said that he had a four car garage and basically he kept furniture and cabinets and sinks in one of those stalls of the garage cause that's what garages do. When you have a four car garage that's what he can store in there.

So basically the other thing about this...the existing paving right there is about 25 feet from there to there. My garage faces the side of the house, cause I am politically opposed to having garages that face the street, just because that makes the prominence of the car rather than the house. And if you don't have 24/25 feet to back out, then you have to back 2 or 3 times before you can turn around and come out. They recommend, the recommendation is 31/32 feet. Dan did a good job of designing this so that a car could come out here, turn in, turn around and go out. I think that one of the protests states that they don't deserve to have turn-a-round because if they turn around and drive out they

actually drive faster than if they are backing all the way down the driveway. Well. I don't know about that. I think that you can see that I've actually...I will have to admit I've run into someone backing out of my driveway who was riding a bike past my house and I didn't see him. So backing out, or at least for me, is dangerous and I would like to give that same consideration to my clients.

The patio as you can see is 5 feet x 2 foot 6 off the back bump of the house there. The overhang is 2 feet and so if you have a 4- inch gutter, which is all that it needs, you have 2 inches. I didn't show the landscaping here just like I didn't show the hatch for the different material because I wanted to get the dimensions in here so you could plainly see what is going on cause this is a floor plan.

Here's the other... Option 2. Same garage. Same size. You can see where we are taking out the existing pavement coming back in. I have an 8 foot plus 14, so it's actually 22 feet, so that's really tight for backing out but it can be done and turning around and coming in there. It's again minimal amount of concrete for doing the job that it is meant to be in which is a turn-a-round. And then when you look at statistically, building coverage with this considered as a building and this considered as a building and this considered as paving, we have a building coverage of 24% which is well under the 40% allowed by the City and 44% for paving and building combined which is much less than 65% which is also approved by the City. So this one provides a better back yard but it's about \$8-\$10,000 more expense if we do this because of having to tear out the paving that was there that was meant to be used as a drive and a turn-a-round when it was first put in. So this again is the elevations that you saw the last time and the roof is composite matching existing, roof slope and trim matching, brackets matching the existing, siding matching the existing. Actually the windows on the house are casement windows but went with double hung windows just because that is actually more historically contextual than casements and I am sure that those windows were put in before historic district came together.

This again are some brackets to match what is on the garage and what is on the house and a simple post and beam construction for the patio. Showing the space between the existing house and the covered patio. The continuous footing for both the patio and the garage. Again the double hung windows facing south. This is the door and the window facing east towards the house. And then this sketch is showing the holies that have been planted here. This is Option #1 so you see the garage with the gable end there. Really can't see it from the street. And then what you basically see is part of the covered patio from 506 driveway and the existing trees that are there. This is Option 2 which shows again that...the existing fence and you don't see anything there. Here's the garage located with the drive pulling out there and the existing trees. From 506 as opposed as 512 there. So again statically we go into this. The site is a total of 13,875 square feet. Building old and new about 3,000 plus square feet. Existing house 2,440. New garage 572. Paving and decks, new and existing, about 3,213 square feet. Existing paving including wood deck, 2,420 square feet. But just for specifically with existing for the driveway and the connecting garage to the drive, new paving is 865 square feet and

existing paving Option 1 is 851 square feet. The covered patio is a total of 375 square feet and the coverages again are well below what the City allows. So I feel like we have minimized the paving for just the basic needs of turning around and backing out or pulling in. The garage I would be curious about some of the garages that are on the street if they actually ever park in them. I redid a house for Carol.....can't remember her last name....she isn't in the historic district but she couldn't get her BMW in the garage. It had been part of the original house but it was falling down so we took it down. Added a garage that the City allowed us to make it a little bit bigger so she could get in and open her doors and get out and store her lawn equipment in there. I feel like the 572 square feet is what I would call an adequate minimum for a garage that fits within the realm that the city staff recommended and said that they saw it as. And so....I'm ready to answer any questions?

Chair Robinson: Any questions for the applicant?

Someone from the floor spoke up asking if they could ask a question.

D Boeck: Can I answer question from the audience?

Chair Robinson: Let's let the Commission ask their questions then we will do others. Dave on the 572- square foot garage, you have the the foot print that we have basically has ithow wide are those doors?

D Boeck: That door right there? It's a single door and I will tell you a story on that....I put 2 8-foot doors into my house. It's a brand new house. We have only been in it for 2 years and my wife has never pulled into the garage because it should have been 2 9-foot doors because she is afraidand in fact she has scraped up the side of the garage because the doors are too small. And so I'm putting single garage doors in because that is what we had before and she was never afraid of pulling in and out. I feel that it is a more practical solution.

Chair Robinson: So single 8?

D Boeck: Single 14.

Bill Hickman: Where is the concrete pad exactly?

D Boeck: I'll go back to the site plan. You can see here this hatch right here. See I tried to separate it out so that you could see the materials versus the dimensions. That right there...that little sidewalk coming out of the garage. Here's the stone pavers coming to the patio and here's the wood steps coming off the wood deck so you can either take these steps down and go or come across here.

Chair Robinson: Are those pavers?

D Boeck: This? No. That's concrete. There's a concrete strip right there where those stairs are and so in taking out, this has paver infills if you go back to the picture like right here and there's that concrete piece that was kind of appropriate to take that paving off and then putting in new paving in.

Loy Macari: Were you not able to do the second option garage using the paving already there?

D Boeck: No. Let's go back. For one thing again looking at....

L Macari: I understand that you wouldn't be able to pull straight out, but you could pull out and take advantage of that paving to get into that garage.

D Boeck: Let me show you something. This right here is the line of the existing paving. Right here. So in order to keep the garage as close to the house as possible, and again there is a concrete band all the way around the outside with brick pavers in the middle. We can go back to the pictures that you showed. She can do that. It's a real strict design that once you start taking it apart, it's hard to put back together again. So actually at the garage you would be sitting back farther and as you can see, this was made that the design be built as a turnaround spot. It wasn't a square or rectangle paving element. Dan actually put it so that the garage was sitting here you could back into that spot and turn around and go out. And with the pavers and concrete the way it is, you pretty much would have to take it out and start over. And one of the presentations you will see tonight that was a suggestion to come in here and put the garage like right there. But the way the paving is... you talk about how important for things to look nice and holistic and be put together, it would take a lot of energy and money to reconfigure this paving just to get that garage and basically you can see where it is going to be. It would be right here, which is farther back in the backyard and farther over in the side yard than what this allows for. All I was doing was keeping this paving as far – that's the tree line right there – called a drip line. If I get any closer you stand a chance of destroying the root system of that tree and the ideal thing would be to come in here like I didn't show last time – taking out trees and you still would do that – come straight into that driveway right there so I was trying....I was told that it was important to save trees and so that's.....those are big trees. And healthy trees. Actually trying to save this and rework it besides costing a bunch and really not knowing where you could start and stop puts this garage over farther to the west and farther to the south.

Chair Robinson: Any other questions for the applicant? Would someone from the audience wish to comment?

From the audience: Can I ask a question of Dave?

Chair Robinson: Please come up and tell us who you are.

D Boeck: And I will stay right here.

Audience Speakers:

Lynette Lobban, 403 Bryarwood Dr: I thought I could ask a question before I came up to talk. Obviously I'm not a public speaker. With respect to your original statement, Mr. Robinson, I will stay within the limits of the Historic Commission purview. But first I would like to address the purposes for which the Commission was created, which was to safeguard the heritage of the city by preserving and regulating historic districts which reflect element of its cultural, social, political and architectural history; to preserve and enhance the environmental quality of the these neighborhoods; and to establish and preserve property values; and ensure harmonious, orderly and efficient growth.

This house at 506 S Lahoma was built in 1917 and renovated in 1989 in keeping with the style of the neighborhood. The house is at the heart of a historic neighborhood surrounded by both renters and homeowners who respect the Guidelines of the historic neighborhood. Now when I first heard about the project on Lahoma it was for a 4- car garage and was it a 3- or 4- car carport?

D Boeck: There was never a carport. Never.

I'm sorry but I must have gotten that from somewhere but I thought it was a 3- car carport. Because the carport wasn't co-esthetic with the Guidelines and it changed into a covered patio. Was the covered patio part at the same elevation as the driveway?

D Boeck: Yes it is.

OK. So a rose by any other name is still a rose. A carport called a covered patio I believe is still a carport. Can you show me the deck? And the backyard? I do think the garage for the past 40 years there have been families with 4- drivers. We did without a garage. I am happy for the new owners to have a new garage. I don't think that it needs to be 50% larger than Dan Glenn's proposed garage, since we are evoking Dan Glenn. I'm not even sure Dan Glenn could have put a garage there had he gone through the Commission after 1990 but...we will leave that where it is for right now. The purpose for the covered patio is to cook out, have social...this deck does not meet those needs. OK. So you are taking all of this out and this is going to be a cement slab too?

A Starr: No.

So you are keeping the wooden deck to here? Is that right? But here, this is all going away and there's going to be pavers at ground level that a car could park on. I mean it's possible, right?

D Boeck: You would have to go through landscaping and that's what the landscaping is for.

I'm concerned that the historic value of this neighborhood with that much paving and that possibility for that much parking flies in the face of these things that I just read. It won't preserve or enhance the environmental quality of the neighborhood with 5- cars parked there. It won't safeguard the heritage of the neighborhood by taking a well-kept yard and paving it. Once the paving is there, how will it ever come out? The architect has already said that the paving here is too expensive to take out. Why would you want more paving or pavers that are also going to be expensive to take out? I'm not sure that another family...once that is changed to that size paving in the backyard, I think that it changes the complexion of the neighborhood. I think that it makes it look – even though it's not – it makes it look like a multi-family home. And parking for a multi-family home. And that is my concern. Like I said, I know this neighborhood very well. I know all the neighbors. They are very kind, wonderful people. I've met the young man who lives here. He seems like a very nice young man. I have no problems with him. I've met him personally. He seems very sweet. But I think these dramatic changes and I assume that the Historic Commission's purview extends to backyards as well as the front yards. If it does I think that you need to be very careful as to what you approve today because it will last for a very long time. For one things I would suggest that if they do put a patio, that it be elevated. And that would eliminate the possibility of parking on it. Thank you very much for hearing me.

Mark Ury, 618 S Lahoma: So I have a variety of topics to talk about so I did a little homework. I would like to express my views and Steve Ladner, who lives across the street, couldn't be here with us is out on travel time. Could we go back to the plans? I would also like to talk about that tree and that deck. So the architect articulated a very nice story around trying to save these trees and not trying to impede upon the root line. He articulated several times that that would cause compaction upon the roots and that tree would suffer and would perish. OK. So that being said, now we turn our attention to this tree here. So this tree here is currently...has it's dripline right in through here as drawn. So now they would want to take out the wooden deck that's pervious so that rainfall falls on it, goes through the cracks, waters the drip line. But more importantly there is no compaction upon the roots under the drip line by the current elevated patio. By installing pavers what that typically entails is we know that you must dig approximately 10 inches below the soil depth, a layer of sand which is compacted, then pile of screenings, that's small gravel, and then you would place the pavers so thereby ruining the root structure under the dripline as the architect so eloquently articulated that that tree would die. Now why would we want to do that? To that tree there? We all know that if you read in the Historical Guidelines, that trees are one of the most distinctive features of this district. We know this. It's written in the handbook. I challenge this Commission to go back to the handbook to see about this. That's my first point.

Also a little bit of reading and also as the architect mentioned several times that gutters would have to be installed to carry away the rain water that would be generated by the new covered patio. Ok. The next questions is where does that rainfall go and especially, where does the rainwater go that won't be allowed to seep into the ground by either one of these two plans.

So if I read the City of Norman's Engineering Design Criteria, I have handouts. I would like to pass them around. Although I am not a Civil Engineer, I am on the faculty of Engineering at the University and I hold the rank of full professor in Electrical Engineering. I do have a license to practice engineering so I am familiar with criteria and so on and so forth. So I would like to point out from the handbook that it talks about runoff in these cases. I point to the middle part there. It says on page 5000-1, it states: *"5001.3 It shall be the responsibility of all owners of property, whether undeveloped, developed, or undergoing development to: (part E) Not take any action which will alter or otherwise change designed and installed storm water management control systems and not take any action on existing property that shall adversely affect stormwater runoff in any manner contrary to the provision of this Section, whether temporary, permanent, or a combination thereof."* If I read further, on page 5000-2, it states: *"5003.1 All stormwater runoff shall be reviewed and accepted by the City Engineer with regard to analysis, design and construction of drainage facilities."* I question, has this been done? So as clearly stated by the homeowner on the south side of the property, that homeowner is worried about drainage coming onto that property. And the homeowner directly to the south, that homeowner has also expressed concern about the drainage of the runoff water. So I think that before the Commission can move forward and in confluence with the Standard Engineering Design Criteria for the City of Norman, somebody has to check with the City Engineer. Otherwise this Commission will be out of compliance. I would contend.

And so as I mentioned earlier, I live at 618 S Lahoma. My house is 1,150 square feet. The proposed garage is 572 square feet. Roughly half the size of my house for a 2- car garage. Why? Roughly the size of half my house for a 2- car garage. I think it's a facility for a party barn.

Now I would like to present Steve Ladner's topics on this subject and then following that I would like to present some other details about the people that will be moving in to this house. The house was designed as a single family dwelling and not as a facility for multiple tenants. I would like to ask....

So Steve has articulated a couple of options. I think he has these options in reverse. He has done his homework and all garages on the 500 block of Lahoma are direct from the street to the garage. Standard 2- car garage is about 420 square feet. This garage is 37% larger than the standard and over by 172. The question is why is the proposed garage not in keeping with the other garages that are in the historical district. And he also doesn't like the notion that the deck will be lowered to the ground level and be used as parking. He articulates where he lives, which is across the street, and he depicts his 420- foot garage. I also heard that when the architect was talking, the proposed garage would be built on a 9- foot plate. Is that what was mentioned? Or a 8- foot plate? Why?

D Boeck: Because of the roof slope and trying to keep it out of the door and I do 9- foot plates all the time. The plate height of the house that is there is actually 14 feet. So it's in scale of the house.

And so Steve has done his homework, as a good neighbor does. And he's outlined all the garages in the 500 block of the neighborhood. And they are all at the end of the driveway. Next chart. He shows the houses and the garages. Next chart. And doesn't support the notion of the large garage as it is proposed. Next chart. He supports the notion that the garage be a reasonable size as shown consistent with all the other garages on the street. Next chart. He wonders why it has to be so large. Me included. Why does the garage have to be half the size of my house to support 2 cars when there is plenty of other parking along the extent of the driveway. Next chart.

This deck that is in question. Obviously it is an elevated structure. Obviously it has no impact in terms of compaction on the roots of this tree. So in keeping with the notion that trees are one of the most vital elements of the neighborhood that the architect so very carefully articulated "these trees over here shouldn't be negatively impacted" by digging up the earth here and installing pavers.

So those are all factual elements. And finally I would like to mention about the source of the habitants from the Sigma Alpha...

Chair Robinson: Wait a minute. This is not for this Commission. We do not regulate who lives there and really it is not something that we can deal with. You would need to talk to the Planning Commission or somebody else for this because it is not our purview.

M Ury: Ok. I would just like your conscience to be your guide.

Becky Patten – 512 S Lahoma: I have never had a PowerPoint Presentation before so I am having Mike Buchanah help me in case I get lost. Will you plug that in and see if it works? This is magic. I live immediately south of the property. I truly appreciate the Commissioners willingness to continue to wrestle with this application now for a third time.

Those of use that live in the 8- block area known as the Chautauqua Historic District made deliberate choices to live there either by signing petitions asking the City Council to create the district or by building a house within the district after it was created. Buying a house in the district after it was created. We chose the area because we want to share its feel, its features and its character. We chose to enjoy the privileges and abide by its obligations. The obligations are set out in the Historic Preservation Handbook.

The historic character of this neighborhood is a single family residential neighborhood next to the University of Oklahoma. The Guidelines governing our use of the properties within it are designed to preserve that character including not only the appearance of the house but also the character of the surrounding yards. This proposal for expansion of the structures designed to accommodate the occupant's cars, including a garage, driveway, turn-around, paving, parking and patio has inched its way toward compliance requirements of the district but it is not quite there yet.

Fundamentally the development of a parking system that wraps the driveway around two sides of the house, extending the entire width of the back yard, identified as Option 1, violates the clear statement in Guideline 2.4.1 that says: *“In historic districts, residential driveways shall be perpendicular to the street, except in individual cases where there is historical documentation of an alternate configuration. Unless there is historic documentation otherwise, driveways shall be located near the property line on one side of the house.”*

The continued pursuit of Option 1 is particularly egregious when there is a compliant alternative identified as Option 2. The cost concern is an odd one to bring at this point, the owners having spent what looks to me like \$4-\$5,000 buying trees and placing them on the boundary in the location where the Commission approved a fence height that they didn't like. They wanted a 6- foot fence and only got a 4 ½ - foot fence so they installed 12- foot trees.

Regarding the notion that Option 1 is preferable because a previous owner before the historic district was created built a slab in the backyard that does not conform to the historic Guidelines and hoped to add another structure that wouldn't now conform to the Guidelines doesn't justify the preference for Option 1. The existence of a non-conforming slab and an incomplete plan and wish for the future that does not comply with the current Guidelines don't mean that this Commission is bound to allow the current owner, who bought the property long after the Guidelines were in place to add more structures that do not conform.

The Commission may not require the current owner to remove non-conforming structures, but when the current owner asks the Commission for permission to install new structures, the existing slab shouldn't be the excuse for a configuration that compounds the violation. In short, the tail shouldn't wag this dog.

Now is the time to bring this parking structure into conformance with the historic district rules. The applicants drawings correct at the Commission's request at the last meeting now demonstrates that in Option 2 that the garage can be placed at the end of a driveway that hugs the north property line and ends at the entrance to the garage without requiring the removal of any trees. The applicant requests additional paving for garage Option 2 in order to accommodate the wishes of the users of the garage to turn around in the back yard so that they can exit the driveway facing forward instead of backing out. It is unnecessary and dangerous, because as Dave mentioned it encourages drivers to accelerate quickly and race out of the driveway, across the driveway, across the sidewalk and into oncoming traffic. The current occupants of the house zoom out of the driveway at speeds higher than most cars travel on the street.

Under either option the garage is bigger than the typical historic district garage. And no justification has been offered for it. For example, if one of the occupants require handicapped access equipment for his or her car, that might justify more space than is typical. The applicant has offered no reason for needing a garage that is more than 40%

bigger than a typical historic district garage which the staff reports 4-500 square feet. My own garage is 362 square feet. I don't use it to house my cars, but at 19 feet square it would hold both my minivan and my son's sedan. My 2004 Toyota minivan, which is the longest model available I think, is 6 feet by 15 feet. If you allow 3 feet on each side of 2 minivans, they can be housed in a garage that is 21 x 18 which is 381 square feet or 2/3 the size of the proposed garage.

Finally, placing the patio at ground level is simply too great temptation to use it as additional parking. The manager of Blue Lahoma LLC, the owner, told me this summer that he was planning on installing commercial grade awning, like car dealerships use, in the backyard. The current occupants are used to parking in the very spot where the patio is proposed. I have collected some photos of the use of the space between the current slab and the wood deck, which will be covered by a proposed ground level patio.

(Showing slides) This is the current deck of which is going to be torn out and replaced with a bigger patio which will come over and cover this part of the yard. Next. This is how the current occupants are using that space. They are parking here, next, and here. There's the deck and there's the car parking in the grass which is going to become a patio. Next. Just slip over the edge. Next. This is parking right up next to the deck. Next. Here's another one that is parking right in the same spot. Here's another one parked in the same spot a week ago and they are still parking right there in that spot where the patio is scheduled to be. The parking pattern of other spaces around the slab is the same. Next. This is off to the west. Just run through these very quickly because they...it's just too easy to slip off the slab. That was before they talked to the code compliance people about parking on the grass. Next. This is after. It goes on. It's a hard thing to break. And I think that it would be in this case too.

The initial staff report recognized this risk and recommended a "barrier to delineate the patio area should be installed to prevent the patio from becoming another parking area and give this space a more appropriate residential outdoor living space feel." But the history of the use of the yard for parking, a few shrubs are not sufficient. It won't change the authorized use of the patio. That is, for outdoor living space to position it one or two steps above ground level. Raising the platform above ground level would be appropriate and conformed to the initial staff recommendations.

I thank the Commission for your thoughtful and diligent consideration of this request and of the neighbor's comments, yet for a third time. Thank you.

David Dollarhide – 645 S Lahoma: My wife, Vicki, and I have been at 645 S Lahoma for 29 years. We were involved in the establishment of Chautauqua Historic District and believe that we have benefited greatly from living in it. Through the years we have enjoyed the confidence in knowing that the residential and the historic character of our neighborhood is protected by well thought out Guidelines and that our financial investment in our home has been enhanced and protected by its HD designation. We

appreciate the dedication of this and previous HD Commissions to upholding these Guidelines and to the preservation of our historic neighborhood.

Unfortunately, we feel more threatened now for our neighborhood than we have on numerous occasions in the past. This specific application and the decisions made have concerning it have made great implications for the future of the HD and the preservation of the historic and single family residential character of our neighborhood. This particular request by the applicant is, we believe, pivotal to the future direction of the HD. The question before you is whether the Guidelines are to be followed and upheld to protect the neighborhood or if specific needs to an individual applicant should override those Guidelines and weaken them for all of us in the future.

I have addressed the Commission previously on this application and out opposition to it. We also oppose tonight's amendments. We believe this proposal greatly endangers the single family residential character of the neighborhood. It may meet the immediate and short term needs of this applicant, but does not set well for the future use of the property and the other properties on this block. This historic and single family use of the property will be altered drastically. No longer will it have greenspace and landscaped yard but paving to will accommodate as many cars as possible which you have just seen. This greatly impacts the quality of life for neighbors and makes the property unattractive to future purchasers' wanting a home in a single family residential area. It will appeal to buyers seeking multi-occupancy and lots of paved parking areas for events at the University of Oklahoma. Specific guidelines have been quoted numerous times in dealing with this application and their relevance and clarity still stands. Previous denials of backyard paving have been noted as well as the reasons given in denial. Those decisions were grounded in the enforcement of guidelines and the intent of guidelines in preservation.

In considering the size of the proposed garage, the sizes of the garages on the properties to the north and south were listed in the staff report. 512 Lahoma has a 350- square foot garage and the property adjacent to the applicant on the north 1,247 square feet. It should be noted that the Ladner garage was built prior to HD designation and in no way adhered to the Guidelines. It is not indicative of other garages in the district, also it was noted that only 4- new garages have been approved since the establishment of the district. Only the more recent 2 this year were of greater sizes than larger than norm. We are concerned about future requests for larger garages and deviation from Guideline recommendations for placement of garages at the end of the driveways. The plans and the previous owner for placement of the garage are discussed in the staff report. These plans are not relevant. The parking pad plans envisioned by the previous owner were prior to the establishment of the HD and in no way should dictate the location of the garage today. The Guidelines are clear in this regard. Our neighbor Steve Ladner could not be here tonight but submitted a letter to you with charts of existing garages on the block. He points out that all are smaller than the one the applicant is requesting. And they are located at the end of driveways with no turn-a-rounds. We all back out of our driveways. And have for years. There is give and take to preservation and we all put up with a little inconvenience for the

benefits that we reap in preserving historic district. Our historic district is a relative small area to protect and we believe worth preserving. If one feels the need of a 3- or 4- car garage or a larger than average 2- car garage, paved parking in back yards to accommodate more cars, turn-a-rounds to avoid backing out of drives and increased occupancy that violates zoning ordinances, there are many other available and more suitable choices in Norman than the Chautauqua Historic District. We ask the denial of these requests on the grounds that they do not adhere to the Guidelines and greatly threaten the single family residential character of the neighborhood. We would support construction of a garage of average size of those in the district, located at the end of the drive as the Guidelines recommend with no turn-a-round. Also deck/patio changes with no possibility of becoming additional parking. Thank you for your consideration.

Chair Robinson: Anyone else have comments to make?

Mike Buchanah – 515 S Flood: My property shares 18- foot of property line on the west side of this property. I was the one that raised the concerns about the run off of rain water with the additional structure, the additional pavement, whether it be pavers or concrete. Today, on my property at 515 S Flood, I have two rivers that run down each side of my property when we experience heavy rains. I have done nothing to abate that but if you provide them the ability to put this garage there and you change the pavers, that water is going to come into my backyard and increase the flow. I wish I had pictures to show you what it looks like coming down my driveway and coming down the north side of my property on a daily basis when we are in the rainy season. In addition to the objection of approving any of this, I would like to support my neighbors, but I would also like to say that my parents live in the Chautauqua Historic District so I also represent them from 903 Chautauqua. They built that house in 1947 prior to a historic district and they adhere to all the Guidelines of improvements and I don't feel that this will do anything to improve our property values or the preservation of the historic district. Thank you.

Chair Robinson: Any other comments? OK. Thank you. I believe we have in front of us here some items with the installation of a garage, concrete paving and covered patio. We can deal with these singly, as a group. I suggest that we break them up one at a time, myself. What is the pleasure of the Commission? Shall we start with the garage?

We have heard from the applicant. We have heard from the public. Staff reports and we have in front of us a couple of plans. One of which is predicated on the existing pavement in the back yard. The other is on a separate location from that pavement and has distinct pavement from that. I think the difficulty...what we are looking at here with the garage is the location and size of the garage. What's paved in the backyard right now is not relevant to the garage. I mean it's there. It's there. It doesn't have anything to do with the garage is to be in terms of what we want to approve. One of the issues that we have grappled with of course is that we want minimize pavement coverage but we don't want to necessarily have to have that drive the bus in terms of what we want to do in terms of the location of the garage and the size of the garage. If we look at this from the

perspective of the Guidelines, which have been cited here before. There's 2.4.1 and 2.4.4 which is 500 square feet which this still is larger and it's certainly larger than most of the garages around it. And then there is 2.4.5 which is the general size and scale provision and those issues really are what we are up against in terms of the size and scale of the garage. One of the things that is not discussed here in any way and hasn't been discussed by any of the applicants or the commenters is that doing nothing remains a valid option. Pavement has been there for a long time. It can stay there. No one is say that you have to build a garage if what the Commission is willing to approve and can accept under the Guidelines doesn't meet the needs of the applicant then the pavement can remain and they can use it as is. There is no requirement for us to act simply because someone has pavement in their backyard and wants to use it. If you have pavement in your backyard and you want to use it, use it. We don't have to put a garage on it to validate it. So I think that we can keep that in mind. We are also not obligated to perpetuate a non-conforming use by again validating it. By putting a garage on it saying if it is there so we have to accept it because it's there. We don't. We can still say that we feel that because of its size and location to conform with the Guidelines it needs to be in a different conformation, different size, and different location. If there is there anything in particular that you would like to approve in these plans one way or the other and I would certainly entertain a motion to that effect. Or reject as it were.

Cameron Brewer: I would like to make a few comments. Much of what I am going to say is echoing some of the comments from various individuals on the Commission and the neighborhood. I think that in this case, as Commissioner Robinson has stated, we are considering the addition of a structure which is much more permanent to the neighborhood than any changes to paving. Whether that be removing of paving, addition of paving, I see paving as temporary. A structure is permanent. And so if it is the pleasure of the Commission to think about these two options, I think that Option 1 is lacking capability with the neighborhood given the orientation on the lot. As it has been stated and shown, the orientation of the existing garages is perpendicular to the street. The driveway is perpendicular to the street. I realize that Option 2 is not exactly perpendicular, but if we are considering the... what could be considered as historic trees, and saving those trees, the second option seems to be the best option among the two presented in terms of being perpendicular from the street as well being more compatible within the neighborhood. Again the vast majority of garages within the neighborhood are detached with driveways perpendicular to the street as stated in Guideline 2.4.1 with the entrance of the garage visible from the street near the back of the lot where the driveway leads to the back half of the house, and I understand the applicants personal view that maybe physiologically opposed to garages facing the street but I believe that the view is much more appropriate when the entrance to a garage is closer to the street than the front door of the primary structure and in this case what is the historic nature of our neighborhood. There is a historic story, if you will, of cars being introduced to the neighborhood and garages being introduced with visibility from the street and perpendicular to the street. So with that being said it would be my preference to, among the two options, to approve Option 2 with the one important condition that the reduction

of the garage footprint be less than 500 square feet as stated in the Guidelines 2.3.4. Not a motion, just comments at this point.

Chesley Potts: When we first looked at this, I believe I asked if they had considered putting the garage on the north property side so that we had that rhythm of continued historic look, having your drive along one side into the garage. And they hadn't. So I appreciate that the applicant's architect has come back and done much and looked at and working with the Commission and the neighborhood, I suppose, to look at it again. I tend to...so I think Option 2 has given sensitivity to the trees, sensitivity to having it on that side and trying to have that same rhythm and what would be... this is not a historic garage. This property did not have a garage. A lot of things come into mind...modern cars are larger. I understand that a smaller garage can be used. I did know that we had approved recently 2- garages a bit larger than this. Very recently. With a second story. So it is not unheard of in the neighborhood.

I know that...and I appreciate Mr. Ladner's work in showing all the garages and he is right, most are the drive down off to the side and some were put in prior to...larger than we want for a historic area. So I don't feel denying the applicant the garage is required. I feel that the garage size is an appropriate size. I believe that it is on the north side is appropriate location and did as exactly as we talked that we would like it to move over to allow a little room for the trees and you don't hurt it any more than you have to. I measured my car at home 'cause I didn't know how long cars were and I was checking out that back up location...that 18 feet. I thought my car is probably 18 feet. It's a little long 'cause you are really looking at your wheel base which is, I believe ours was 13-foot wheel to wheel. But I can see how the architect has lined it up with the patio. And so I don't think it is too much. I don't recall...you said 44%? Either way we go? Coverage?

D Boeck: Coverage is basically within 16- square feet..

That's including...we aren't talking about the patio right now. I certainly hear the neighbors concerns about runoff. This is code compliant...don't know if this is the purview of the...being sensitive to and not pave the back yard. Those are some of my thoughts.

Russ Kaplan: I would like to comment regarding to size. You have 2.3.4 which comes up from time to time when talking about garage size and just would like to point out that 2.3.4 is regarding requests for garage demolition. That is the only place where the total size of garages are mentioned in the Guidelines that I have ever been able to find. And it clearly states that when a request for demolition comes up, one of the considerations as to whether or not to grant the request for demolition is will the replacement garage be larger than 500 square feet. 500 feet square feet or less. I have a hard time applying that 550 foot limit to requests for a new garage on a lot that doesn't have one. What I do think that applies to the size in a new garage is mass for size and scale being proportionate to the primary residence, being the existing house. I think that is what we need to bear in mind when discussing size. Personally I don't find the 572- square foot garage to be over sized

in regards to this house. If it were behind a 1,172- square foot house, it could be too big. But behind this house I don't mind it a bit.

I always have a hard time telling someone that they have to tear up concrete that they have so that weighs heavily on my mind. But I also have to look at the rhythm of the street and putting that on the south property line just doesn't quite fall right with me. I'm torn on that locational thing just because anytime you are tearing up concrete and putting down new concrete that's a lot of embedded carbon footprint. We want to preserve trees and that kind of goes along with it, in my mind. Those are my thoughts.

Anna Eddings: I will also echo what other Commissioners have said. I do think that the garage along the north property line is preferable. The only justification for putting it on the south is the existing pavement but, as we have said, you can leave that pavement and not put a garage. The pavement is not a justification ...and I also think that the size of the garage as proposed is appropriate and consistent with the Guidelines.

Chair Robinson: Any other comments? I would entertain a motion one way or the other.

C Potts: Do we need to? Can we continue discussion?

Chair Robinson: Sure.

C Potts: And not vote? My thought...not separate. For me they all tie together so I would like to suggest that perhaps we continue our discussion of the application and talk about the patio.

David John: I had a question. I know that they brought this #2 before us but actually we are looking at is #1.

A Starr: Their preferred option is Option 1 as really what they submitted for request for review. We ask them to hand in Option 2 so they could...for comparison sake. See that. I think that you would have to ask the applicant if they would be agreeable to Option 2.

D Boeck: And we are.

A Starr: And they are so....yeah.

Bill Hickman: I agree. It sounds like by listening to my fellow Commissioners comments that there is some consideration to Option 2. As the staff report has discussed the paving aspect associated to Option 2 but the report has focused on Option 1. And so in addition, along with the discussion about the porch and before we vote on the garage, I would be willing to have the discussion on the paving associated with Option 2 cause Option 1 pavement has changed. In association with the discussion of the patio. If that's....They do tie in together.

Chair Robinson: There's a couple of ways we take this. We can take on Option 1 and deal with it straight up as it is and then move on to Option 2 if we chose to do that. Or we can roll it all into the same motion. It doesn't have to be individual.

A Starr: I think what Chesley is suggesting is to just discuss all the items and then come back and do three separate motions.

Chair Robinson: OK. That's fine.

C Potts: And now that I am thinking about it, I'm thinking that we have done this garage location....we are just talking garage. I don't know if anyone has anyone has comments about Option 1.

Chair Robinson: Generally speaking, most of the Commissioners have indicated that they prefer the Option 2.

C Potts: I haven't heard from everybody so I didn't know....

Chair Robinson: We haven't heard from everyone but so far those that have spoken tend to be...

Loy Macari: I would consider Option 2.

C Potts: So if we could just discuss the patio...that would be helpful.

Chair Robinson: Jump right in.

C Potts: Again I appreciate the size. It certainly has been reduced. I do not find in the Guidelines anything specific about patios. We talk about decks. Guidelines for the decks. So I meant to ask staff prior if there is a guideline I am missing?

A Starr: Functionality wise, after...due to its size...it feels like it needs to be reviewed. And functionality wise its similar to a covered deck, which the Guidelines do. Because it has a roof, I think that typically patios are ...you know....flagstone with no roof on top of them and in this case there is a roof on top of it so it's acting more like a covered deck. So I reviewed it under...with that in mind.

C Potts: I need to gather my thoughts.

Chair Robinson: OK. Anyone else have any thoughts on the patio?

B Hickman: I just have a question for staff. Could the applicant tear off the existing wood patio that is there without having them come to us?

A Starr: Yes.

B Hickman: They could. But if they would consider..

A Starr: It's not historic. That's the whole deal with decks. Not part of the structure. So yeah.

C Potts: When I look at this project as a whole and the applicant coming, I'm looking at it as it's a single family home that will be there for years to come. Whoever the owner is. Whenever their capacity is there. Or how many people live there or...but it's single family. So I think of it as here is a historic house and what are we doing historically correct and to follow the Guidelines and maintain everything that the neighborhood enjoys. The fact of going from a deck to a patio for me is a personal choice. I have a patio. I don't want a deck. I don't have a problem with someone removing that and wanting to go down. I hear the neighbor about...about being close to the tree. I hear that. It is to me we ask them to size it down I think that it is in scale with the house. I'm not sure why someone would want it to be a solid cover, being a patio. I do question that. It has sufficient buffering for me. We asked for landscaped area from the driveway. It could and should be treated as such. Hmmmm...I'm done.

Chair Robinson: Anyone else have any thoughts on the patio?

C Brewer: I also had difficulty finding any sort of guideline that would lead us otherwise other than approving as it has been submitted. We can say what should and should not be there but I do agree that it is a personal choice as to their way and we clearly do not have a guideline that would not allow this sort of deck that I have found.

B Hickman: I just have a question. Theoretically, they could tear out the existing wooden deck, could they have put in the flagstone and just not built the covered part of it and not come to us. Is what changes things is the covered piece?

A Starr: That would be my understanding of the Guidelines.

B Hickman: Based on your prior answer as I was sitting here contemplating in mind I am thinking they can tear out what is there...presumably they could put in a slab.

A Starr: It is the fact that it is turned into a structure. And it has a cover over it.

B Hickman: Then we really ought to focus theoretically on that cover and that whole structure thing.

A Starr: Right. And so....

C Potts: And the functionality of it.

B Hickman: I understand . The part about the flagstone versus the wood. They can tear that out and put that in without having to say hi to us.

A Starr: Right. That is correct.

A Eddings: Why wouldn't the flagstone come back to us?

Chair Robinson: It's the size of the

David John: It's landscaping. With a cover it becomes a structure.

A Starr: It's landscaping. I don't think it is paving.

C Potts: Even to a certain size? You could landscape your whole yard. I don't think...

David John: It's the cover that puts it under accessory structure.

A Starr: Yeah. Accessory structure. Originally they submitted the concrete, which is paving. And now they have gone to flagstone. Now if they wanted to tear off the existing deck or expand the existing deck, they would have to come back to us. If they wanted to modify what is there and add to it, they would need to come back to us for that.

Chair Robinson: Any other issues about the patio? Any issues on the paving you would like to.....

B Hickman: Would you put Option 2 up on the screen please. There it is. 9 feet. I didn't see it on....

A Starr: So under Option 2 you would have to approve the paving whereas in Option 1 there is no paving to be approved. You may want to discuss the paving.....

Chair Robinson: So the paving on Option 2 would be associated only with the garage on the location shown.

A Starr: Yes.

B Hickman: Can I ask Dave another question. On your covered patio, ifyou have it shown as 20 then you have the other 5 feet.

D Boeck: That five is the sidewalk that connects the – what do you call it – flagstone walk that connects the patio with the driveway. Its 25 feet. The other plan shows it a full 25 feet wide.

Chair Robinson: So there would be flagstone walk to the

C Potts: What is between the flagstone?

D Boeck: Again, that's all sand and gravel. Kind of what I have used in my back yard to allow drainage and for moisture...

C Potts: So there is some permeable....

D Boeck: Yeah. There is discussion..talk about a concern about drainage but as an architect I have to look at drainage and that's after this gets approved then we look at how we drain everything and of course we make sure it doesn't drain into people's yards cause that all is part of being professional.

Chair Robinson: So for right now they come down steps...like this and then once they remove that deck it looks like there are steps down to the patio level then off that way. The pavement that is associated with the Option 2 includes the driveway, going up to the garage door – 14 feet wide, spans a little bit outside each of the doors, then there's the back-a-round, the parking spot over to the south. It appears to be appropriate for the garage that is proposed. I don't see a lot of excess there. You might be able to shorten that turn-a-round parking pad thing a little bit but not very much and make it align with that. You could cut it off at the 10- foot radius and return there but even that...There is as I understand it the covered patio has an overhang with guttering around it. That brings it down ...let's see....

D Boeck: Again that's part of the drainage system design process and where the gutter downspouts come down and where that water gets taken and where it's taken to. That was not part of this design process. Part of the next phase when it gets submitted for a building permit and gets reviewed by Engineering.

D John: The covered patio is showing a continuous footing all the way around it?

D Boeck: Yes.

B Hickman: Is access to the covered patio proposed on the left side of the steps?

D Boeck: No. Neil was talking about it. This gets cut off right here ...Anaïs can you go back to the site plan? Right.... here are 3 steps...see this line here? The flagstone that lines up with the deck pieces with the existing concrete steps. Here would be the tree. The wood stairs bringing it down giving access to the covered patio.

Chair Robinson: You step down from the deck level to the patio.

D Boeck: Right.

A Starr: There are other steps on the left hand side lead into the side yard.

D Boeck: Those are just like paver stones to lead you to...

A Starr: Lead into the side yard.

D Boeck: Yes. Leads into that side yard.

D John: This footing here is still going to be here?

D Boeck: Yes.

D John: Even with the flagstone...

D Boeck: It's not for the flagstone. It's to hold the posts and to keep the structure of the covered part tied together.

B Hickman: Is the area that is the covered patio area that section, is it going to have one single footing that then the flagstone is going to be set in that footing. If I go out there while its being built, will I see that area dug out and a footing put in for that entire 15- by whatever foot area. And then flagstone laid in there.

D Boeck: Yes.

B Hickman: So there will not be any...is it in a sense like a permanent...like it's concrete, just underground, you are just putting stones on top of the concrete.

D Boeck: No. None of this area...go back to the floor plan...the foot is about 16 inches wide goes around here. All this is going to be brown and gravel and sand and then flagstone. So it's not tied down or a permanent pavement.

M Ury from the audience: That's what a footing is. It's concrete.

Misc comments that can't be understood.

Chair Robinson: Does the Commission have a sense of how they would like to handle this?

L Macari: Separate parts....

Chair Robinson: Have we discussed it enough? Are we ready to attempt a motion or should we cover anything else?

L Macari: Should we deny Plan 1?

Chair Robinson: It's your game. You can make the call....

A Starr: Either that or you can just make the motion for approval of Plan 2. I mean....since the applicant stated that they are willing to.....

D John: I don't have a problem with the garage in Plan 2. I move that we approve the garage placement as proposed in....

A Starr: Option 2?

D John: Yes. Option 2.

A Starr: You are approving the garage and the garage placement?

D John: The garage and the garage placement.

Chair Robinson: The garage and garage placement as shown in Option 2.

C Potts: I second.

Chair Robinson: We have a motion and a second to approve the garage location and the garage as proposed in Option 2. So. Any discussion?

C Brewer: I still have issues with footprint of the garage so if you are looking at this Option 2 to approve as is I would request a reduction in size. I know that we have had various comments either way but if there is any further discussion of that I would open it for that discussion.

Chair Robinson: The size of the garage has certainly been an issue tonight. One of the things that came up is that immediately adjacent to the north is a garage that is actually over a 1,000 square feet. But it was constructed before the district existed and I dare say that it would probably not meet the Guidelines today. But that doesn't really have a great deal of impact on what we have here. What we have here really is the issue of whether or not this is in scale and size appropriate for the condition as proposed.

I have to concur with Cameron. I feel like it needs to be a little smaller. A lot smaller. And while you are right I think the 500- square foot number is related to demolition. It's really the general gist of the implication is that that was what was seen as the appropriate size - largest size - for a garage in the historic district. The idea being that you could see a 2- car garage being proposed or a single family home as opposed to the historic precedent is generally a one car garage. I mean many of the garages in this district are one car garages. Very small footprints because obviously the vehicle of that time were much smaller than what we have today. So the idea being that 500 square feet allows for 2- modern cars to be parked in a single structure without a lot of cushion. And I think that's where that was aimed. Not necessarily stated outright you can't have more than 500 square feet in a garage because they were always conditions that could arise that would justify something more than that. That would be one of the reasons that it was done the way we did it.

C Potts: And I would say that it we are not creating a historic structure. Not trying to replicate things. I would remind my fellow Commissioners that for a house this size, which we just had another application, that was a 24 X 26 and by my calculations a 624-square foot garage that we recently approved. This is not to say that we should be pushing any limits on a garage size. I'm just thinking where...actually...2 of them side by side with a smaller house. So for me the scale and size of the garage is appropriate for this house.

Chair Robinson: Anyone else? Any more discussion on this?

B Hickman: Do we know the front width of the house?

D Boeck: I believe it is around 40 some odd feet. It's an 85- foot frontage there. And obviously you can look at this. It is 25 feet right here and I think this is like 12 feet here so it's somewhere around 40 feet.

B Hickman: I guess...the point of my question was the garage Option 2 is going to be 26 feet wide. I just took a little piece of paper and measured a little blue mark on the garage and put it to the front of the house. It took up 2/3. It's a 40- feet wide garage and that's 65% of the front façade of the home. That does make me concerned eyeballing it that 2.3.5 design perimeter that the scale and size of the front façade of that garage being approximately 2/3 of the front façade of the home maybe overwhelming and inappropriate. And if there was going to be a reduction in the size and scale of the garage, my suggestion would be that it be the lateral front facing of it 26 feet in width so that its more in proportion in my view. In my opinion and the Guidelines, the garage should not be overwhelming in size in mass as to the main structure and therefore should be smaller in the front façade. I would make that suggestion for the Commissions consideration.

Chair Robinson: I think the point is well taken. The largest garage that we have approved was actually to be accessed off the alley not off the front street. That's a little different condition which is again one of the reasons that we allowed for an application to come in for a larger garage for different access points. Conditions could be appropriated for different cases.

Is there anyone else? We have a motion and a second. If no further discussion, please call the roll.

A verbal roll call vote was taken. The motion failed with a vote of 4 to 4 with Potts, Eddings, John and Kaplan voting for, and Robinson, Brewer, Hickman and Macari voting against.

Chair Robinson: We take up the pavement for Option 2.

L Macari: Can we change the size of the garage and make a motion?

Chair Robinson: We could.

Conversations that cannot be understood.

Chair Robinson: We could take up the covered patio independent of the pavement.

A Starr: Before we move on from the garage, does the applicant have any feelings about the reduction in the size of the garage or is that something that you would need to think about.

D Boeck: We would have to talk about it. I mean it seems appropriate, and like you said, there were 2 that were already approved that were bigger so that's kind of frustrating. We will go back and talk about it.

Chair Robinson: The covered patio we have in front of us. 15 by 25. The roof structure as shown. I think that we have covered the technical aspects of it. We have the material that is a sandstone or flagstone of some variety. Wooden posts and a cover. Entirely behind the back of the house. Takes the place of an existing wooden deck but at a different elevation. Generally the same location.

C Brewer: I do have concerns about the tree although as proposed I think that it is within the Guidelines and taking away the consideration of adding new paving to that area with the flagstone covering it would be difficult to not approve this.

A Starr: I would like to comment on the impact of the pavement, flagstone on this tree. I don't believe that this is an issue just because the driveway is running up against the tree and has for years. And the pavers that are suggested to be put in are from permeable and will allow the water to come through. So.....

R Kaplan: The concern that I have for the tree is for the footing possibly going through the root system. Probably it could be fine, but it potentially could be a problem.

Chair Robinson: Could I get a motion on this one way or the other.

R Kaplan: Before we make a motion there is something I am reading in the Guidelines. Kind of off to the side I want to call out. In Section 4.1 on decks, on the little picture of a covered deck, it says "*Covered decks are essentially house additions and will be reviewed for their overall impact on the original structure.*" So that's giving me thought that I hadn't thought of before. Is thinking that this is an addition? And if we are going to think of it that way, what else should we be talking about?

A Starr: It's not. That is a commentary under the picture. It is not part of the Guidelines.

Chair Robinson: And I think also think the....if it was connected to the house structurally I could see that. But as a free standing element I really don't see that it is part of the house.

R Kaplan: It is an accessory.

A Starr: And that picture that is there is an.....addition.

R Kaplan: More of a sunroom.

C Brewer: I would say then in that case that 4.1.7 *"Decks may not detract from over character. It is not appropriate to introduce a deck if the deck will detract from the overall historic character of the building or the site."*

L Macari: While a covered deck is not an addition, it's a massing that is in addition to just further adding on to this blankness of this back wall which is another roof to go out there. I don't think that it's adding anything to the character of the house.

A Starr: But it's not detracting so it meets the Guidelines or does it not meet the Guidelines. You remember that we need to site guidelines.

Chair Robinson: We need a motion on this to approve or reject.

C Brewer: I do think that this falls within the Guidelines. I would move to approve the COA as submitted.

Chair Robinson: We have a motion to approve as submitted. Do I have a second?

C Potts: I second.

Chair Robinson: We have a second. I think this meets the standard. As you said it may be ill-advised, but it meets the standard for new construction.

C Brewer: I would also note that most of what we judge is what we see from the street and 4.1.4 *"Design visible decks carefully. Where it is appropriate to site a deck in a location visible from the street, treat the deck in a more formal architectural way."* In this case the visibility of the deck is minimal from the deck and that is the purview of the Commission.

Chair Robinson: Any further comments?

B Hickman: I guess that my only other comment would be that I did have concern about when we asked the question about the footing on the tree. But I have stood very close to that area without trespassing and looked at that area and the driveway does have much

more significant impact on that tree than I think that footing would. And while I hear the neighbors concern about the parking, they are parking in the grass right now.

Voice from the audience: would it be appropriate for me to shout out something from the audience?

Chair Robinson: No. So we have a motion and a second. Any other comments? Call the roll.

A verbal roll call vote was taken. The motion passed with a unanimous vote.

Jolana McCart
Recording Secretary

Historic District Commission

11/4/2015

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Jimmy Dodner

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Historic District Commission

11/4/2015

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1 DALE BOECK

2 Laurie L. Davis

3 Nancy Carrey

4 H. ADAMS

5 STAN BERRY

6 MACK CALDWELL

7 Mark Mills

8 Catharine Webb

9 GALE HOBSON

10 Rick Hall

11 Lee Hall

12 Steve Caloukey

13 Mark Kell

14 Lynette Lobban

15 Susan Maag

16 Michael Buchanan

17 CAROL Buchanan

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Historic District Commission

11/4/2015

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1 Cheryl R Berry

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3 Dicki Dollakhide

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Historic District Commission
12/7/2015

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