

Minutes
Capitol-Medical Center Improvement and Zoning Commission
Aug. 23, 2019
8:15 a.m.
Will Rogers Building, Rm. 216
Oklahoma City, Oklahoma

A meeting notice was filed with the Secretary of State and an agenda posted in accordance with the Open Meeting Act.

MEMBERS PRESENT: Brian Downs
Joshua Greenhaw
Jeremiah Jordan
Paul Manzelli
Dan Ross
Ken Phillips

MEMBERS ABSENT: Tiana Douglas
Hillary Farrell
Kirkland Hall
Janis Powers

STAFF/GUESTS: Casey Jones, OMES Zoning Assistant Planner
Beverly Hicks, OMES Planning/Administrative Coordinator
Karl Kramer, OAG
Tiffany Heith, Guest
Sara Werneke, OKSHPO
Daniel Mercer, COOP
Joseph A. Griffin, Attorney for Plaintiff
Matthew Pearce, Preservation & Design Studio
Zenophon Warrior, Guest

A. Roll Call:

Chairman Dan Ross called the meeting to order at 8:27 a.m. A roll call was taken and a quorum established. Mr. Ross was advised that notice of a meeting had been given and an agenda posted in accordance with the Open Meeting Act.

B. Minutes:

1. Approval, disapproval and/or amendment of the minutes of July 26, 2019 meeting.

Josh Greenhaw moved to approve the meeting minutes of July. Jeremiah Jordan seconded the motion. The following votes were recorded and the motion passed:

Mr. Downs, yes; Mr. Greenhaw, yes; Mr. Jordan, yes; Mr. Manzelli, yes; Mr. Ross, yes;
Mr. Phillips, yes.

C. **Special Public Hearings:** None.

D. **Variance Requests:**

1. Discussion and possible action regarding V-18-19-4, a request by Dr. Willie L. Haskins, Jr., for a variance from the 15-foot side yard building setback requirement for construction of a 144 square foot freestanding shade structure on the property located at 701 NE 18th Street in the Lincoln Terrace Addition of Oklahoma City.

In May 2019, the applicant constructed a 144 square foot shade structure on the property without first obtaining a certificate of appropriateness (CA) and building permit from the Commission. The applicant subsequently filed for a CA, which was approved by the Historical Preservation and Landmark Board of Review (HP Board) on June 6, 2019, with the condition that the roofing materials be replaced with architectural shingles that match the roofing materials on the home and that the structure be moved to the East to comply with the 15 foot side yard setback requirement or obtain a variance.

The applicant submitted a variance request on the basis of reasonable accommodation due to a disability.

Commissioner Greenhaw pointed out that the evidence presented today was different than what was presented on June 6, 2019.

The Citizens' Advisory Committee (CAC) recommended disapproval of the variance at its August 8, 2019 meeting.

Staff recommended to deny, with a recommended alternative, with the finding that the strict application of the 15-foot side yard requirement would not result in peculiar and exceptional undue hardship on the property owner and that the proposed work is not compliant with applicable zoning rules.

- Recommended Alternative: Relocate the shade structure to comply with the 15-foot side yard setback. Submit a revised site plan showing the proposed placement of the structure to commission staff for review and administrative approval prior to commencing further work.

Josh Greenhaw moved to approve to grant a variance with the condition that the roof of the structure be changed to match the existing shingles on the garage and house and that the proposed shingles be administratively reviewed and approved by staff. Brian Downs seconded the motion. The following votes were recorded and the motion passed:

Mr. Downs, yes; Mr. Greenhaw, yes; Mr. Jordan, no; Mr. Manzelli, yes; Mr. Ross, yes; Mr. Phillips, yes.

2. Discussion and possible action regarding V-19-20-1, request by Catherine and Tiffany Heith for a variance from the 5-foot side yard building setback requirement and 25 percent maximum lot coverage requirement for construction of a 430 square foot

detached garage on the property located at 817 NE 19th Street in the Lincoln Terrace Addition of Oklahoma City.

The Citizens' Advisory Committee recommended to approve the variance at its August 8, 2019 meeting.

Staff recommended to approve with the following findings:

- Strict application of the 5-foot side yard requirement would result in an undue hardship due to the angle of the driveway.
- Strict application of the 25 percent maximum lot coverage requirement would result in hardship by precluding the construction of a garage.
- The proposed work meets the spirit and intent of the Historic Preservation Standards and Guidelines and is otherwise compliant with applicable zoning rules.

Items D.2, G.1, and G.2 were taken as a combined vote.

E. Rezoning Requests: None.

F. Conditional Use Permits: None.

G. Building Permits:

- 1. Discussion and possible action regarding D-19-20-1, a request by Catherine and Tiffany Heith for a building permit for demolition of the existing 546 square foot detached garage on the property located at 817 NE 19th Street in the Lincoln Terrace Addition of Oklahoma City.**

On August 1, 2019, the Historical Preservation and Landmark Board of Review granted a Certificate of Appropriateness for demolition of the garage (CA-19-20-2) and made the following findings:

- Demolition of the structure will damage the integrity and continuity of the district.
- The structural integrity of the garage is compromised, and extensive work would be necessary to stabilize and rehabilitate the structure to sound, watertight condition.
- Repairing the structure is likely to result in loss of the structure's historic fabric.

The CAC recommended approval at its August 8, 2019 meeting.

Staff recommended to approve, with the finding that the proposed work complies with applicable zoning rules.

- 2. Discussion and possible action regarding BP-19-20-2, a request by Catherine and Tiffany Heith for a building permit for construction of a 430 square foot detached garage on the property located at 817 NE 19th Street in the Lincoln Terrace Addition of Oklahoma City.**

The HP Board granted a Certificate of Appropriateness at its August 1, 2019 meeting with the condition that the garage be constructed in the same location and footprint as the original, historic garage.

The CAC recommended approval at its August 8, 2019 meeting.

Staff recommended to approve, with the finding that the proposed work complies with applicable zoning rules.

Jeremiah Jordan moved to approve demolition, variance and building permit. Josh Greenhaw seconded the motion. The following votes were recorded and the motion passed:

Mr. Downs, yes; Mr. Greenhaw, yes; Mr. Jordan, yes; Mr. Manzelli, yes; Mr. Ross, yes;
Mr. Phillips, yes.

H. Miscellaneous:

1. Consideration and possible action to support the nomination of the Oklahoma National Guard Armory located at 200 NE 23rd Street in Oklahoma City to the National Register of Historic Places.

Josh Greenhaw recommended to approve the nomination. Jeremiah Jordan seconded the motion. The following votes were recorded and the motion passed:

Mr. Downs, yes; Mr. Greenhaw, yes; Mr. Jordan, yes; Mr. Manzelli, yes; Mr. Ross, yes;
Mr. Phillips, yes.

2. Consideration and possible action to support the nomination of the State Highway Department Testing Laboratory located at 2311 North Central Avenue in Oklahoma City to the National Register of Historic Places.

Josh Greenhaw recommended to approve the nomination. Jeremiah Jordan seconded the motion. The following votes were recorded and the motion passed:

Mr. Downs, yes; Mr. Greenhaw, yes; Mr. Jordan, yes; Mr. Manzelli, yes; Mr. Ross, yes;
Mr. Phillips, yes.

I. Reports and possible discussion from Commissioners or Director: None.

J. Adjournment:

There being no further business, Mr. Greenhaw made a motion to adjourn. Mr. Manzelli seconded the motion. Seeing no opposition, the meeting adjourned at 9:09 a.m.