



STAFF REPORT

Historic Preservation Commission

February 22, 2021

HPCA-20-00191

Agenda Item: VI.D.13.
Case Number: HPCA-20-00191
Property Address: 301 NW 18th Street
District: Heritage Hills Historic District
Owner: Renate and Charles Wiggin Trust
Charles Wiggin
301 NW 18th Street
Oklahoma City, OK 73103

A. CASE ITEMS FOR CONSIDERATION

1. Replace fence (elective).

B. BACKGROUND

1. Location

Project site is located on the northwest corner of the intersection of NW 18th Street and N Harvey.

2. Site History

Date of Construction: 1923

Zoned Historic Preservation/Historical Landmark: 1969

National Register Listing: 1979

Description from National Register Nomination Intensive Level Survey:

301 Northwest 18th Street, Brown House. This residence was constructed by John A. Brown, a dry goods merchant who developed the largest department store in Oklahoma City. A fine triple-pot chimney accents this 1923 brick and half-timber house.

Additional Information:

The 1922 Sanborn Fire Insurance maps do not indicate development of the site. The 1949 edition of the Sanborn Fire Insurance maps illustrates a 2-story, veneered, frame dwelling with a rectangular central dwelling and asymmetrical wings at the SW, SE, NW, and NE corners with a porte-cochere at the northeast wing. The front entry is indicated just east of center on the front (south) façade. A large, 1-story frame, brick veneered, "autohouse" is indicated in the northeast corner of the property and extends along half the length of the north property line. All structures have shingle roofs, wood. The 1955 edition indicates the roofs to be composition materials.

3. Existing Conditions

The fencing along the west side of the property was damaged by the recent ice storms.

4. Previous Actions

None relevant to fences.

C. ITEMS IN COMPLIANCE

*Unless noted below in Section D., Issues and Considerations, all other case items of this proposal comply with the Design and Sustainability Standards and Guidelines for Oklahoma City Historic Districts, and with all relevant sections of the Oklahoma City Municipal Code, 2020.**

None.

D. ISSUES AND CONSIDERATIONS

This proposal may not comply with the Design and Sustainability Standards and Guidelines for Oklahoma City Historic Districts, and with all relevant sections of the Oklahoma City Municipal Code, 2020 as referenced below:*

1. Item 1, Replace fence (elective).

- a. Description: The applicant proposes replacement of an existing fence and lattice along the west side of the property with matching fence. The front (south) facing fence and gate will remain as these were undamaged. A stretch of fencing beyond will be replaced at 6 feet tall. One 5 foot section of lattice will be reinstalled. The remainder of the fence to the north will not be touched.
- b. References: *Design and Sustainability Standards and Guidelines for Oklahoma City Historic Districts*

2.8 Fences and Walls

Policy: Preserve original or historic fences and fence walls. New fences should be of renewable materials such as wood, woven wire or brick. Vinyl fences are not appropriate.

Design Justification: Fence walls and fences historically marked property boundaries and may have shielded private areas from public view. Historic materials such as wire, wood and brick are compatible materials; vinyl materials introduce an incompatible artificial appearance.

- 2.8.4: Fences and fence walls in back yards have more flexible requirements than those in side yards or those that are front yard facing because they are less visible from the public right-of-way.
- 2.8.5: Fences and fence walls are generally permitted in side, corner side, and back yards. Interior side and corner side yard fences and fence walls must be set back from the historic front building line by a distance not less than six feet. Depending on the materials and details of a fence and fence wall, additional requirements of this section may apply.
- 2.8.8: Fences shall be located behind any open front porch of the main building AND the open front porch of the main building of any adjacent property.
- 2.8.9: Fences and fence walls shall be located at or behind the front 40% of

the side yard of the main building unless the fence or fence wall is 75% transparent not including posts or columns spaced a minimum of eight feet apart. Depending on the design and architecture of the main building, additional requirements of this section may apply.

- 2.8.10: Opaque fences and fence walls , those that are less than 75% transparent not including posts or columns space a minimum of eight feet apart, shall not obscure view of significant architectural features of the primary building on the property, such as a bay window, porte-cochere, or other significant character defining building projection or feature.
- 2.8.11: Fences and fence walls are not permitted in front yards, unless supported by historical physical or photographic evidence to the contrary. If a fence or fence wall is appropriate for the front yard, then it shall match the historical configuration and approximate the historical appearance.
- 2.8.13: Fences and fence walls shall not exceed six feet in height on side or front facing locations.
- 2.8.16: Acceptable materials for fences and fence walls are wood, brick, stone, cast iron, iron, chain link, twisted wire, painted aluminum that mimics the appearance of cast iron or iron fences, or a combination of these materials. Materials for fences and fence walls should be consistent with materials historically used at each individual property or within the historic district during the period of significance.
- 2.8.17: Wood fences may be left unfinished or painted or stained in colors appropriate to the style and period of the property or the district. The exterior flat fence or fence wall surface, if painted, should be compatible with the color of the main building.
- 2.8.18: Decorative painting and murals shall not be applied to fence or fence wall surfaces visible from the public right-of-way.
- 2.8.19: Tops of new fences or fence walls may be horizontal, stepped, scooped, arched or parallel with the grade, as appropriate to the style and period of the main building or the historic district.
- 2.8.21: The side of a fence or wall facing the street or alley shall be the “finished” side.

- c. Considerations: Front facing fences and side fences shall not exceed 6 feet in height. The existing fencing is forward of the location outlined in the Standards and Guidelines and is taller than permitted. The applicant proposes to remove a portion of the lattice on the fence and reduce a portion of the fence south of the brick planters to 6 feet tall as measured from grade rather than as measured from the top of the planter.

The criteria indicate that fences must be located behind the front 40% of the side yard unless the fence is transparent to prevent obscuring views of significant architectural features of primary structures. The applicant proposes to maintain the existing location of fencing due to the existing air conditioner equipment located beyond. It appears that

the units are located on the south wall of the NW wing of the dwelling.

The structure has an unusual footprint that makes calculating the debt of the “side yard,” and placement of a fence, challenging. The most logical points for fence placement are in line with ridges on the roof at either point A, 27 feet back from the front corner of the dwelling, or at point C, 19 feet back (see diagram in attachment). Based on the historic dimensions of the house, 20 feet back would meet the criteria, though the “side yard” has significantly expanded due to an addition at the rear of the NW wing. The difference in 19 and 20 feet would likely not be visibly discernible.

The installation of a transparent fence, such as decorative iron, at the proposed location would meet the criteria for administrative approval. Transparent fences must be located 6 feet back from the historic front building line. A sight proof fence could then begin 40% back from the front building line.

d. Recommended Specific Findings:

1. That the proposed location of the fence is the existing location;
2. That the existence of a fence forward of the recommended placement or taller than permitted is not unique to this property;
3. That the Standards and Guidelines attempt to relocate fences further back in the side yard and reduce heights where possible;
4. That fences must be located behind the front 40% of the side yard unless transparent;
5. That transparent fences must be located at least 6 feet back from the historic front building line;
6. That front facing and side fences shall be no taller than 6 feet.

E. HPCA-20-00191 STAFF RECOMMENDATION:

1. **Continue Item 1, replace fence** with the specific finding that additional information is required from the applicant in order to determine whether the action requested is consistent with all relevant Standards and Guidelines and are in compliance with the relevant sections of the Municipal Code, 2020*, as referenced in the Staff Report.

Specific Findings:

- 1) That the proposed location of the fence is the existing location;
- 2) That the existence of a fence forward of the recommended placement or taller than permitted is not unique to this property;
- 3) That the Standards and Guidelines attempt to relocate fences further back in the side yard and reduce heights where possible;
- 4) That fences must be located behind the front 40% of the side yard unless transparent;
- 5) That transparent fences must be located at least 6 feet back from the historic front building line;

- 6) That front facing and side fences shall be no taller than 6 feet.

Additional information: Revised proposal for location of the fence or identification of unique circumstances in support of the proposed location.

Note: Staff recommendation does not constitute Commission action.

**Relevant Sections of the Municipal Code governing HP/HL Districts are: §59.3300.1-5; §59.4150.4; §59.4250; §59.7250.1-4; §59.7300.1-7; §59.12200.1-4; §59.13300.1-6.*

Copies of the Standards/Guidelines and Relevant Sections of the Municipal Code, 2020 are available online at www.okc.gov/planning/hp/index.html ; at Planning Department offices located at 420 W. Main, 9th floor, and each HP Commission Meeting.

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