



STAFF REPORT

Historic Preservation Commission

February 22, 2021

HPCA-20-00177

Agenda Item: VI.D.9.

Case Number: HPCA-20-00177

Property Address: 912 NW 40th Street

District: Crown Heights Historic District

Applicant: Sine Construction Co
Bob Sine
1120 NW 51st Street
Oklahoma City, OK 73118

Owner: Mary and Arthur McAnulty
912 NW 40th Street
Oklahoma City, OK 73118-6819

A. CASE ITEMS FOR CONSIDERATION

1. Demolish garage (required); and
2. Construct garage (elective).

B. BACKGROUND

1. Project Description

The applicant proposes to replace an existing garage with a new garage due to damage during the recent ice storm.

2. Location

Project site is located on the south side of NW 40th Street between Western and Shartel.

3. Site History

Date of Construction: 1932

Zoned Historic Preservation/Historical Landmark: 1977

National Register Listing: 1995

Description from National Register Nomination Intensive Level Survey:

912 Northwest 40th, C. 1935. This one-story, yellow brick Tudor Revival residence has a steeply pitched, cross-gabled roof with composition shingles. The east front extension has a hipped roof with a small wall dormer. The façade features double-hung windows in a 2-3-3 pattern and cast stone sills. A centered porch is incorporated under a front gable and has an arched opening. There is a stone chimney and a detached garage.

Additional Information:

The 1950 edition of the Sanborn Fire Insurance maps illustrates a 1-story, frame dwelling with brick veneer. A centrally located entry is indicated on the front (north) façade, and 1-story projections are indicated at the rear (south) façade. A 1-story frame “autohouse” is indicated approximately 2/3 back from the front property line. The structures are illustrated with shingles, typically wood. The garage appears as a wide rectangular form.

4. Existing Conditions

The historic garage has had additions to the west and south, and there is a small feature attached to the rear (south) that is not clearly defined. The recent ice storm resulted in a tree limb falling on the structure. The damage is outlined in a letter from Sine Construction.

5. Previous Actions

None relevant to the garage.

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, Demolish garage (required).

- a. Description: The applicant proposes demolition of the existing garage due to damage caused by fallen tree limb in the recent ice storm. The structure is illustrated at 591.60 square feet.
- b. References: *Oklahoma City Municipal Code, 2020*

59-4250.4

L. Demolitions.

(1) General Provisions.

- (a) A Certificate of Appropriateness shall be required for the demolition or removal of any structure within any HL or HP District. Applications for demolition permits shall be filed with the Development Services Director, but shall not be issued unless accompanied by Certificate of Appropriateness.

- (2) *Findings and Purpose.* Demolition or removal of a historic structure constitutes an irreplaceable loss to the quality and character of the City. Therefore, a Certificate of Appropriateness shall only be granted if one of the following occurs:

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- (a) As determined by the Commission, the structure is noncontributing to the historic integrity of the historic district and the demolition will not adversely affect the historic character of the property or district.
 - (b) As evaluated by the Commission based upon information including, but not limited to, reports, photographs, or inspection as part of a site visit, the structure is in a state of decay or ruin and poses an imminent threat to public health or safety and the demolition of said structure is required to alleviate said threat.
 - (c) There is no viable economic use of the structure. For purposes of this Paragraph, the term “no viable economic use” shall mean:
 - 1. The structure is incapable of earning a reasonable economic return.
 - 2. The structure cannot reasonably be adapted for any other use which would result in a reasonable economic return.
 - 3. The owner, using due diligence, has been unable to find a developer, financier, purchaser or tenant that would enable the owner to realize a reasonable economic return.
 - (d) The structure is a garage or other accessory building and meets at least one of the following criteria addressing the functionality and continued use of the historic structure in relation to the impact of a demolition on the historic character of the property and district:
 - (1) The structure is not large enough to accommodate a standard size parking space and cannot reasonably be altered to do so;
 - (2) The condition of the structure makes it physically impractical to rehabilitate without the loss of all or nearly all fabric contributing to its historic integrity;
 - (3) The structure is not original to the property;
 - (4) The structure has minimal impact upon the historic integrity of the property and district, due to factors including the structure’s lack of historic integrity and significance, architectural significance, or minimal to no visibility from a public way.
 - (5) *Burden of Proof.* The applicant has the burden of proof to establish, by a preponderance of evidence, the necessary facts to warrant demolition.
 - (6) *Standards for Demolition Approval.* The Historic Preservation Commission shall approve the application for demolition if it finds any of the following:
 - (a) The structure is noncontributing to the historic district and the demolition will not adversely affect the historic character of the property or district.
 - (b) The structure, which has not otherwise been declared a public nuisance by the City Council, poses an imminent threat to public health or safety and the demolition of said structure is required to alleviate said threat.

- c. References: *Design and Sustainability Standards and Guidelines for Oklahoma City Historic Districts*

4.4 Garages

Policy: The retention of existing, historic garages is encouraged. A historic garage should be refurbished and modified instead of demolished or replaced to accommodate contemporary lifestyle requirements. New garages are permitted where a house does not have a garage or where a new garage is necessary. As with other accessory buildings, garages should have their own form and should generally appear as secondary structures and not visually overwhelm or compete with the other historic buildings of the property or district.

- d. Considerations: This structure contains the original garage, and though there appears to be an addition to the west (interior yard), the addition appears to have been present on the 1950 edition of the Sanborn Fire Insurance maps. The addition appears consistent with the materials and construction methods of the time as viewed from the exterior. The design and material of the addition speaks to the evolution of the structure. It appears that despite possible alterations to the original structure, the garage continues to contribute to the historic district and demolition constitutes an irreplaceable loss to the quality and character of the City.

The applicant has described the damage and provided photos for examination by the Commission. The applicant has stated that the garage cannot be repaired due to the extent of damage. The applicant has not indicated that the structure is a hazard to public health or safety. Nor has the applicant indicated that repairs would constitute the loss of all or nearly all fabric contributing to the historic integrity of the structure.

- e. Recommended Specific Findings:

1. That the garage is contributing to the historic integrity of the historic district and the demolition will adversely affect the historic character of the property or district;
2. That the garage is not in a state of decay or ruin that poses an imminent threat to public health or safety such that demolition of said garage is required to alleviate said threat;
3. That the condition of the garage may make it physically impractical to rehabilitate without the loss of all or nearly all fabric contributing to its historic integrity;
4. That the applicant has the burden of proof to establish, by a preponderance of evidence, the necessary facts to warrant demolition.

2. Item 2, Construct garage (elective).

- a. Description: The applicant proposes construction of a replacement garage at approximately 592 square feet, approximately 29 feet wide and 20.5 feet deep. The proposal includes replacement of limited paving and installation of a new sidewalk at the rear of the proposed structure. The height of the proposed garage is 16 feet. The proposed siding is indicated as 6 inch wood to match existing. A 16 foot wide, wood panel overhead door with recessed panels is proposed with glass in the upper row. A wood pedestrian door is illustrated on the rear (south) and centrally on the west facing

the back yard. A one over one, salvage, hung window is proposed at the south end of the west side of the proposed structure. Window is wood, true divided lite, and single glazed. Gutters, downspouts, and light fixtures are included in the documentation for the proposal. Eaves are 16 inches deep and boxed. Architectural grade shingles are proposed.

- b. References: *Design and Sustainability Standards and Guidelines for Oklahoma City Historic Districts*

4.4 Garages

Policy: The retention of existing, historic garages is encouraged. A historic garage should be refurbished and modified instead of demolished or replaced to accommodate contemporary lifestyle requirements. New garages are permitted where a house does not have a garage or where a new garage is necessary. As with other accessory buildings, garages should have their own form and should generally appear as secondary structures and not visually overwhelm or compete with the other historic buildings of the property or district.

Design Justification: The way in which a new garage relates to other historic buildings of a property is important in historic districts. A new garage directly affects the integrity of the property as a whole. For this reason, a new garage should not detract from the historic character of the property.

Sustainability Justification: New garage construction should adhere to principles of sustainability in materials, design, and energy efficiency.

- 4.4.1: Garage doors should typically be painted to match the color of the garage. For garages that are “high style” it may be appropriate to use the color of the garage doors as a complementary or accent color to the building color scheme.
- 4.4.2: Electronic garage door openers may be installed and used.
- 4.4.3: Construction of a new or replacement garage should follow the historic setback for a garage on the property or setback patterns of other garages in the streetscape or historic district.
- 4.4.4: Historic garages in Oklahoma City’s historic districts are predominantly detached, and attached garages are not appropriate unless documentation demonstrates their previous historic existence at the property.
- 4.4.5: Construction of a replacement garage shall approximate the original configuration, form, massing, style, placement and detail of the former garage as described by photographic or other documentation.
- 4.4.6: Construction of a replacement garage may reasonably expand beyond the footprint of a historic one- or two- car garage, up to a total footprint of 450 square feet or 5% of the lot, whichever is greater, in order to accommodate a standard size parking space for up to two vehicles. Additional factors including the level of visibility of a new garage and the size and massing of surrounding structures may be considered.

- 4.4.7: Design a new garage to be secondary to that of a property's main historic building.
- 4.4.8: When no photographic or other documentation of a previous garage is available, a new garage should be compatible in size, scale, proportion, spacing, texture, setbacks, height, materials, color and detail to the primary building and should relate to similar garages within the historic district, as appropriate.
- 4.4.9: Materials used for a new garage should reflect the property's historical development and the use and function of the garage. Materials used for the exterior facades of a garage were often different (and less costly) than those used for the primary building.
- 4.4.10: A garage may be of 'modest' or 'high-style' design to complement a property's historical development. Often, a new garage should be modest with a simple rectangular plan and form and a low-pitched, gabled or hipped roof. Doors and windows may have little or no ornamentation.
- 4.4.11: When no photographic or other documentation is available, A new one-story garage should be similar in height to other similar, historic one-story garages in the streetscape and historic district. A new two-story garage should be similar in height to the historic two-story garages of adjacent properties, in the streetscape and of the historic district.
- 4.4.12: When no photographic or other documentation of a previous historic garage is available, a replacement garage may be two-stories tall when the original or historic garage was two-stories, or if located in a block where two-story or one and a half story garages are dominant or occur on abutting property. New garages in blocks that contain only one-story garages shall be one-story.
- 4.4.13: In locations where two-story garages are not allowed, a garage may be one and a half stories as defined in the Municipal Code so long as its design and height approximate the massing of a previous historic garage at the property, or adjacent one-story garages if no documentation of a previous historic garage is available.

Garage Doors, Openings, and Doors

- 4.4.14: Spacing and size of window and door openings in a new garage should be consistent with the historical development of the property and similar to their historic counterparts within the streetscape or historic district, as should the proportion of window to wall space.
- 4.4.15: In Heritage Hills Architectural and Historic District only solid wood pedestrian and vehicle garage doors with wood or concealed metal frames that match historical designs used in the district or compatible paneled designs are permitted.
- 4.4.16: In Heritage Hills Architectural and Historic District only solid wood

garage pedestrian doors with wood frames that match historical designs used in the district or compatible paneled designs are permitted.

- 4.4.17: New garage pedestrian doors in all other districts may be solid wood with wood frames or alternate door and door frame materials such as composite wood or aluminum clad wood for locations that are not visible from the public right-of-way. Otherwise pedestrian doors and frames shall be solid wood.
- 4.4.18: New garage vehicle doors in all other districts may be solid wood, wood veneer with a concealed metal frame, or composite materials including fiberglass or wood fiber (85% minimum wood fiber content). Doors should first match the historic design. When the historic design is unknown then the doors should match the design of other historic garage doors used in the respective district. A paneled design may be appropriate.
- 4.4.19: New garage vehicle doors in Paseo Neighborhood Historic District may be smooth finished solid wood (without panels) unless another design is more historically appropriate for the property.
- 4.4.20: Metal garage vehicle doors with a paneled design are acceptable in the Heritage Hills East, Putnam Heights, and Shepherd districts. These doors can be used at garages that are modest in style, located at the back of the lot, and minimally visible from the street or public right-of-way. Garage vehicle doors that are highly visible from a public street including the side street of a corner lot should not be metal.
- 4.4.21: At double garages, two single garage vehicle doors should be used instead of one larger, double door. This will maintain the scale and rhythm of older structures, making a two-car garage seem smaller and more compatible with the primary building and the district.
- 4.4.22: If a historic garage is to be demolished to allow the construction of a new garage, it is encouraged that the historic doors be salvaged and re-used at the new garage, or if this is not possible, that the historic garage doors be replicated in the new garage design.
- 4.4.23: Doors at new high style garages should complement the garage in design and materials. The use of paneled wood garage doors or custom garage doors is encouraged at these locations.

- c. Considerations: Retention of historic garages where possible is recommended. This proposal is to construct a replacement garage where the existing garage is damaged, and approval is contingent upon approval of the demolition of the existing garage. County records illustrate a 560 square foot garage of rectangular form.

The way structures relate to each other on the site is important within historic districts, and spatial relationships have an effect on the historic character and historic integrity of the property and the district. A new garage should not detract from the historic character of the property. New garages should follow the historic setback for the garage

and shall approximate the original configuration, form, massing, style placement, and detail of the garage based on photographic evidence.

The proposed garage appears to honor the placement of the existing garage though no existing site plan has been provided. The proposed garage is a large, square feature with a single large roof while the existing garage incorporates a more complex roof form with ridge lines running both north-south and to the west. The proposed garage appears to be approximately 30 square feet larger than the existing.

The proposal does not appear to approximate the details of the garage that speak to the scale and proportion of the structure, such as the roof form and siding exposure. The smaller siding and complex roof of the existing garage are distinctively different from the large width siding and single large roof proposed. However, this is an interior lot, and it is not likely that these design details will be visible except at the driveway.

The proposed footprint is an approximation of the existing, though possibly slightly larger than the existing. As the existing structure exceeds 450 square feet and exceeds 5% of the lot an increase in size may not be warranted. The proposed materials are consistent with criteria for new construction in that either wood or smooth fiber cement siding are allowed; that wood windows and doors are recommended; that architectural grade shingles are proposed; and that recessed, wood panel, overhead doors are typical. The double wide overhead door is not consistent with recommendations to install pairs of single width doors. However, the existing garage has a double wide opening.

d. Recommended Specific Findings:

1. That the proposed garage approximates the existing location and form of the existing garage;
2. That the materials of the proposed garage are consistent with criteria for new construction;
3. That the proposed garage is minimally visible from the public rights of way with a similar façade being visible at the driveway;
4. That the existing garage supports the desired double wide overhead door;
5. That the proposed increased size is not supported by records indicating the size of the existing garage.

E. HPCA-20-00177 STAFF RECOMMENDATION:

1. **Approve Item 1, demolish garage, with the following conditions,** with the specific findings that the proposed work, with the **agreed-upon conditions**, will not have an adverse effect on the historic character of the district or property; the items comply with all relevant Standards and Guidelines and sections of the Municipal Code, 2020*, as referenced in the Staff Report.

Specific Findings:

- 1) That the garage is contributing to the historic integrity of the historic district and the demolition will adversely affect the historic character of the property or district;

- 2) That the garage is not in a state of decay or ruin that poses an imminent threat to public health or safety such that demolition of said garage is required to alleviate said threat;
- 3) That the condition of the garage may make it physically impractical to rehabilitate without the loss of all or nearly all fabric contributing to its historic integrity;
- 4) That the applicant has the burden of proof to establish, by a preponderance of evidence, the necessary facts to warrant demolition.

Conditions:

- 1) That the applicant provide additional documentation of the feasibility of repair of the garage if specified by the Commission;
2. **Approve Item 2, construct garage, with the following conditions**, with the specific findings that the proposed work will not have an adverse effect on the historic character of the district or property; the items comply with all relevant Standards and Guidelines and sections of the Municipal Code, 2020*, as referenced in the Staff Report.

Specific Findings:

- 1) That the proposed garage approximates the existing location and form of the existing garage;
- 2) That the materials of the proposed garage are consistent with criteria for new construction;
- 3) That the proposed garage is minimally visible from the public rights of way with a similar façade being visible at the driveway;
- 4) That the existing garage supports the desired double wide overhead door;
- 5) That the proposed increased size is not supported by records indicating the size of the existing garage.

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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