



**TULSA PRESERVATION COMMISSION**

REGULAR MEETING MINUTES  
Thursday, July 11, 2019, 11:00 A.M.  
City Hall @ One Technology Center, 175 East 2<sup>nd</sup> Street  
10th Floor - South Conference Room

- A. Opening Matters
 1. Call to Order and Verification of Quorum

Commissioner Schoell called the Regular Meeting to order at 11:02 A.M.

**Members Present**

David Schoell, Chair
Peter Grant, Vice-Chair
Chris Bumgarner
Susan McKee
Ted Reeds
Mary Lee Townsend
Jim Turner\*

**Members Absent**

Joy Jones, Secretary
Holly Becker
Katelyn Parker
Robert Shears

**Staff Present**

Jed Porter, Audrey Blank, Felicity Good

**Others Present**

Diana Capehart, Chris Fisher, Sarah Fisher, Tom Neal, Kate Wallace

\*Late

- 2. Approval of Minutes – Regular Meeting, June 25, 2019

Commissioner Grant made a motion to approve the Minutes. The motion was seconded by Commissioner Reeds and was approved by majority.

**Vote:** Minutes – Regular Meeting, June 25, 2019

**In Favor**

Schoell
Grant
McKee
Reeds
Townsend

**Opposed**

**Abstaining**

Bumgarner

**Not Present**

Jones
Becker
Parker
Shears
Turner

3. Disclosure of Conflicts of Interest  
No Conflicts of Interest were disclosed.

B. Actionable Items

1. **HP-0116-2019 / 1110 E. 18<sup>th</sup> St.** (North Maple Ridge)

Applicant: Diana W. Capehart

Proposal:

1. Replacement of tiles on roof with shingles  
*Work completed without an Historic Preservation Permit*

Staff presented its report, noting that the residence was identified as a Contributing Resource in the Maple Ridge Historic Residential District on the National Register of Historic Places. Mrs. Capehart stated that she and her husband had considered several options for replacement of the tiles but chose shingles due to the cost of tiles and restrictions imposed by their insurance. In response to an inquiry about awareness of the requirement for an Historic Preservation Permit, Mrs. Capehart confirmed that she was unaware of the requirement for an Historic Preservation Permit for the replacement of the roof and added that issues about personal health which she and her husband had faced earlier in the year created distractions and contributed to the neglect of this requirement. Mrs. Capehart informed the commission that she and her husband loved their home and have made few changes since its purchase in 1971 or 1972 and noted that she was aware that their residence was included in the North Maple Ridge Historic Preservation Overlay District. Before the project, they had attempted to file a claim with their insurance company, but their insurer would not provide reimbursement for the replacement of the roof because its condition was determined to be the result of age, rather than damage from a storm. Staff relayed comments from the National Register Coordinator for the State Historic Preservation Office, which indicated that, while the alteration of the roof was unfortunate, the character of the residence was not so diminished that its status as Contributing Resource would be endangered. Commissioner Reeds inquired whether any of the original roof had been saved, and the applicant's contractor responded that approximately 35% had been removed and stored. Mrs. Capehart stated she has stored about thirty (30) pieces of tile in her garage due to an emotional attachment to the former roof.

Commissioner Reeds made a motion to approve the application, given the State Historic Preservation Office's stance on the alteration but withdrew the motion after the lack of a second. Commissioner McKee made a motion to deny the application. The motion was seconded by Commissioner Schoell but failed due to the lack of a majority. Guidelines cited: A.1.1, A.1.2, A.1.3, A.5.1, A.5.2, A.5.3, A.5.6, A.5.7

**Vote: 1110 E. 18<sup>th</sup> St. (North Maple Ridge)**

<u>In Favor</u>	<u>Opposed</u>	<u>Abstaining</u>	<u>Not Present</u>
1. Schoell	Reeds	Bumgarner	Jones
2. Grant		Townsend	Becker
3. McKee		Turner	Parker
			Shears

The commission then considered what action to pursue. Commissioner Bumgarner inquired whether any changes to the exterior of the residence had been made since implementation of the overlay and was informed that none had been made. Commissioner Bumgarner then asked the contractor if any sheathing had been removed, as its removal and replacement would have required a permit from the City of Tulsa, and was informed that the sheathing had not been removed. Commissioner Bumgarner observed that, if every tile roof in the neighborhood were replaced with shingles, the change would be significant. Commissioner Schoell clarified the failure of the motion for denial, noting that it meant that the Tulsa Preservation Commission effectively would take no action on the application. Staff commented that the alteration without an Historic Preservation Permit was a violation of the Zoning Code, so the commission could choose to instruct its staff to contact the Working in Neighborhoods Department and request an investigation; however, if the commission chose to take no action, the application would be considered approved by default after thirty (30) days.

As there was no further discussion, Commissioner Townsend made another motion to deny the application. The motion was seconded by Commissioner Schoell and approved by majority. Guidelines cited: A.1.1, A.1.2, A.1.3, A.5.1, A.5.2, A.5.3, A.5.6, A.5.7

**Vote: 1110 E. 18<sup>th</sup> St. (North Maple Ridge)**

<u>In Favor</u>	<u>Opposed</u>	<u>Abstaining</u>	<u>Not Present</u>
1. Schoell		Turner	Jones
2. Grant			Becker
3. Bumgarner			Parker
4. McKee			Shears
5. Reeds			
6. Townsend			

2. **HP-0110-2019 / 1325 E. 18<sup>th</sup> St.** (Swan Lake)

*Historic Preservation Permit Subcommittee Review Date: July 2, 2019*

Applicant: Tom Neal Design

Proposals:

1. Construction of enclosed patio
2. Construction of fence

*Application to amend previous approval of an application by Tulsa Preservation Commission on February 14, 2019*

Staff presented its report, noting the precedent for similar enclosures of patios in the neighborhood. Commissioner Grant stated that the Historic Preservation Permit Subcommittee had been pleased with the plans during its review. Applicant Neal provided photographs which displayed the treatment of the stucco on the residence, the chimney, and an example of precedent for the patio from an adjacent residence. Commissioner Schoell inquired about the surface on the enclosure and was informed that the surface would be abraded, although no specifications were immediately available. Commissioner Grant added that the Historic Preservation Permit Subcommittee found the fence and enclosure to be appropriate for the property, so the

application had been forwarded with a recommendation for approval. Commissioner Schoell inquired about the dimensions of the pickets, and Mr. Neal stated that they would be 2x2s 2x4 rails and constructed with cedar. Because the patio would not be attached to the residence, it would comply with requirements for structures in street yards.

As there was no further discussion, Commissioner Reeds made a motion to approve the application. The motion was seconded by Commissioner Grant and approved unanimously. Guidelines cited: A.1.3, G.1.3, G.1.4

**Vote: 1325 E. 18<sup>th</sup> St. (Swan Lake)**

<u>In Favor</u>	<u>Opposed</u>	<u>Abstaining</u>	<u>Not Present</u>
1. Schoell			Jones
2. Grant			Becker
3. McKee			Parker
4. Reeds			Shears
5. Townsend			
6. Turner			
7. Bumgarner			

**3. HP-0112-2019 / 1232 E. 18th St. (North Maple Ridge)**

Applicant: Jody L. Collins

Proposal:

1. Construction of retaining wall

Staff presented its report, noting that the applicant had provided a sample requested by the Tulsa Preservation Commission during its Regular Meeting on June 25. The applicant commented on the presence of VERSA-LOK Retaining Wall System constructed by the City of Tulsa on 21<sup>st</sup> Street. Mr. Collins stated that the tumbled style has edges and corners chipped away to resemble stone and contended that its appearance was better than most VERSA-LOK Retaining Walls. In response to queries from Commissioners Townsend and Turner, the applicant stated that two walls would be constructed and that they would be partly obscured by decorative vegetation. Commissioner Turner expressed interest in the proposal for the landscape and stated that he understood the walls to be removable elements, rather than retaining walls, as they would be placed on gravel without a permanent foundation. Commissioner Reeds concurred, and Commissioners Schoell and Grant then requested confirmation of this construction and whether the grade of the site would be adjusted. Mr. Collins so confirmed and added that the wall would replace the ties presently on the site with an additional ten feet (10'-0") of the site absorbed by the expansion of the driveway. Commissioner Schoell inquired about the caps and the finish of the wall. Mr. Collins stated that there would be caps four inches (0'-4") in height, as pictured, and the walls would have a tumbled face matching exactly the sample. Commissioner Schoell inquired about the requirement for a permit from the City of Tulsa and was informed that a permit would only be required were the height to reach four feet (4'-0"). Several members of the commission discussed whether it would be appropriate to consider the application as a proposal for a landscape feature. Commissioner Schoell expressed his approval of the appearance of the

sample, as it resembled stone, unlike some of the materials previously presented for approval with other applications.

As there was no further discussion, Commissioner Turner made a motion to approve the application as a landscape feature, as submitted with the VERSA-LOK Retaining Wall System, with the conditions that the wall have two tiers, each no more than three feet (3'-0") in height, that it have a gravel base instead of a permanent foundation, and that it be substantially obscured by vegetation. The motion was seconded by Commissioner Reeds and approved unanimously. Guidelines cited: A.1.1, A.1.3, E.1.1, E.1.2, E.1.3, E.1.4, G.1.1, G.1.3, G.1.5

**Vote: 1231 E. 18<sup>th</sup> St. (North Maple Ridge)**

<b><u>In Favor</u></b>	<b><u>Opposed</u></b>	<b><u>Abstaining</u></b>	<b><u>Not Present</u></b>
1. Schoell			Jones
2. Grant			Becker
3. Bumgarner			Parker
4. McKee			Shears
5. Reeds			
6. Townsend			
7. Turner			

**4. HP-0114-2019 / 319 E. 18<sup>th</sup> St. (North Maple Ridge)**

*Historic Preservation Permit Subcommittee Review Date: July 2, 2019*

Applicant: Kathleen G. Wallace-Helm

Proposals:

1. Replacement of sidewalk with pavers
2. Construction of walkway

Staff presented its report, noting a lack of access from the front entry to the public sidewalk due to shrubbery. Commissioner Grant stated the applicant had provided everything requested for the review by the Historic Preservation Permit Subcommittee. Commissioner Schoell added that the walkway had originally been seven feet and six inches (7'-6") wide to match the width of the front stairs but had been reduced to a width of five feet (5'-0") and depth of three feet and three inches (3'-3") with a space of six inches (0'-6") between pavers. Commissioner Turner asked the applicant, Ms. Wallace-Helm, if there would be grass between the pavers, and she stated they would likely use evergreen or a similar ground cover.

As there was no further discussion, Commissioner Townsend made a motion to approve the application. The motion was seconded by Commissioner Reeds and approved unanimously. Guidelines cited: A.1.1, A.1.3, E.1.1, E.1.2, E.1.3, E.1.4, G.1.3

**Vote: 319 E. 18<sup>th</sup> St. (North Maple Ridge)**

<u>In Favor</u>	<u>Opposed</u>	<u>Abstaining</u>	<u>Not Present</u>
1. Schoell			Jones
2. Grant			Becker
3. Bumgarner			Parker
4. McKee			Shears
5. Reeds			
6. Townsend			
7. Turner			

5. **HP-0115-2019 / 1228 E. 20<sup>th</sup> St. (North Maple Ridge)**

*Historic Preservation Permit Subcommittee Review Date: July 2, 2019*

Applicant: Chris W. Fisher

Proposal:

1. Construction of addition

Staff presented its report, noting that the proposed addition closely imitated the appearance of the sunroom on the northwest corner of the residence. Commissioner Grant added that the applicant intended to salvage the windows on the residence for installation on the addition and commented that the Historic Preservation Permit Subcommittee deemed the application to be appropriate and well designed. Commissioner Schoell noted that the subcommittee had offered no recommendations for revisions but had requested additional information on the materials, which had been provided. Commissioner Reeds stated the proposed addition looked great both in scale and in context with the rest of the residence and the neighborhood.

As there was no further discussion, Commissioner Townsend made a motion to approve the application. The motion was seconded by Commissioner Bumgarner and approved unanimously. Guidelines cited: A.1.1, A.1.3, B.1.1, B.1.2, B.1.3, B.1.4, B.3.1, B.3.3, E.1.1, E.1.2, E.1.3, E.1.4

**Vote: 1228 E. 20<sup>th</sup> St. (North Maple Ridge)**

<u>In Favor</u>	<u>Opposed</u>	<u>Abstaining</u>	<u>Not Present</u>
1. Schoell			Jones
2. Grant			Becker
3. Bumgarner			Parker
4. McKee			Shears
5. Reeds			
6. Townsend			
7. Turner			

- C. Reports
  - 1. Chair Report  
None
  - 2. Staff Report  
None

- D. New Business  
None

- E. Announcements and Future Agenda Items  
None

- F. Public Comment

Commissioner Bumgarner requested clarification on the statement from the National Register Coordinator for the State Historic Preservation Office concerning HP-0116-2019. Staff relayed that the National Register Coordinator stated that the alteration was unfortunate, but, in her opinion, the character of the residence, although altered, was not so severely altered that its status as Contributing Resource was endangered because other features remained intact. Staff observed, however, that in the nomination the tile roof was specifically identified as a feature of the residence. Commissioner Bumgarner stated that, if tile roofs throughout the neighborhood were replaced with shingles, the character of the neighborhood would change and expressed disagreement with the opinion of the National Register Coordinator. Commissioner Reeds noted that on a nearby residence, the tiles were removed, repairs were completed, and the tiles were placed on the roof. Commissioner Turner noted the construction of an addition across the street from the residence which used similar methods. Commissioner Reeds stated that the most appropriate way to replace the roof would have been to remove the tiles, complete repairs, seal the lining, and replace the tiles, adding new tiles when necessary. Commissioner Bumgarner stated that the cost of materials should not be considered an appropriate justification. Commissioner Townsend stated that cost and ignorance of the process were frequent arguments presented to the commission by applicants, and several commissioners expressed the opinion that ownership of a residence home in a historic district comes with a level of responsibility to abide by regulations. Commissioner Bumgarner stated that the retroactive approval of work completed without a permit, which was justified only by expense, could rend the fabric of the entire neighborhood. Staff noted the applicant has a right to appeal but the failure to do so would leave unaddressed the issue of the violation of the Zoning Code. Commissioner Bumgarner commented that the Tulsa Preservation Commission and the Board of Adjustment would face a situation in which someone has made a costly mistake and sought a remedy or a situation in which a pathway is provided to bypass the commission. Staff commented that there seemed to be an increased awareness of the requirement for an Historic Preservation Permit and an appreciation for the Tulsa Preservation Commission's efforts.

Commissioner Grant recommended further inquiry about the measures the contractor adopted to replace the roof, as replacement of the deck would require a separate permit from the City of Tulsa. Legal Staff underscored the process for appeal that accompanied any public review, including the applicant's right to appeal the Tulsa Preservation Commission's decision.

G. Adjournment

Commissioner Schoell adjourned the Regular Meeting at 12:11 P.M.