



## CITY OF NORMAN, OK STAFF REPORT

---

**MEETING DATE:** 05/28/25

**REQUESTER:** Frank Sullivan, Jr.

**PRESENTER:** Anais Starr, Planner II/Historic Preservation Officer

**ITEM TITLE:** CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF BOA-2425-14: FRANK SULLIVAN, JR. TRUSTEE FOR SULLIVAN HCP TRUST, APPEALS THE DENIAL OF CERTIFICATE OF APPROPRIATENESS (HD 24-20) FOR THE FOLLOWING MODIFICATIONS: A) REPLACEMENT OF EXTERIOR SIDING, SOFFIT, AND TRIM; B) REPLACEMENT OF WINDOWS; C) PAINTING OF THE EXTERIOR BRICK WALLS FOR THE PROPERTY LOCATED AT 733 CHAUTAUQUA AVENUE.

---

<b>APPLICANT/REPRESENTATIVE</b>	Frank Sullivan, Jr. for Sullivan HCP Trust/Gunner Joyce, Rieger, Sadler, Joyce Attorneys at Law
<b>LOCATION</b>	733 Chautauqua Avenue
<b>ZONING</b>	R-2, Two-Family Dwelling District Historic District Overlay
<b>REQUESTED ACTION</b>	Appeal of a denial of HD 24-20 Certificate of Appropriateness request on April 7, 2025
<b>SUPPORTING DATA</b>	Location Map Applicant BOA application & Letter Agreed Order HDC Staff report (April 7, 2025) HDC Application & attachments (April 7, 2025) HDC Minutes of April 7, 2025 HDC Denial Decision Letter April 8, 2025

**SYNOPSIS:** This application is an appeal of the denial decision made by the Historic District Commission (HDC). The Zoning Ordinance, Chapter 36, provides in Section 535(j)(1):

***Appeals.***

1. Any person aggrieved by a decision of the Historic District Commission, excluding postponements as defined in subsection (b) of this section, shall have such right of appeal to the Board of Adjustment within ten days from the decision of the Historic District Commission.

Mr. Sullivan submitted an appeal of the denial of their Certificate of Appropriateness HD (24-20) within the required time frame. The appeal application and letter are attached for reference.

Chapter 36, Section 570(c)(1) provides that the BOA has the power to hear and decide appeals where it is alleged there is error in any administrative order, requirement, decision or determination in the enforcement of Chapter 36, the Zoning Ordinance. Section 570 (f) provides that “an administrative official shall forthwith transmit to the [BOA] all papers constituting the record upon which the action appealed from was taken.” Staff has therefore attached the packet and minutes of the Historic District Commission for review by the Board.

### **STAFF COMMENTS:**

#### **Description of the Mr. Sullivan’s HDC Certificate of Appropriateness Application**

The circa 1950 house at 733 Chautauqua Avenue is a noncontributing structure to the Chautauqua Historic District. All properties within the Chautauqua Historic District must comply with associated District regulations which require the review and approval of a Certificate of Appropriateness for exterior alterations. Unaware that the property was in a city-designated Historic District, the property owner began renovations on the exterior of the house. The applicant had replaced all the original windows with vinyl windows, replaced the existing wood siding and associated trim with composite siding and materials, and painted a primer coat on the exterior brick walls.

Staff issued a stop work order for the property. The applicant was informed the modifications required review and approval of a Certificate of Appropriateness by the Historic District Commission. The applicant submitted an *ex post facto* COA request to retain the modifications performed. At the Historic District Commission Meeting of October 7, 2024, the applicant requested postponement to allow time to obtain proposals and cost estimates for rectifying the modifications.

The applicant submitted a proposal with a cost estimate to rectify the modifications from Old Home Rescue to the Historic District Commission at the meeting of April 7, 2025. After presentation by applicant and discussion by the Commission, the Commission voted unanimously to deny the Certificate of Appropriateness (COA) request for the a) replacement of exterior siding, soffit, and trim; b) replacement of windows; c) painting of the exterior brick walls with a vote of six to zero. The Commission found that the requests did not comply with the *Preservation Guidelines* and referenced the following *Guidelines* when issuing their denial, in particular:

### **Preservation Guidelines**

#### **3.12. Guidelines for Windows**

**.10 Materials.** *Wood is allowable for in-kind replacement of windows. Aluminum clad and metal windows can be considered for the replacement of metal casement windows that are deteriorated on a case-by-case basis. Fiberglass and aluminum-clad*

*windows can be considered on non-contributing resources and on rear elevations not visible from the front right-of-way. Vinyl-clad windows are prohibited for both contributing and non-contributing structures in the historic districts.*

### **3.4 Guidelines for Masonry and Brick Features**

**.6 Preserve Unpainted Surfaces.** *It is not appropriate to paint unpainted masonry and brick surfaces that were not painted historically. Repaint previously painted masonry surfaces in colors appropriate to the historic building material, the building, and the district.*

### **3.2 Guidelines for Exterior Walls**

**.7 Substitute Materials.** *Cement fiberboard (e.g., Hardiplank® siding) will be considered on a case-by-case basis. Exterior insulating and finish systems (EIFS) will not be considered for use in historic structures.*

### **3.7 Guidelines for Synthetic Materials / Stucco**

**.6 Cement Fiberboard.** *Cement fiberboard (Hardieplank®) and synthetic wood materials are prohibited except for new construction. These are not comparable substitutes for wood siding except in certain applications. A good use of cement board siding is where it is in contact with the ground, such as the skirt of a pier-and-beam house. Be sure to retain ventilation of the crawl space. If using cement board, use smooth only. Wood used in historic houses was sanded smooth with no obvious grain.*

The Commission found the request for vinyl replacement windows did not meet the *Preservation Guidelines* for material or window pane configuration. It also found the request to paint the exterior brick walls was not permitted by the *Preservation Guidelines*. Finally, the Commission found the installed cement fiberboard siding did not meet the requirement for a smooth finish on the material. The Commission noted in discussions of this request that non-contributing structures were to be compatible with the general atmosphere of the District.

The City Legal Department is providing an Agreed Order between the City of Norman and the applicant for the Board's consideration.

**CONCLUSION:** Staff forwards Mr. Sullivan's appeal, BOA-2425-14, to the Board of Adjustment along with an Agreed Order for consideration.