



## Capitol-Medical Center Improvement and Zoning Commission

WebEx Virtual Special Meeting

Friday, March 26, 2021, 8:15 a.m.

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### VIRTUAL SPECIAL MEETING

#### AGENDA

This virtual special board meeting is being held consistent with the amendments to the Open Meeting Act, 25 O.S. 2011, § 301 et seq, signed into law by Governor Stitt on Wednesday, February 10, 2021. SB1031, 2021 O.S.L. 1, § 1

**Link to access meeting:**

<https://omes.webex.com/omes/onstage/g.php?MTID=e9a99c836eebb1588c0c4508067618751>

**Event Password:** CMCIZC

**Call-in information:** +1-415-655-0001

**Access code:** 187 017 8908

The Notice of this virtual Special Meeting was filed with the Secretary of State's Office on March 10, 2021. Notice/final agenda was posted on March 22, 2021, at 5:00 p.m., at the West entrance of the Will Rogers Building at 2401 N. Lincoln Blvd., Oklahoma City, and on the OMES/Capitol-Medical Center Improvement and Zoning web site.

<https://www.sos.ok.gov/meetings/notices/000050/0522582103101150.htm>

The Commission may discuss, vote to approve, vote to disapprove, vote to table, change the sequence of any agenda item, or vote to strike or not discuss any agenda item.

The following Commission members are participating remotely by the WebEx videoconference platform:

- Tiana Douglas, President Pro Tempore Appointee
- Hillary Farrell, President Pro Tempore Appointee
- Jeremiah Jordan, Governor Appointee
- Anderson Dark, Governor Appointee
- Paul Manzelli, President of The University of Oklahoma Designee
- Janis Powers, Chairman of the Planning Commission of Oklahoma City Designee
- Dan Ross, Chairman

If any of the above-listed Commission members loses videoconference communication during the meeting, he or she will attempt to rejoin and participate by teleconference.

In the event electronic communications are lost or compromised during the meeting, the Capitol-Medical Center Improvement and Zoning Commission staff will attempt to restore

communications for a maximum of 15 minutes. If unable to restore communications the meeting will be adjourned.

A. Roll Call

B. Minutes

1. Approval, disapproval and/or amendment of the minutes of the January 22, 2021 meeting.

C. Land Use and Development Applications:

1. Discussion and possible action regarding **V-20-21-1** and **BP-20-21-18**, request by David M. Box, Williams, Box, Forshee & Bullard, representing Timbercraft Homes LLC, the owner, for a variance from the 30-percent maximum lot coverage requirement in the RD-2 District and a building permit for construction of a 450-square-foot detached garage at **829 NE 16th Street** in the Lincoln Terrace East Historic District of Oklahoma City.
2. Discussion and possible action regarding **BP-20-21-32**, request by Spencer Wilson, Fitzsimmons Architects, representing 701 Culbertson LC, the owner, for a building permit for installation of two monument signs (one primary identification sign and one directional sign) on the property at **701 Culbertson Drive** in Oklahoma City.
3. Discussion and possible action regarding **V-20-21-3**, request by Spencer Wilson, Fitzsimmons Architects, representing 701 Culbertson LC, the owner, for a variance from the siting standards for trash enclosures to allow for installation of a trash enclosure to the south of the existing building as indicated on the submitted application and plans for **701 Culbertson Drive** in Oklahoma City.

D. Miscellaneous: No items.

E. Reports and possible discussion from Commissioners or Director.

F. Adjournment.

**Public Comment:**

The Chairman will recognize comments from the public limited to only those subject matters covered in the current meeting agenda and further limited to two minutes per person. The Board Chairperson reserves and retains the right to interrupt, terminate, or postpone public comment as necessary to effectuate the management of the public meeting.

To sign up to give oral comments, call 405-522-0440 or email [beverly.hicks@omes.ok.gov](mailto:beverly.hicks@omes.ok.gov) no later than 8:15 a.m., March 24, 2021. Materials provided to members of the Board or shared electronically between members of the Board may be accessed here:

<https://oklahoma.gov/omes/boards-commissions/capitol-medical-center-improvement-and-zoning-commission.html>

Next Meeting: Friday, April 23, 2021, at 8:15 a.m.

**Minutes**  
**Capitol-Medical Center Improvement and Zoning Commission**  
**Jan. 22, 2021, 8:15 a.m.**  
**Will Rogers Building**  
**2401 N. Lincoln Boulevard, CR 214/216**  
**Oklahoma City, 73105**  
**UNOFFICIAL**

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

**MEMBERS PRESENT:** Anderson Dark  
Hillary Farrell  
Jeremiah Jordan  
Paul Manzelli  
Ken Phillips  
Dan Ross

**MEMBERS ABSENT:** Tiana Douglas  
Brian Downs  
Kirkland Hall  
Janis Powers

**STAFF/GUESTS:** Casey Jones, AICP, OMES, Planner  
Beverly Hicks, OMES, Planning/Administrative Coordinator  
Karl Kramer, OAG  
Kimberlee Williams, OMES  
Kirk Hullender, Aquascape Pools

**A. Roll Call:**

Chairman Dan Ross called the meeting to order at 8:18 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 the November 13, 2020 virtual special meeting:**

Paul Manzelli moved to approve the meeting minutes of November. Ken Phillips seconded the motion. The following votes were recorded and the motion passed:

Mr. Dark, yes; Ms. Farrell, abstain; Mr. Jordan, yes; Mr. Manzelli, yes; Mr. Phillips, yes; Mr. Ross, yes.

**C. Land Use and Development Applications:**

**1. Discussion and possible action regarding V-20-21-2, CU-20-21-1, and BP-2-21-28, requests by Mark McKeithan, Aquascape Pools, for a corner lot side yard setback variance, a conditional use permit, and a building permit for construction of an in-ground pool at 736 NE 17<sup>th</sup> Street in Oklahoma City:**

No recommendation from the Citizens' Advisory Committee, due to their January 14, 2021, meeting having been cancelled.

Item 1: Staff recommendation is to approve the variance with the following findings and conditions:

Findings:

- a. The dimensions of the applicant's property are unique and create development challenges not common to most other lots in the same district.
- b. The proposed pool will have no detrimental impact on adjacent properties and will not be visible from the street or from surrounding properties.
- c. The proposed development is in keeping with the spirit and intent of the zoning rules.

Item 2: Staff recommendation is the conditional use and building permit with the following findings and conditions:

Findings:

- a. The proposed development is compatible with the Master Plan land use designation for the property, which is Single Family Residential.
- b. The proposed development is in compliance with applicable zoning rules.
- c. The proposed development will have no adverse impact on:
  - i. the health, safety and welfare of the neighborhood;
  - ii. the established property values in the area;
  - iii. the supply of light and air to adjacent properties;
  - iv. the flow of traffic on streets in the area.

Conditions:

- a. All work shall conform to the approved plans. Any proposed changes shall be submitted to the Commission staff for review and approval prior to making changes on site.
- b. All new impermeable surface shall be constructed to direct water away from surrounding structures and toward storm drains, French drains, or water harvesting containers. Water runoff shall not be directed onto an adjacent property.
- c. A child-proof fence shall be maintained on all sides of the pool. Any gates shall be self-closing and self-latching.
- d. All applicable permits required by the City of Oklahoma City shall be obtained prior to commencing work. All work shall comply with applicable building codes of the City.

Hillary Farrell moved to approve V-20-21-2. Jeremiah Jordan seconded the motion. The following votes were recorded and the motion passed:

Mr. Dark, yes; Ms. Farrell, yes; Mr. Jordan, yes; Mr. Manzelli, yes; Mr. Phillips, yes; Mr. Ross, yes.

Ken Phillips moved to approve CU-20-21-1; BP-20-21-28. Anderson Dark seconded the motion. The following votes were recorded and the motion passed:



Mr. Dark, yes; Ms. Farrell, yes; Mr. Jordan, yes; Mr. Manzelli, yes; Mr. Phillips, yes;  
Mr. Ross, yes.

**D. Miscellaneous:**

1. Permanent Rules: Discussion and possible action to amend the Commission's administrative rules, OAC 120:10, Appendix A, Official Zoning Map, updating the map to be consistent with the map that is currently in effect by emergency rule; consideration and possible vote.

Ken Phillips moved to approve. Jeremiah Jordan seconded the motion. The following votes were recorded and the motion passed:

Mr. Dark, yes; Ms. Farrell, yes; Mr. Jordan, yes; Mr. Manzelli, yes; Mr. Phillips, yes;  
Mr. Ross, yes.

**E. Reports and possible discussion from Commissioners or Director: None.**

**F. Adjournment:**

There being no further business, Ken Phillips made a motion to adjourn. Hillary Farrell seconded the motion. Seeing no opposition, the meeting adjourned at 8:32 a.m.



Case Number: V-20-21-1 and BP-20-21-18

Property Address: 829 NE 16<sup>th</sup> Street

Owner: Timbercraft Homes LLC

Representative:

David Box – Williams, Box, Forshee & Bullard, P.C.

Zoning: RD-2, Low Density General Residential District & HP, Historic Preservation District

829 NE 16<sup>th</sup> Street, South Elevation, Existing



Surrounding Zoning: North: RD-4 High Rise General Residential District; HP, Historic Preservation District  
South: HC, Health Center District  
East: RD-2, Low Density General Residential District; HP, Historic Preservation District  
West: RD-2, Low Density General Residential District; HP, Historic Preservation District

Current Land Use: Single family dwelling (vacant)  
Proposed Land Use: Single family dwelling and detached garage

Surrounding Land Uses: North: Multiple family dwelling  
South: Parking garage  
East: Single family dwelling  
West: Single family dwelling

Comprehensive Plan Designation: Mixed Use – Residential/Institutional

**Background:**

The applicant acquired the property at 829 NE 16<sup>th</sup> Street in August of 2019 and is now in the process of repairing and rehabilitating the existing dwelling, which is currently unoccupied. The applicant proposes to construct a new detached garage as the original garage was demolished in 2017. The combined square footage of the garage and the existing dwelling slightly exceeds the 30 percent lot coverage limit, and the applicant requests a lot coverage variance from the Commission.

**Items for Consideration:**

**1. Lot coverage variance and building permit for construction of a 450-square-foot detached garage.**

Proposal: The applicant proposes to construct a one-story detached garage with a footprint just under 450 square feet (proposed dimensions are 20' x 22'). Plans for the garage are included in the attached application and scope of work. The design and exterior materials are the same as those that were recently approved for a new garage at 922 NE 17<sup>th</sup> Street.

The property originally had a one-story, 238-square-foot detached garage, which was demolished in 2017. The original garage, pictured to the right, had wood lap siding, two paneled wood doors, and a hipped roof.

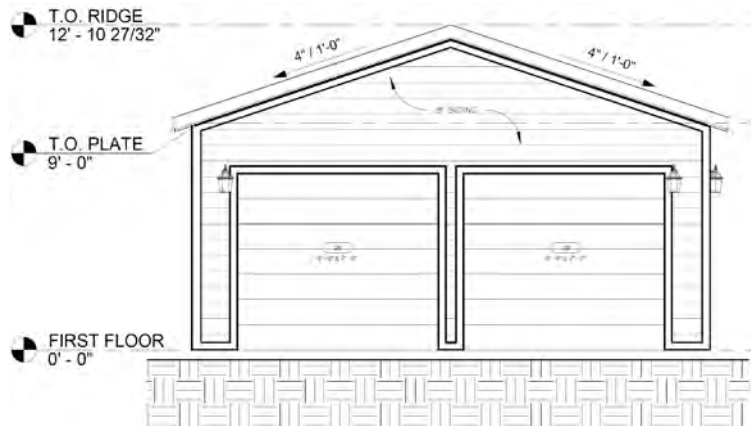
Original Garage, Demolished in 2017



The proposed garage would be constructed on a new concrete slab foundation in the approximate location on the property as the former garage. The proposed garage would have a footprint just under 450 square feet with a gabled roof, lap siding, two vehicle doors, and one entry door.

**Roof:** The garage would have a gabled roof with ProLam architectural asphalt shingles in Black Shadow color to match the shingles that were recently installed on the home. The roof would have a 6" over 12" pitch. The ridgeline of the roof would be 14 feet, 8 inches in height.

Proposed Garage, South Elevation:



**Walls:** All exterior walls would be finished with horizontal 8-inch smooth lap fiber cement board siding.

**Windows:** No windows are proposed on the garage.

**Doors:** The applicant had initially proposed to install a 16-foot vehicle door on the south elevation. However, on March 4, 2021, the Historical Preservation and Landmark Board of Review requested that two narrower vehicle doors be installed instead. The revised elevation drawing with two doors is shown here. A walk-in entry door would be installed on the west elevation.

**Setbacks, Lot Coverage and Open Space:** The recorded plat of the State Capitol 2<sup>nd</sup> Addition establishes a 5-foot utility easement along the rear (north) lot line. The zoning rules require detached garages to be located behind the rear wall of the home and 5 feet from side lot lines. The garage is proposed to be set back 5 feet from the north property line, 5 feet from the east property line, and 25 feet from the west property line. The proposed placement of the garage is similar to other nearby garages in the district and is in compliance with setback and open space requirements.

The combined coverage of the garage (450 square feet) and the existing home (1,727 square feet, including porches) will be 2,177 square feet, or 31.1 percent of the total lot area. According to the zoning rules, the maximum lot coverage for structures in the RD-2 district is 30 percent. The applicant requests a variance from the 30 percent rule.

2016 Aerial of Original Garage



2020 Aerial of Garage Slab





## Applicable Zoning Rules:

**OAC 120: 10-3-20(d). Height Regulations.** Except as hereinafter provided in 120:10-5-2.1, no building shall exceed two and one-half (2 1/2) stories or thirty-five (35) feet in height.

*The home is 25 feet, 3 inches in height. The detached garage is under 15 feet in height.*

### **OAC 120:10-5-3.1. Height regulations. (c) Plane of maximum height.**

This section establishes a plane of maximum height. Based on this rule, buildings on the subject property, 829 NE 16<sup>th</sup> Street, cannot exceed an elevation of 1,305 feet above sea level. The elevation of this property is approximately 1,230 feet above sea level, so the maximum building height at this property is 75 feet. However, the more restrictive height limit of 35 feet, as listed above, shall apply.

### **OAC 120: 10-3-21(e). Area Regulations for the RD-2 District**

(2): A 5-foot yard is required on each side of a building.

*The existing dwelling has a 10-foot side yard on the east and a 5-foot side yard on the west. The proposed garage has a 5-foot side yard on the east and a 25-foot side yard on the west.*

(5): Main and accessory buildings cannot cover more than 30 percent of the lot area of interior lots.

*The footprint of the home is 1,727 square feet, which includes the front and side porches. The footprint of the garage will be 450 square feet. The resulting lot coverage will be 2,177 square feet or 31.1 percent of the lot. (The dwelling and garage will be 1.1 percent, or 77 square feet, over the 30-percent coverage limit, from which the applicant has requested a variance.)*

**Platted Setbacks and Easements:** The State Capitol 2nd Addition subdivision plat has a front yard building setback line of 30 feet and a utility easement of 5 feet along the rear of the property. *The existing dwelling and the proposed garage are in compliance with these requirements.*

### **OAC 120: 10-5-4.1. Area and open space**

(2) **Minimum requirement.** In residential districts, a minimum of 25 percent of the lot shall be maintained as open space with no buildings, parking or impervious surfaces. *Approximately 54 percent of the lot is maintained as open space.*

(7) **Accessory building location.** Accessory buildings which are not a part of the main building may be built in the rear yard within 10 feet of the rear lot line.

*The detached garage will be set back 5 feet from the rear (north) lot line.*

**OAC 120:10-7-10. General Requirements (Parking and Driveways).** The following requirements apply to all land used for driveways and off-street parking purposes in all zoning districts:

(6) Parking is prohibited on all unpaved areas. The use of gravel for driveways and off-street lots is prohibited in all zoning districts.

(7) All portions of land used for parking and driveway purposes shall be paved with a sealed surface pavement and maintained in such a manner that no dust will be produced by continued use.

(8) No parking shall be permitted in any yard areas except on driveways. Driveways shall be considered to serve garages, carports, and vehicle storage pads.

(9) The maximum driveway width in the front yard area for the RD-1 and RD-2 districts is 12 feet. The maximum driveway width in the front yard area for the HP district is 10 feet. The maximum driveway width in the front yard area for all other zoning districts is 24 feet.

- (10) Off-street parking areas shall not be permitted in the yards of property used for residential purposes.
- (11) Carports or detached garages shall be permitted if located to the rear of the main residential structure. On corner lots, the front yard setback for the side street shall apply to the construction of a garage or carport.

**OAC 120:10-7-11. Amount of off-street parking required**

- (17) **Dwelling:** 2 parking spaces per each unit in the main structure, 1 parking space per garage apartment, and 1.5 parking space for efficiency or studio apartment.  
*A minimum of two parking spaces are required, and this requirement is met.*

**OAC 120:10-13-18. Powers of the Commission relative to variation**

- (a) The Commission is empowered to authorize, as requested a variation from the strict application of this Chapter to relieve difficulties or hardship, but may establish requirements relative to the property to achieve the purpose and intent of this Chapter. The Commission shall have the power to grant variances in the following instances:
  - (1) Exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the original adoption of this Chapter.
  - (2) Exceptional topographical conditions or other extraordinary or exceptional situations or conditions of a specific piece of property, which is a condition generally not prevalent in the area.
  - (3) When the strict application of the requirements of this Chapter would result in peculiar and exceptional undue hardship on the property owner.
- (b) The Commission shall not grant a variance for a principal use that is not permitted in the applicable district. It is the expressed spirit and intent of this Chapter that a change of the permitted principal use shall be made by amendment of the regulations or the zoning map.
- (c) A variance from the requirements of this Chapter shall be granted by the Commission under the following provisions:
  - (1) The granting of the variance will not confer on the applicant any special privilege that is denied by this Section to the lands, structures, or building in the same district.
  - (2) No nonconforming use of the neighborhood lands, structures, or buildings in the same zone and no permitted use of land, structures, or building in other district shall be considered grounds for issuance of a variance.

**Prior Actions:**

The Historical Preservation and Landmark Board of Review reviewed this proposal on March 4, 2021, and granted a certificate of appropriateness for the proposed work with the condition that two single-car vehicle doors be installed on the front of the garage (CA-20-21-14).

The Citizens' Advisory Committee will review this proposal on March 11, 2021, and Staff will provide a report on the Committee's recommendations at the March 26, 2021 Commission meeting.

**Staff Recommendation:**

- 1. Approve V-20-21-1 and BP-20-21-18** with the following findings:
  - a.** The proposed garage size, height, placement, and setbacks are consistent with the character of the neighborhood and compatible with surrounding structures.
  - b.** The proposed garage is in compliance with the recommended size limit of 450 square feet for garages in the Historic Preservation District.
  - c.** The proposed development will have no detrimental impact on adjacent properties.
  - d.** The proposed development is compatible with the Master Plan land use designation for the property, which is Mixed Use – Residential/Institutional.
  - e.** The proposed development is in keeping with the spirit and intent of the zoning rules.

**Attachments:**

Application and Supporting Documents  
County Assessor Property Record Card



State of Oklahoma  
 Capitol-Medical Center Improvement  
 and Zoning Commission

Application for Variance

P.O. Box 53448  
 Oklahoma City, OK 73152-3448  
 Phone: 405-522-0440 Fax: 405-522-3861

<http://omes.ok.gov/boards-commissions/capitol-medical-center-improvement-and-zoning-commission>

**PROPERTY INFORMATION (TO BE COMPLETED BY APPLICANT)**

Read Rules: OAC 120:10-10-15

I (we), the undersigned owners of the following described property, respectfully make application to the Capitol-Medical Center Improvement and Zoning Commission for a variance from the zoning rules as requested. In support of the application, the following facts are shown:

**Nature of Request**

Variance: Chapter: 10 Section: 120:10-3-20

**Location of Property (Address) and Legal Description:**

<u>829 NE 16th Street</u>	<u>Oklahoma City</u>	<u>73104</u>
Address	City	Zip Code
<u>State Capitol 2nd Addition</u>	<u>3</u>	<u>2</u>
Addition	Block	Lot(s)

Legal Description (Unplatted Land Only): \_\_\_\_\_

With regard to the property described above, what conditions are peculiar to this location that would warrant the granting of a variance?

The strict application of the maximum lot coverage requirements of this chapter would result in peculiar and exception hardship on the property owner.  
 These specific conditions are outlined in the attached.

Applicant Signature (owner/agent): <u>R. NASH</u>		
<u>13909 Technology Dr., Ste. B</u>	<u>OKC</u>	<u>73134</u>
Street Address	City	ZIP Code
<u>918-801-6810</u>	<u>Nash@3-Jocks.com</u>	
Phone number	Email	

Representative (if applicable):	David M. Box - Williams, Box, Forshee & Bullard, P.C.
405-232-0080	dmbbox@wbflaw.com
Phone Number	Email

# **Justification for Variance**



## Variance

Applicant seeks a variance at 829 NE 16<sup>th</sup> St. Oklahoma City, OK 73104 (“Property”) from the restrictions imposed by the Capitol-Medical Center Improvement and Zoning District Regulations (“Zoning Regulations”) in Okla. Admin. Code §120:10-3-20, and any other variances deemed necessary to obtain approval of the construction plans submitted herewith.

The Property is currently zoned RD-2 Low Density General Residential District and HP Historic Preservation District pursuant to Oklahoma Capitol-Medical Center Improvement and Zoning Commission Administrative Rules. The properties abutting the Property east and west are similarly zoned RD-2 and HP, the property to the north is zoned RD-4 and HP, the property the south is zoned HC.

Applicant owns the Property which is described as Lot 2 of Block 3 of the State Capitol 2<sup>nd</sup> Addition. The Applicant seeks variance from the 30% maximum lot coverage for buildings outlined in §120:10-3-20 (e)(5) of the Zoning Regulations.

**1. The application of the requirements of this chapter would result in exceptional hardship on both the property owner and the neighborhood.**

Strict application of the Zoning Regulations would result in a hardship by preventing the property owner from a functional home and a detached garage. The old garage was placed within 5 feet to the side property line. The proposed new garage will follow all historic setback patterns. The new proposed detached garage will be placed 5 feet from the side property line.

As currently constructed, the property owner is unable to reside on the property or enjoy the numerous functions and benefits of having a detached garage that is allowed within the HP Guidelines.

Additionally, the application of the 30% maximum lot coverage requirement would prevent the neighborhood from experiencing the aesthetic and financial benefits the proposed structure will bring.

**2. Such conditions are peculiar to the particular piece of property involved.**

Conditions exist on the subject property which are peculiar and further justify the granting of the requested variance. The current structure prevents the owner from fully utilizing the property. The proposed build upgrades the home and essential parking need. Granting the proposed variance will allow the property to comply with the minimum off street parking requirements for 2 spaces. The property will then comply with minimum setback requirements for all sides. Additionally, the proposed new accessory building will follow all historic setback patterns of the property.

These conditions justify relief from 30% maximum lot coverage requirement at issue. Without such relief, Applicant would be forced to forgo the proposed new build and the site will sit fallow for years to come.

**3. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Regulations.**

The proposed variance will not cause a substantial detriment to the public good nor impair the purposes of the Zoning Regulations. The maximum lot coverage requirement at issue is intended to protect a suitable environment preserved for family life. The regulations of RD-2 are put in place to encourage stability, attractiveness, and order. The proposed variance will not impair the purpose of the Zoning Regulations as the Zoning Regulations seek to ensure new construction of a detached garage is compatible in size, shape, and mass to existing structures. A variance from the maximum lot coverage requirement will ensure a seamless integration of the new construction into the existing homes.

Allowing the proposed variance will help improved the neighborhood environment through the build of a new functional and attractive single-family home, which are qualities the zoning regulations seek to protect. The variance, if granted will allow the applicant to further improve the community.

**4. The variance, if granted, would be the minimum necessary to alleviate the unnecessary hardship.**

The variance, if granted, would be the minimum relief necessary to alleviate any unnecessary hardship as all other Zoning Regulations are meet.

**Deed**

Tax I.D. No.: 034751400

Mali Tax Statement To:  
Grantee

After Recording Return To:  
American Eagle Title Group, LLC  
201 E. 10th Street Plaza  
Edmond, OK 73034-4737

**WARRANTY DEED**  
(Individual)

KNOW ALL MEN BY THESE PRESENTS:

That **Barbara R Brown aka Barbara Brown, wife of and attorney-in-fact for William A. Brown aka William Brown,**

parties of the first part, in consideration of the sum of **\*\*\*TEN AND NO/100\*\*\*\*** dollars and other valuable consideration, in hand paid, the receipt of which is acknowledged, does hereby grant, bargain, sell, and convey unto

**Three Jacks LLC**

Whose address is: **13909 Technology Dr, Suite B  
Oklahoma City, OK 73134**

party of the second part, the following described real property and premises situated in **Oklahoma** County, State of **Oklahoma**, to wit:

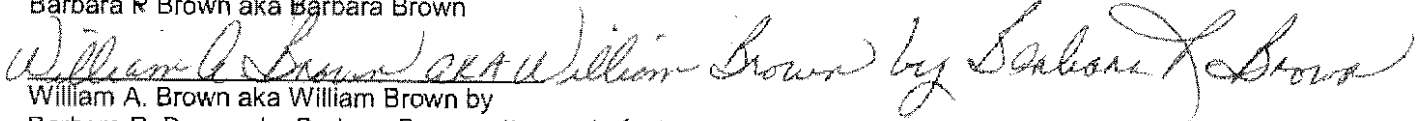
Lot Two (2) of Block Three (3) in the **AMENDED PLAT OF SECOND CAPITOL ADDITION** to Oklahoma City, Oklahoma County, Oklahoma, according to the recorded plat thereof.

Together with all fixtures and improvements, and all appurtenances, subject to existing zoning ordinances, plat or deed restrictions, utility easements serving the property, including all mineral rights owned by party of the first part, which may be subject to lease, and excluding mineral rights previously reserved or conveyed of record, and warrants title to the same.

TO HAVE AND TO HOLD said described premises unto the said parties of the second part, and their heirs and assigns forever, free, clear and discharged of and from all former grants, claims, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature, **EXCEPT FOR** and **SUBJECT TO** those exceptions set forth hereinabove.

SIGNED AND DELIVERED the date(s) on the acknowledgment(s) below.

  
Barbara R Brown aka Barbara Brown

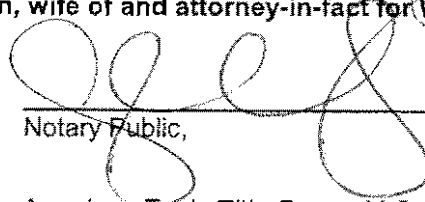
  
William A. Brown aka William Brown by  
Barbara R. Brown aka Barbara Brown, attorney-in-fact

**ACKNOWLEDGMENT**

State of Oklahoma County of Oklahoma

The foregoing instrument was acknowledged before me on this 23 day of August, 2019 by **Barbara R Brown aka Barbara Brown, wife of and attorney-in-fact for William A. Brown aka William Brown**

My Commission Expires:

  
Notary Public,



Closing Agent: American Eagle Title Group, LLC  
File Number: 1907-0075-62  
Underwriter: American Eagle Title Insurance Company

# **Letter of Authorization**

# LETTER OF AUTHORIZATION

**R. Nash Thomas, Manager**, (the property owner of record) or (an agent of the property owner of record) authorize(s) David M. Box, Mason J. Schwartz, and the firm of Williams, Box, Forshee & Bullard P.C., to make application for municipal approvals and to do all things necessary for the advancement of such application with respect to the property at the following location 829 NE 16<sup>th</sup> Street, OKC, OK 73104  
\_\_\_\_\_.

*Nash Thomas*

By: \_\_\_\_\_

Title: Manager

Date: 4/27/2020

## **SCOPE OF WORK**

Applicant owns the Property which occupies 829 NE 16<sup>th</sup> Street (Lot 2, Block 3, State Capitol 2<sup>nd</sup> Addition). Applicant seeks a lot coverage variance and building permit to allow for construction of a detached garage.

The Property is currently zoned RD-2 Low Density General Residential District and HP Historic Preservation District pursuant to Oklahoma Capitol-Medical Center Improvement and Zoning Commission Administrative Rules. The properties abutting the Property east and west are similarly zoned RD-2 and HP, the property to the north is zoned RD-4 and HP, the property the south is zoned HC.

**Driveway requirements:** Maximum driveway width in the front yard is 10 feet; Concrete visible from the street will not be bright white.

**Primary structure minimum setbacks:** 35 feet on South; 25 feet on South; 5 feet on East and West.

**Off-street parking requirements for a single-family dwelling:** Minimum of 2 spaces.

**Detached garage or accessory structure minimum setbacks:** 5 feet from other structures; 5 feet on North, East and West.

**Detached garage size and location:** The proposed new accessory building shall follow all historic setback patters of the property as the proposed garage. The old garage was placed within 5 feet to the side property line. The new proposed detached garage will be placed 5 feet from the side property line with doors facing the street. The detached garage will be no larger than 15 feet high and 450 square feet. The garage door will be smooth fiberglass with wood exterior appearance. The attached garage will consist of 100% fiber cement siding also known as James Hardie siding.

**Exterior building materials, including windows and doors:** The existing home will remain in place. The proposed modifications are below:

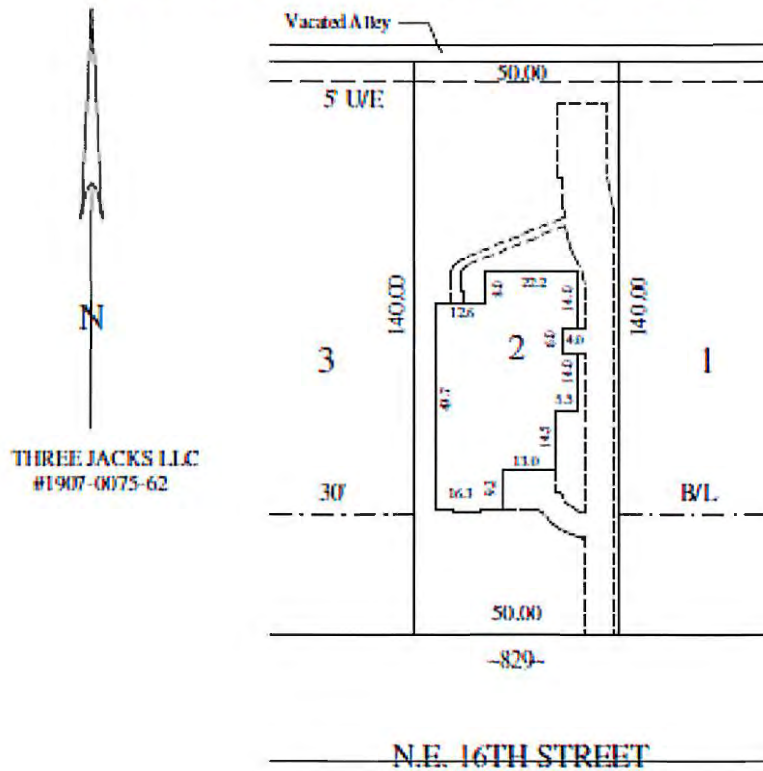
**Please find attached exhibits for additional information:**

1. **Exhibit 1:** Lot layout and location of driveway and proposed garage
2. **Exhibit 2:** Proposed 2-car garage

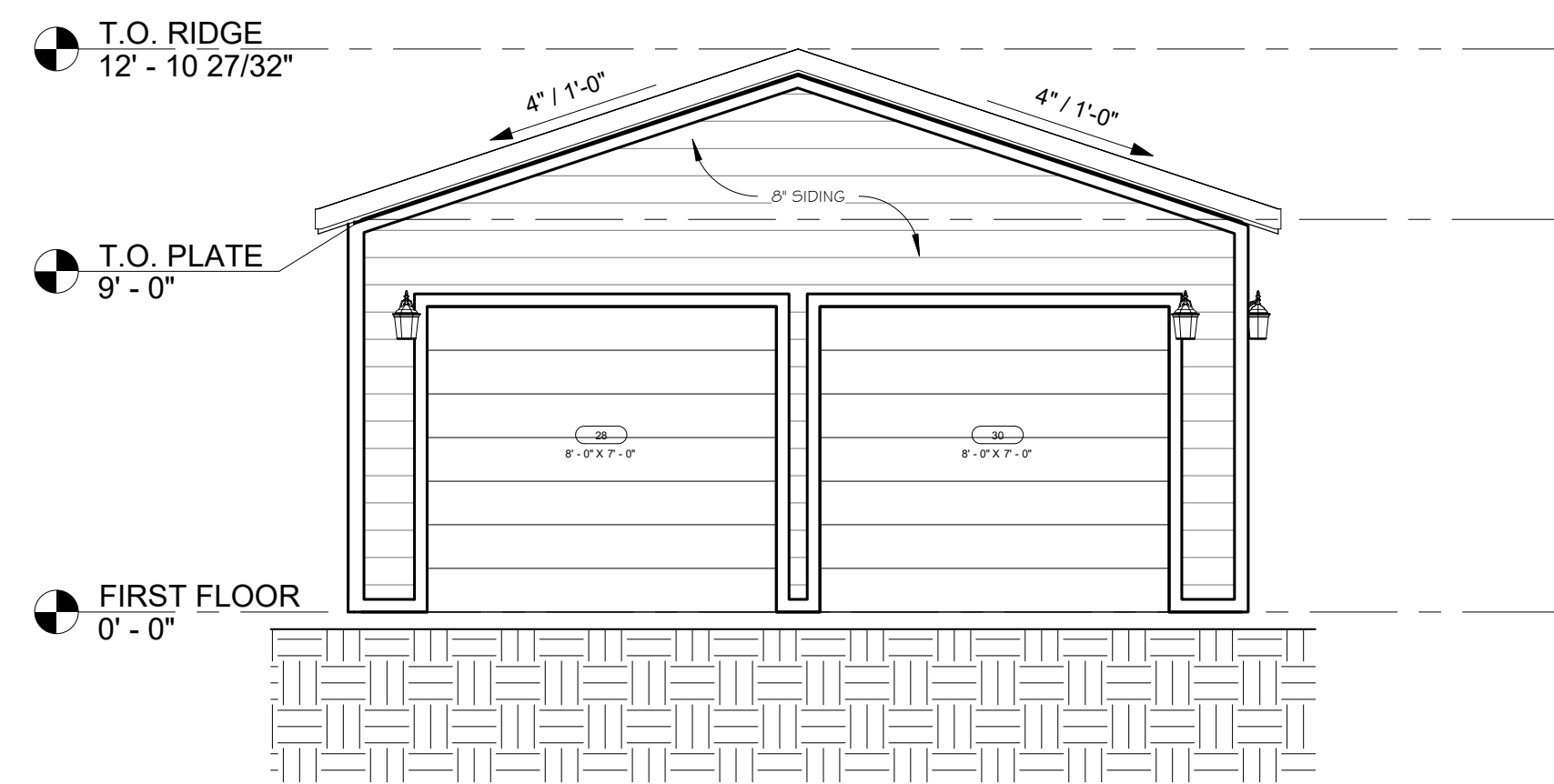
# Exhibit 1



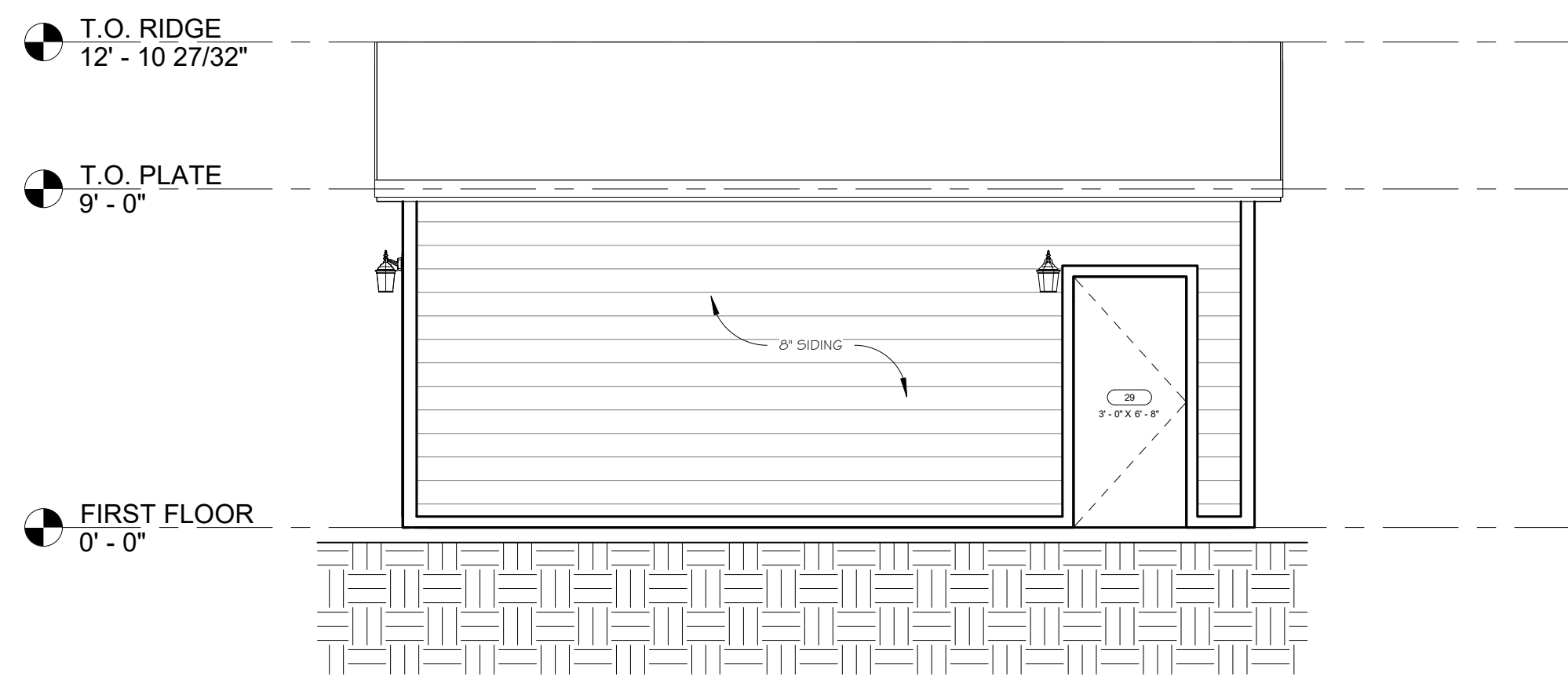
# BLOCK 3 AMENDED PLAT 2ND STATE CAPITOL ADDITION



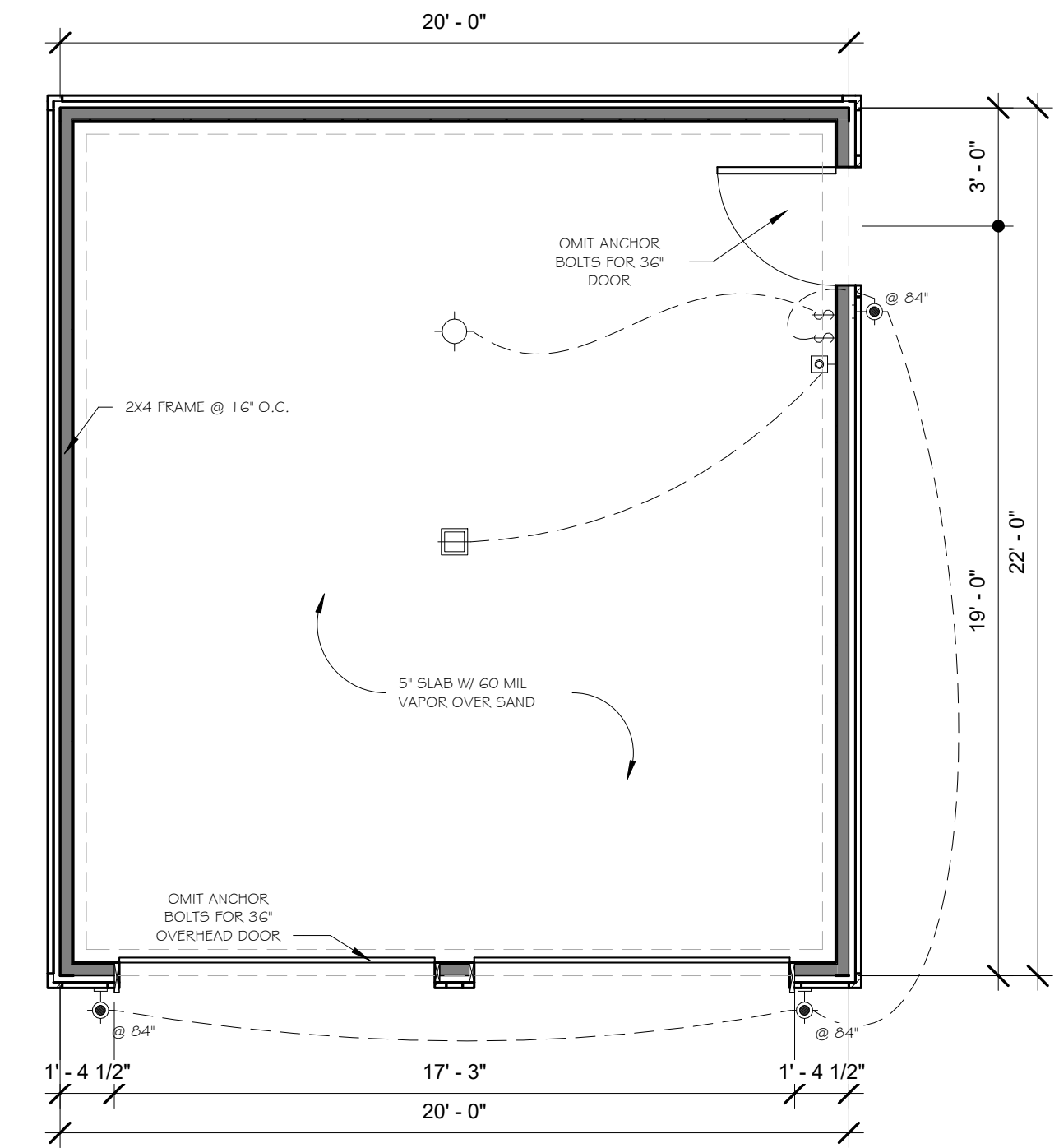
# Exhibit 2



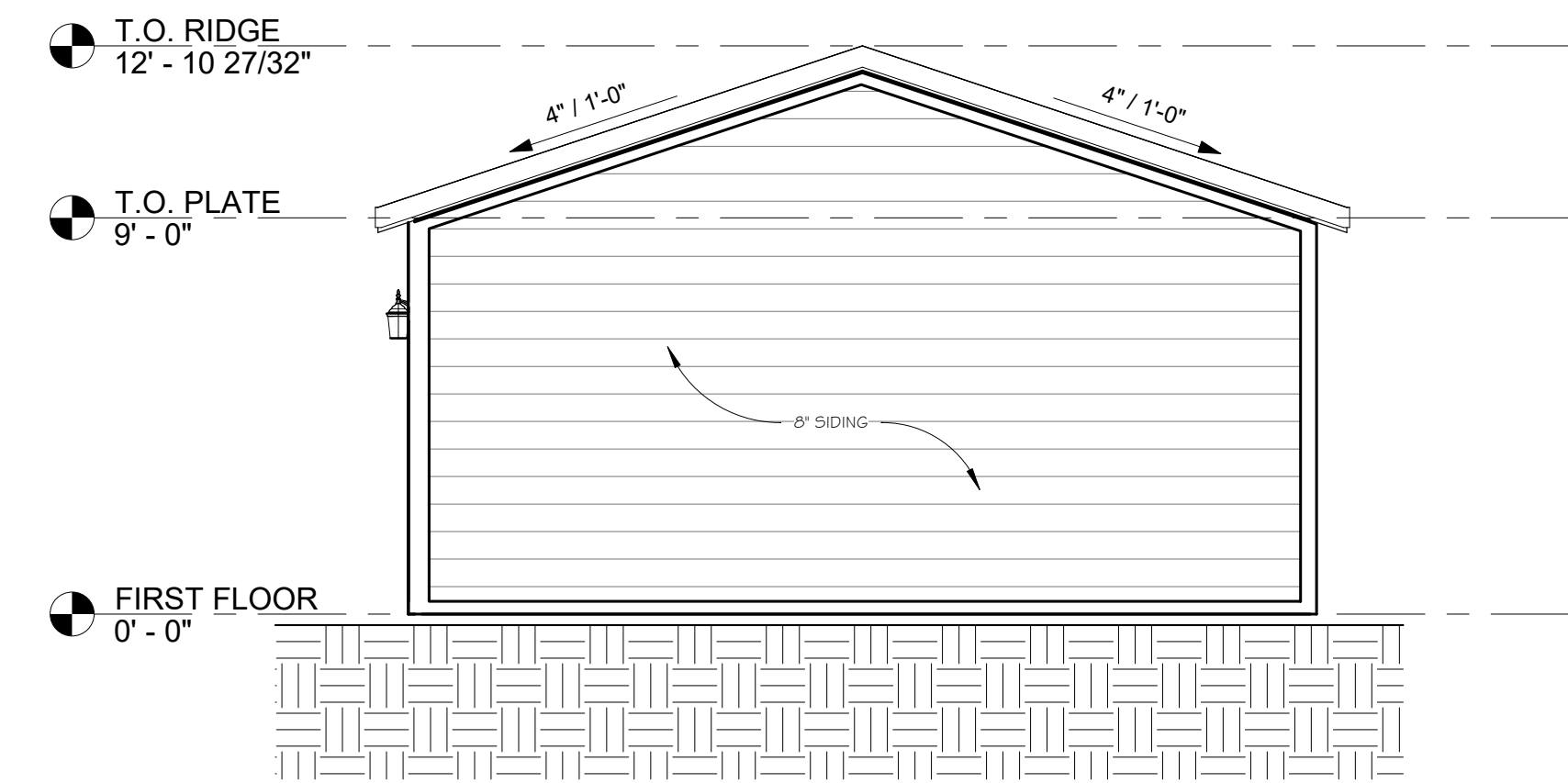
3 SOUTH  
 A2.0 1/4" = 1'-0"



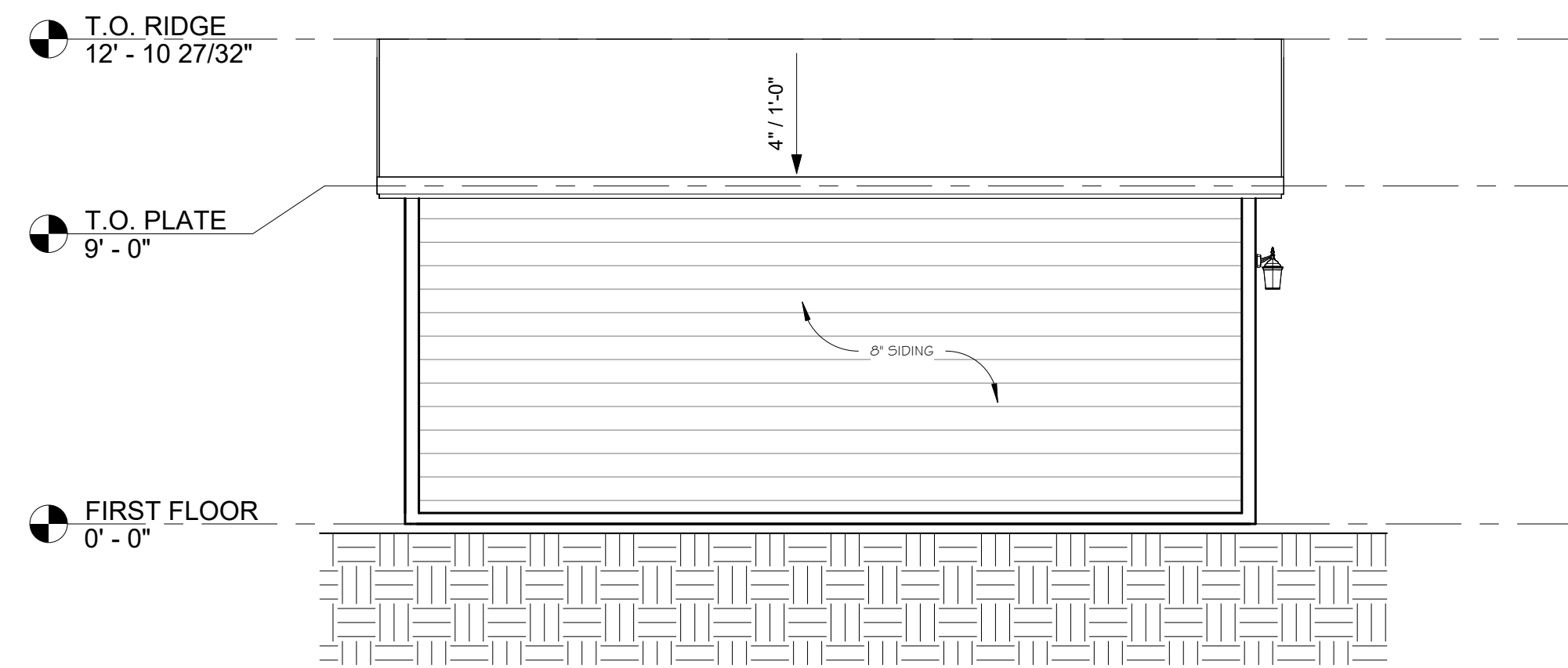
4 WEST  
 A2.0 1/4" = 1'-0"



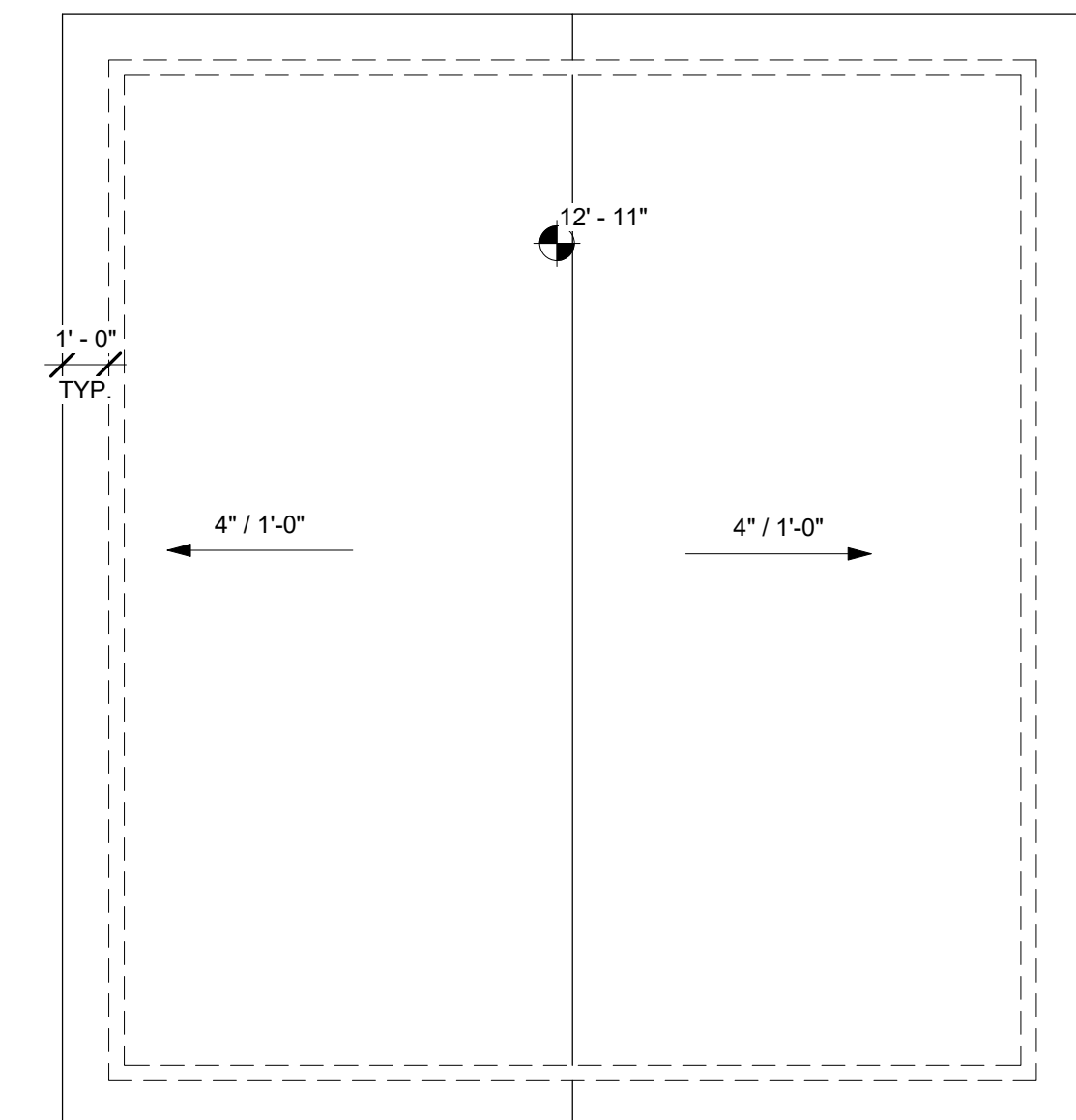
1 FIRST FLOOR  
 A2.0 1/4" = 1'-0"



5 NORTH  
 A2.0 1/4" = 1'-0"



6 EAST  
 A2.0 1/4" = 1'-0"



2 ROOF PLAN  
 A2.0 1/4" = 1'-0"

DATE	REV. SET	DESCRIPTION

GARAGE SQFT - 440

**WADE**  
 DESIGN GROUP

2009 N. KELLY SUITE 150 EDMOND, OKLAHOMA 73003 -- (405) 408-0620 -- WADEDRAFTING@GMAIL.COM  
 COPYRIGHT © WADE DRAFTING AND DESIGN, LLC. ALL RIGHTS RESERVED. ALL DRAWINGS AND WRITTEN MATERIAL HEREBY CONSTITUTE ORIGINAL WORK AND PROPERTY OF WADE DRAFTING AND DESIGN, LLC AND MAY NOT BE DUPLICATED OR REPRODUCED WITHOUT THEIR WRITTEN CONSENT.

**PROJECT NAME**  
 922 NW 17TH  
 OKLAHOMA CITY, OK

DRAWN BY:  
 JERAD W. STOUT  
 CHECKER

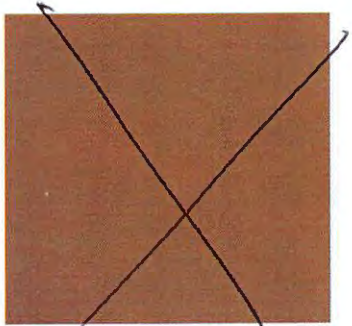
SHEET TITLE  
 FIRST FLOOR PLAN

A2.0

# SELECT A PANEL DESIGN

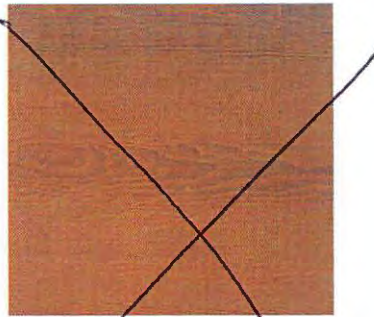
	<del>440 Series</del>	<del>442/445 Series</del>	444 Series
<b>Exterior wood/finish</b>	<del>Primed smooth hardboard</del>	<del>Primed rough-sawn cedar hardboard</del>	Smooth plywood; priming option available
<b>Interior</b>	<del>Smooth hardboard</del>	<del>442 – smooth hardboard 445 – rough-sawn cedar hardboard</del>	Smooth plywood
<b>Insulation</b>	<del>4.75 R-Value, polystyrene</del>	<del>4.75 R-Value, polystyrene</del>	4.75 R-Value, polystyrene

All series panels have a total thickness of 1-3/8"



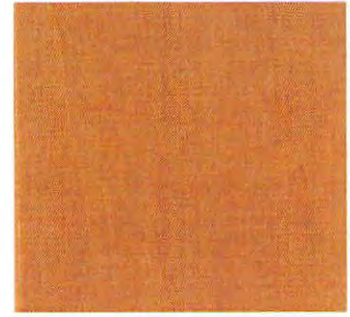
## ~~440 Series~~

~~Smooth hardboard, custom paint finish~~



## ~~442/445 Series~~

~~Rough sawn cedar hardboard, custom paint finish~~



## 444 Series

Smooth plywood, custom stain finish

## Panel designs





### 1 car design


### 2 car design



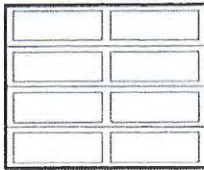



## SELECT A PANEL DESIGN

450 Series - Framed Panel	453 Series - Framed Panel	454 Series - Raised Panel (Paint grade)	454 Series - Raised Panel (Stain grade)
			
Thin rails & stiles	Thick rails & stiles	Features hemlock panels (finger-jointed), stiles and rails	Features hemlock panels (solid, one piece), stiles and rails.
Kiln-dried West Coast Hemlock	Kiln-dried West Coast Hemlock	Hardboard raised panel (decatrim)	Mahogany and Cedar panel options available

450 and 453 Series panels pictured above are custom painted.

### Framed Panel designs



4-2



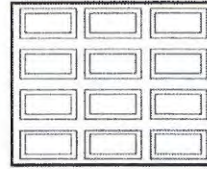
4-4

1 car design shown.  
Both panels are also available for 2 car designs.

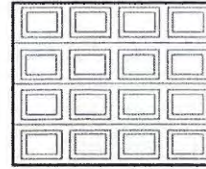
### Raised Panel designs



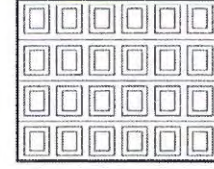
4-2



4-3



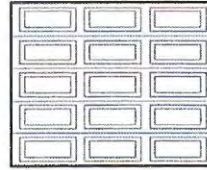
4-4



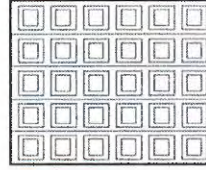
4-6



5-2



5-3



5-6

1 car design shown.  
Both panels are also available for 2 car designs.  
Decorative carved Raised Panel designs available. Consult your distributor for details.

## SELECT A WINDOW STYLE

### Framed Panel windows



Plain short panel



Plain long panel



Stockton



Cathedral\*



Sunray\*

\*Molded designs with plastic inserts may not fit all panel sizes. Consult your distributor for availability.



# Oklahoma County Assessor's Public Access System

320 Robert S. Kerr #313  
Oklahoma City, Ok 73102  
(405) 713-1200



Oklahoma  
Conservation  
Commission

[Larry Stein](#)  
County Assessor

All records are current as of close of previous working day.

## Larry Stein-Oklahoma County Assessor Public Access System

Home	Contact Us	Guest Book	Map Search	New Search
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Real Property Display - Screen Produced 10/20/2020 11:42:45 AM

Account: <b>R034751400</b>	Type: <b>Residential</b>		Location:	829 NE 16TH ST
Building Name/Occupant:			<input type="button" value="Map Parcel"/>	OKLAHOMA CITY
Owner Name 1:	TIMBERCRAFT HOMES LLC		1/4 section #:	2706
Owner Name 2:			Parent Acct:	
Billing Address 1:	13909 TECHNOLOGY DR STE B		Tax District:	<input type="button" value="TXD 200"/>
Billing Address 2:			School System:	Oklahoma City #89
City, State, Zip	OKLAHOMA CITY, OK 73134		Land Size:	0.16 Acres
Country: (If noted)			Lot Dimensions:	Width 50 Depth 140
<input type="button" value="Personal Property"/>	Land Value: 29,050		<input type="button" value="Treasurer:"/>	<input type="button" value="Click to View Taxes"/>
Sect 27-T12N-R3W Qtr SE	<a href="#">STATE CAPITOL 2ND Block 003 Lot 002</a>		<input type="button" value="Subdivision Sales"/>	

**Full Legal Description:** STATE CAPITOL 2ND 003 002

<input type="button" value="Photo &amp; Sketch (if available)"/>	Comp Sales Address/Date/Price (ordered by relevancy)	<input type="button" value="Report Coming Soon"/>
	<a href="#">916 NE 21ST ST OKLAHOMA CITY, OK 73105-8216</a>	10/11/2018 \$108,000
	<a href="#">836 NE 19TH ST OKLAHOMA CITY, OK 73105-8206</a>	10/28/2019 \$125,000
	<a href="#">929 NE 21ST ST OKLAHOMA CITY, OK 73105-8215</a>	11/01/2018 \$178,000
	<a href="#">814 NE 21ST ST OKLAHOMA CITY, OK 73105-8214</a>	11/19/2019 \$108,000
	<a href="#">940 NE 18TH ST OKLAHOMA CITY, OK 73105-8204</a>	01/31/2019 \$138,000
	<a href="#">829 NE 16TH ST OKLAHOMA CITY, OK 73104-4607</a>	08/23/2019 \$135,000

Valuation History (\*Tax amounts are estimates only, actual tax amounts will be available mid November 2020)

Year	Market Value	Taxable Mkt Value	Gross Assessed	Exemption	Net Assessed	Millage	Tax	Tax Savings
2020	133,500	133,500	14,685	0	14,685	119.00	1,747.52	0.00
2019	113,500	30,068	3,307	2,000	1,307	119.00	155.59	1,330.12
2018	99,000	30,068	3,307	2,000	1,307	113.44	148.32	1,087.04
2017	100,500	30,068	3,306	2,000	1,306	113.35	148.20	1,104.88
2016	92,000	30,068	3,306	2,000	1,306	113.43	148.31	999.60

-- -- > >| [1/5]

### Property Account Status/Adjustments/Exemptions

Account #	Grant Year	Exemption Description	Amount
-----------	------------	-----------------------	--------

No adjustment/exemption records returned.

### Property Deed Transaction History (Recorded in the County Clerk's Office)

Date	Type	Book	Page	Price	Grantor	Grantee
8/23/2019	> Deeds	<a href="#">14118</a>	<a href="#">6</a>	135,000	BROWN BARBARA P	TIMBERCRAFT HOMES LLC
2/22/2019	> Deeds	<a href="#">13981</a>	<a href="#">28</a>	0	BROWN WILLIAM & BARBARA	BROWN BARBARA P
11/3/2004	> Hmstd Off &	<a href="#">9556</a>	<a href="#">1724</a>	0	LEE FRANCES L CARTER DOROTHY	BROWN WILLIAM & BARBARA
4/4/2001	> Hmstd Off &	<a href="#">8073</a>	<a href="#">1091</a>	0	KIRK INEZ	LEE FRANCES L CARTER DOROTHY
11/1/1974	> Historical	<a href="#">4196</a>	<a href="#">1168</a>	0		KIRK INEZ

### Last Mailed Notice of Value (N.O.V.) Information/History

Year	Date	Market Value	Taxable Market Value	Gross Assessed	Exemption	Net Assessed
2020	03/10/2020	133,500	133,500	14,685	0	14,685
2019	04/02/2019	113,500	30,068	3,308	2,000	1,308
2017	03/17/2017	100,500	30,068	3,306		
2016	03/28/2016	92,000	30,068	3,306	2,000	1,306
2015	03/16/2015	77,619	30,068	3,307	2,000	1,307

-- -- > >| [1/2]

### Property Building Permit History

Issued	Permit #	Provided by	Bldg #	Description	Est Construction Cost	Status
2/16/2017	10493491	OKLAHOMA CITY	1	Demolish	0	Inactive

Click button on building number to access detailed information:

	Bldg #	Vacant/Improved Land	Bldg Description	Year Built	SqFt	# Stories
<input type="button" value="Click"/>	1	Improved	Ranch 1 Story	1928	1,586	1 Stories





[Larry Stein](#)  
County Assessor

# Oklahoma County Assessor's Public Access System

320 Robert S. Kerr #313  
Oklahoma City, Ok 73102  
(405) 713-1200



Oklahoma  
Conservation  
Commission

**All records are current as of close of previous working day.**

## Larry Stein-Oklahoma County Assessor Public Access System

Home	Contact Us	Guest Book	Map Search	New Search
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Building Detail Results - Screen Produced 10/20/2020 11:44:04 AM

Account #:	R034751400
Building #:	1
Built As:	Ranch 1 Story
# of Stories:	1 Stories
Square Feet:	1,586
Year Built:	1928
Remodel Year:	
Building Name:	
Alt Land Use Desc:	Residential Improvement
Quality Desc:	Average
Bldg Frame Description:	
Foundation Desc:	Conventional
Bldg Exterior:	Frame Masonry Veneer
Roof Type:	Gable
Roof Cover:	Composition Shingle
Avg Floor Height:	8
Percent Sprinkled:	0
Bldg Interior:	Plaster
Total Rooms:	6
# of Units w/Bedrooms:	# of units (1) with 3 Bedrooms
# of Baths:	(1)-Full, (0)-3/4, (0)-half
HVAC Type:	Floor Wall Furnace
# of Fire Places:	0
Percent Heated:	100
Physical Condition:	Average
# of Res Units:	1
# of Comm Units:	0
Commercial Desc:	
Occ Type:	
Commercial Class:	
MFG Home Length:	0
MFG Home Width:	0

Bldg #1  
Sketch



### Photos

2020	
2017	
2016	
2012	
2004	

Garage, Porch, Basement, Storage, Utility etc. (GLA=Gross Living Area GBA=Gross Bldg Area)

Account #	Feature	Description	Sqft/Area	Number of Stories
R034751400	GLA	GLA	1,586	1
R034751400	PorOpenSl	Patio	117	1
R034751400	PorWood R	Porch	24	1

### Additional Details

Account #:	Bldg #	Description	Qty	# Of Units	Description
R034751400	1	Allowance	1	1	Units
R034751400	1	Laundry Facility	1	1	Square Feet



701 Culbertson Drive, South Elevation

Case Number: BP-20-21-32

Property Address: 701 Culbertson Drive

Legal Description: Lots 10 through 13, Block 17,  
Lincoln Terrace Addition to Oklahoma City



Owner: 701 Culbertson LP

Applicant: Brian Fitzsimmons and Spencer Wilson, Fitzsimmons Architects

**Items for Consideration:**

- 1. Building permit for construction of two halo-lit illuminated ground monument signs (one principal sign and one directional sign) on the south frontage of the property at 701 Culbertson Drive.**

**Background:**

Zoning: CN, Neighborhood Commercial District and HP, Historic Preservation District

Surrounding Zoning: North: RD-1, Single Family Residential District and HP, Historic Preservation District  
 South: CN, Neighborhood Commercial District and HP, Historic Preservation District  
 East: CN, Neighborhood Commercial District and HP, Historic Preservation District  
 West: RD-1, Single Family Residential District and HP, Historic Preservation District

Current Land Use: Multiple family dwelling

Proposed Land Use: Same as existing

Surrounding Land Uses: North: Single family dwellings  
 South: Multiple family dwellings  
 East: Multiple family dwellings  
 West: Single family dwellings

Comprehensive Plan Designation: Neighborhood Commercial

**Issues and Considerations:**

The two signs would be constructed of blonde brick to complement the bricks on the existing building. One sign would be located at the east driveway onto the property from Culbertson Drive; this sign would be 3 feet 10 inches in height and 7½ feet in width and would identify the primary entrance and address to the property. The other sign would be located near the southwest corner of the property at the driveway which exits onto Lindsay Avenue near the intersection with Culbertson Drive. This sign would be 3 feet in height and 5 feet 2 inches in width and would identify the property’s address. The signs would have halo lit stand-off letters, and the source of lighting would be concealed from view. The applicant has provided the attached elevation drawings showing the proposed sign design and dimensions.



## Applicable Zoning Rules:

In regard to signs for residential apartment buildings, the *Historic Preservation Standards and Guidelines* provide the following statement:

3.10.10: Appropriately scaled and placed signs applied to a building or free-standing monument-style signs in front yard areas are appropriate sign types for multi-family properties and should minimize visual interference with the significant features of a property.

### **OAC 120:10-15-4. Principal signage.**

(a) **Size.** All signs must be proportionate to site size and/or the size of the structure and shall not exceed the height limitations of the zoning district in which the sign is located or the height limitations designated by OAC 120:10-5-3.1. All signs shall be in compliance with the Signage Table (Appendix D) of this Chapter. (According to Appendix D, a primary identification sign shall not exceed 70 square feet in size or 10 feet in height.)

### (b) **Location.**

(1) All signage must be in compliance with the setback requirements for the zoning district in which it is located. No signs, other than official traffic signs and parking control signs, will be located within the right-of-way of any public street without an approved permit from the City of Oklahoma City.

(2) No part of the sign, including the footing, shall be located closer than 5 feet from the side and rear property lines. No part of the sign, including the footing, shall be located closer than 1 foot from the front property line.

(3) No sign will be erected at the intersection of any street in a location that will obstruct free and clear vision or, at any location that by its position, shape, or color interferes with or obstructs the view of or may be confused with any authorized traffic sign, signal or device.

(4) In no case shall any sign invade the "Sight lines at intersections" established in OAC 120:10-5-4.1(4):

### **OAC 120:10-5-4.1. Area and open space**

(4) **Sight lines at intersections.** On any corner lot on which a front and side yard is required, no wall, fence, sign, structure, or any plant growth which obstructs sight lines at elevations between 2 feet and 6 feet above the crown of the adjacent roadway shall be placed or maintained within a triangle formed by measuring from the point of intersection of the front and exterior lot lines a distance of 30 feet along said front and side lot lines and connecting the points so established form a sight triangle on the area of the lot adjacent to the street intersection.

(c) **Aesthetic quality.** Signage is an accessory use, with its only function being to advertise, direct or identify. All signs should be designed to complement the structure and landscape and give the appearance of an additional architectural feature or element. Materials must be similar or complementary to those used in the main building. Signage must be appropriate to the existing architectural vocabulary and meet the approval of the Commission.

### **120:10-15-5. Materials.**

(a) Signage material must be compatible with building materials in texture and color. The use of the same materials as the primary structure is usually acceptable and appropriate.

(b) No plastic or vinyl signs are permitted in the Health Center District (HC) or the Public District (P) on a permanent basis, unless expressly approved by the Commission.

**OAC 120: 10-15-6. Illumination.**

(a) To properly integrate signage into the existing environment and to effectively create enhancement after dark and not a daytime effect, all illuminated signs will be illuminated from a concealed source, preferably a ground-mounted source.

(b) Illuminated signs shall be designed so as not to interfere with the operation of traffic lights or other traffic control devices, and shall not create objectionable glare in any residential district or public building or area.

(c) All internally illuminated signs shall be approved by the Commission prior to construction and/or installation.

**120:10-15-8. Specialty Signage**

(a) **Ground-mounted** signage.

(1) For residential districts, the maximum width of all ground-mounted signs shall be 5 feet for each 25 feet of street frontage, and 1 foot for each additional 25 feet of street frontage, up to a maximum of 50 feet. No sign shall exceed 6 feet in height.

**OAC 120:10-15-11. Limitation Per Site.**

One principal ground-mounted sign per street frontage and one principal building-mounted sign per street frontage, or a combination of the two, shall be permitted. The number of directional/informational signs shall be determined based upon need.

**OAC 120: 10-15-12. Maintenance Provision.**

(a) Signage shall be constructed of materials that can be easily maintained and do not weather quickly. All approved signs must be properly maintained. Whenever a sign becomes dilapidated or falls into a state of disrepair or ruin, in whole or in part, all portions of the sign shall be removed from the premises.

(b) Whenever a sign is determined to be insecure, unsafe, dilapidated, or is in any way maintained in violation of the provisions of this Subchapter or the zoning district regulations, the Commission will send written notification of such findings to the owner. The owner shall have 10 days from the date of the written notice to bring the sign into conformance or remove the sign. If the owner does not comply within 10 days, the Commission will issue a citation for non-compliance in accordance with the procedures in Title 73, §83.13.

**OAC 120: 10-15-15. Building Permit Required.**

Plans for all premises signs and temporary signs, with the exception of real estate signs, shall be submitted to the Commission for approval prior to erection. The Commission shall reserve the absolute right to determine the appropriateness of signage prior to the issuance of a building permit. Approval of signage shall be based on compliance with the provisions of this Subchapter as well as the design, location, general character and the ability of the signage to integrate into the existing environment.

**Prior Actions:**

The Historical Preservation and Landmark Board of Review granted a certificate of appropriateness for the proposed signs on March 4, 2021 (CA-20-21-16).

The Citizens' Advisory Committee is scheduled to review the applicant's plans on March 11, 2021. Staff will report on the Committee's recommendations at the March 26, 2021 Commission meeting.

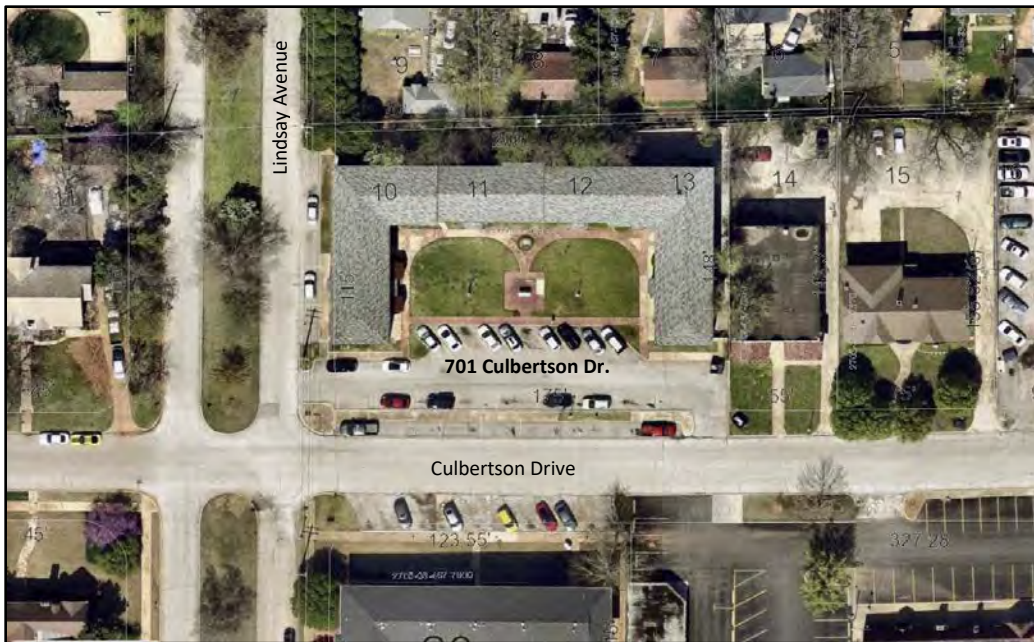
**Staff Recommendation:**

**Approve BP-20-21-32 with the finding that the proposed work complies with applicable zoning rules.**

**Attachments:**

Application and Supporting Documents

701 Culbertson Drive, Aerial Photo:





**State of Oklahoma  
Capitol-Medical Center Improvement  
and Zoning Commission**

**Application for  
Certificate of Appropriateness**

P.O. Box 53448  
Oklahoma City, OK 73152-3448  
Phone: 405-522-0440 Fax: 405-522-3861

<http://omes.ok.gov/boards-commissions/capitol-medical-center-improvement-and-zoning-commission>

I (we), the undersigned owners of the following described property, respectfully make application to the Capitol-Medical Center Improvement and Zoning Commission to request the addition, demolition, or alteration of an improvement or structure on the property. In support of the application, the following facts are shown:

**Location of Property (Address) and Legal Description:**

701 Culbertson Drive Oklahoma City 73105  
Address City ZIP Code

Lincoln Terrace 17 10, 11, 12, & 13  
Addition Block Lot(s)

Legal Description (unplatted land only): \_\_\_\_\_

**Itemized Description of Proposed Work** (List each item proposed. Work not listed here will NOT be reviewed. Attach additional pages as necessary.)

**Site Improvements & Landscaping - See attached description of work (Item A)**

Is federal funding, a federal license, or a federal permit included/required for any part of this project?  Yes  No  
If yes, what federal agency? \_\_\_\_\_

Is the property owner pursuing the Federal Tax Credits for Rehabilitation of income producing historic properties?  
 Yes  No (For questions concerning the federal tax credit program, contact the State Historic Preservation Office at 405-522-4479.)

**Authorization**

I hereby certify that all above statements and statements contained in all attached and transmitted exhibits are true to the best of my knowledge and belief. In the event that this proposal is approved and begun, I agree to complete the changes in accordance with approved plans in a good and workmanlike manner. I authorize the State of Oklahoma to enter the property for the purpose of observing and photographing the project for presentations and to ensure consistency between the approved proposal and the completed project. I understand that my proposal may require additional approvals/permits from the State of Oklahoma and/or the City of Oklahoma City.

Applicant Signature (owner/agent): <u>[Signature]</u>		
<u>P.O. Box 54827</u>	<u>Oklahoma City</u>	<u>73154</u>
Street Address	City	ZIP Code
<u>405-456-0750</u>	<u>info@substancia.com</u>	
Phone number	Email	

Representative (If applicable): <u>Brian Fitzsimmons, AIA</u>	
<u>(405) 600-9460</u>	<u>brian@fitzsimmons-arch.com &amp; spencer@fitzsimmons-arch.com</u>
Phone Number	Email

## **A : SCOPE OF WORK**

# 701 CULBERTSON DRIVE

CA Application #1: Site Work, Landscaping, Parking, & Amenities

701 Culbertson Drive – Oklahoma City, OK 73105

November 3<sup>rd</sup>, 2020 February 2<sup>nd</sup>, 2021

## DESCRIPTION OF WORK:

The redesign and/or repair of the existing courtyard, exterior spaces, amenities, and tenant entrances at the multi-family housing property at 701 Culbertson Drive to provide a more secure and tenant friendly exterior experience. Work is limited to exterior site work and entrances to the structure; no work is to impact the roof, windows, or other aspects of the actual building exterior beyond what is listed.

## ITEMIZED LIST OF WORK:

1. **New Rolling Traffic Entry and Exit Gate:** two (2) 3'-0" foot tall and 12'-0" foot wide rolling gates with respective motor (concealed behind vegetation or monument sign), composed of vertical rail style gate/fencing to match security fence. Intended to control access to on-site parking.
2. **Monument Signage:** ~~two (2) 3'-0" foot tall monument signs to designate primary entry and address respectively. Primary entry gate sign to be 3'-0" x 10'-0" (HxW), exit gate sign to be 3'-0" x 6'-8" (HxW). Both signs to be composed of blonde brick masonry to compliment existing building with halo lit stand off letters.~~ **One 3'-10" tall by 7'-5" wide primary entrance sign with backlit standoff metal letters and one 3'-0" tall by 5'-2" wide secondary exit sign with backlit standoff letters. Refer to sign illustrations.**
3. Reserved for separate CA application
4. **Resurface and restripe parking lot:** provide new asphalt surface to match existing and restripe 45 degree and parallel parking to meet Oklahoma City standards.
5. **Repair Existing Concrete Sidewalk:** patch and repair damaged concrete as necessary with historic color matched concrete.
6. **New Concrete Sidewalk Infill:** remove turf and pour new concrete color matched to existing to continue sidewalk.
7. **Screening Vegetation:** evergreen boxwood shrubs to screen parking, fencing, and neighboring properties. All hedging visible from right of way to be kept at 36" in height except for screening hedges along the courtyard fence which shall be maintained at 48" in height. All screening vegetation to have irrigation supply.

8. **Landscaping / Plantings:** General groundcover and decorative plants to be incorporated into landscaping with a mulch bed base. Any plants falling within the corner sight triangle shall be no greater than 24" in height. Additional plantings to consist of types of feather grass and various native plants as can be acquired including species such as Yellow Coreopsis and Lead Plants. All plantings to have irrigation supply.
9. **Xeriscape Landscaping / Planting:** areas to include decomposed granite screening as bed base with low maintenance plants including, but not limited to, Liriope, Sprawling Junipers, Yucca, and Coneflowers.
10. **Security Fence / Controlled Access:** one (1) continuous 4'-0" tall vertical rail style fence set back behind building line with two (2) access-controlled pedestrian gates to provide tenant security.
11. **Mailboxes:** two (2) 9S+1P USPS approved freestanding mailboxes provided at both pedestrian gates. Total box count: Four (4) units, 36 letter slots, and 4 parcel boxes.
12. **Decomposed Granite Screening:** tan gravel path/root cover.
13. **Concrete Gathering Pads:** individual concrete pads matched to typical historic concrete color for patio furniture and gatherings.
14. **Turf Grass:** areas for activities or animal walking.
15. **Large Trees:** Male Ginkgo Biloba (non-littering) with irrigation supply.
16. **Ornamental Trees:** Crepe Myrtle or Rose of Sharon with irrigation supply.
17. **Seating / Benches:** simple park style benches for tenants.
18. **Repair Entry Steps / New Handrails/ New Doors:** patch and paint steps with fine grit grip paint, install new painted 1-1/4" square steel handrails at all entry porches, and replace existing solid doors with divided lite wood doors to match historic side lites. Incorporate replacement overhead light covers and luminaires.
19. **New Corner Unit Entries:** rebuild entry steps with handrails and install new doors and side lites to match the other replacements. Treatment similar to Item #18.
20. **Reconfigure Concrete Paths:** demolish and repour new 60" wide concrete paths color matched to historic tan concrete.
21. **Site Bollard Lighting:** remove existing pole lights and provide 40" tall area/path downlight bollards for pedestrian safety and navigation.
22. **New Concrete Sidewalk:** install new 60" wide concrete sidewalk.
23. **Reconfigure Gate / Fence:** alter wood picket fence and gate as needed to provide adequate pedestrian entry to the rear yard.
24. **Bike Racks:** new bike racks installed in rear yard for tenant use.

25. **Terraced Decks:** elevated wood decks following the slope of the site and screened with vegetation to provide tenants with more private gathering places. Path lighting bollards to be provided as needed.
26. **Grills:** gas grills provided for tenant used less than 48" in height.
27. **Solid Screening Fence:** install 6'-0" tall wood picket screening fence in rear yard to screen neighboring parking lot from view.

**END OF DESCRIPTION**

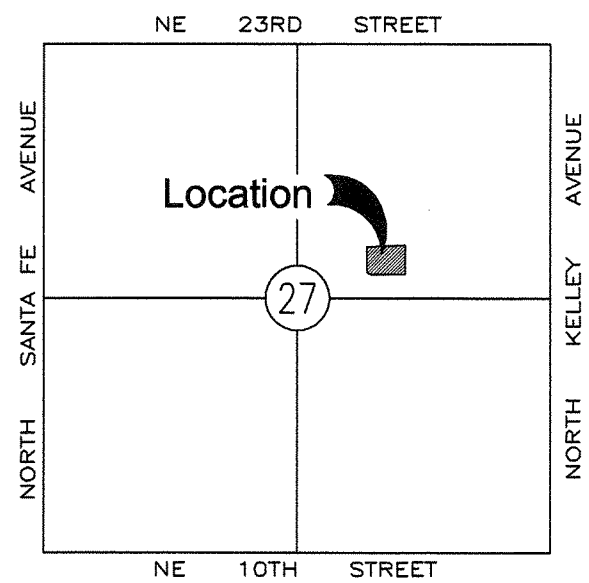


## **B : EXISTING CONDITIONS**



**ALTA SURVEY**  
 Lots 10 through 13, inclusive, in Block 17 of Lincoln Terrace  
 Oklahoma City, Oklahoma County, Oklahoma

R 3 W



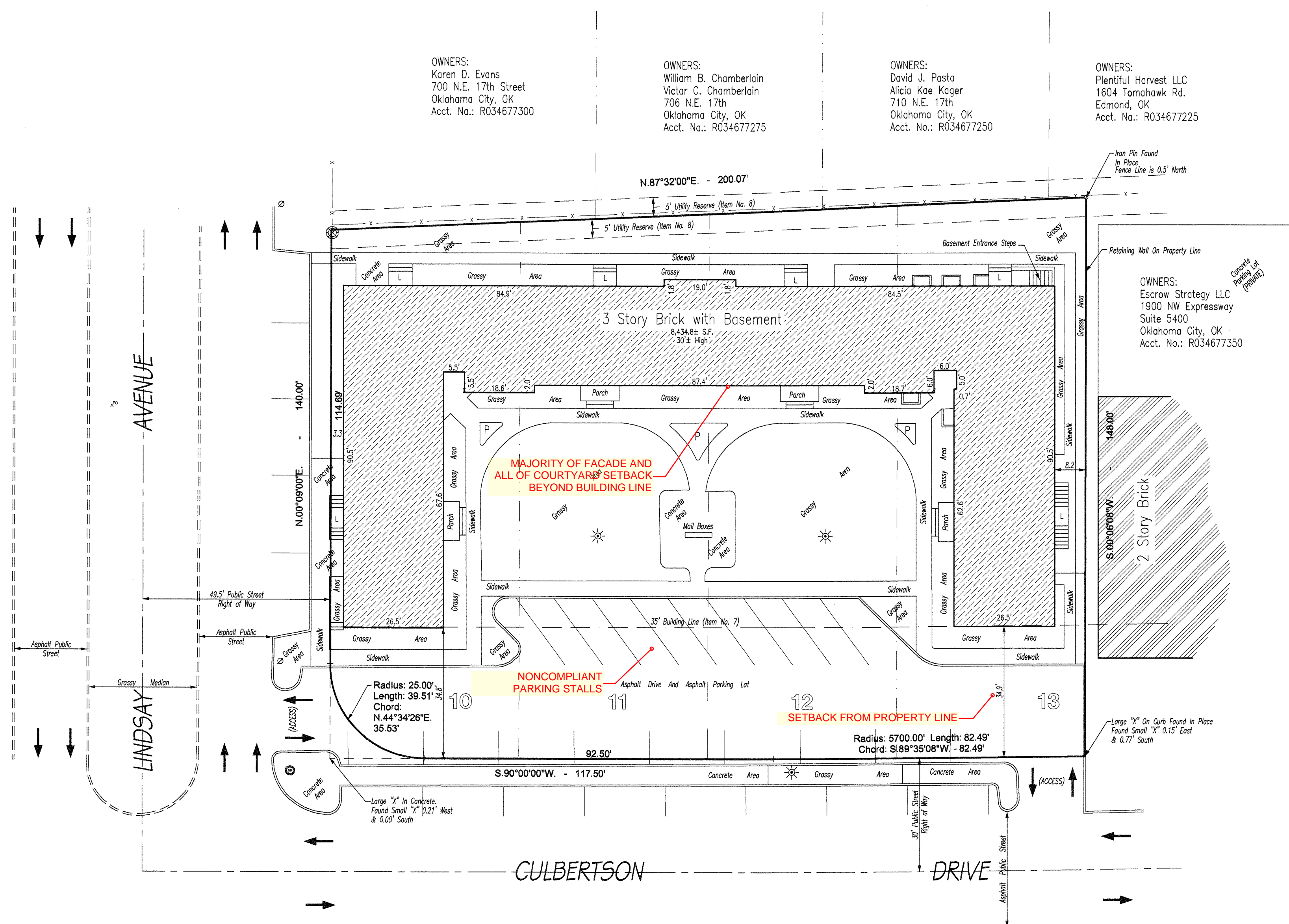
Location Map

OWNERS:  
 Karen D. Evans  
 700 N.E. 17th Street  
 Oklahoma City, OK  
 Acct. No.: R034677300

OWNERS:  
 William B. Chamberlain  
 Victor C. Chamberlain  
 706 N.E. 17th  
 Oklahoma City, OK  
 Acct. No.: R034677275

OWNERS:  
 David J. Posta  
 Alicia Koe Koger  
 710 N.E. 17th  
 Oklahoma City, OK  
 Acct. No.: R034677250

OWNERS:  
 Plentiful Harvest LLC  
 1604 Tomahawk Rd.  
 Edmond, OK  
 Acct. No.: R034677225



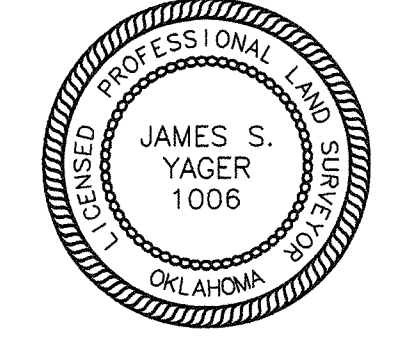
**Surveyor's Certificate**

To: First American Title Insurance Company  
 First American Title & Trust Company  
 Diana Building LLC  
 RCB Bank

This is to certify that this map or plot and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6(a), 6(b), 7(a), 7(b)(1), 7(c), 8, 9, 13, 14, 16, and 19 (Graphically depict in relation to the subject tract or property any offsite easements or servitudes benefitting the surveyed property and disclosed in Record Documents provided to the surveyor as part of the Schedule "A") of Table A thereof. The field work was completed on 9 January 2017.

Date Signed: 1-12-17

James S. Yager  
 Licensed Professional Land Surveyor No. 1006  
 Certificate of Authorization Number 2778  
 Expires: 6-30-2017  
 1212 South Air Depot Number 19 Suite 102  
 Midwest City, Oklahoma 73110  
 405-737-3412



**Legal Description**

Lots Ten (10) through Thirteen (13), Block Seventeen (17), LINCOLN TERRACE, an Addition to Oklahoma City, Oklahoma County, Oklahoma, according to the recorded Plat thereof.

The above legal description is the same as listed in First American Title Insurance Company commitment for title insurance, title commitment number 2196307-OK11 dated November 7, 2016.

**Land Area**

28,203.976 Square Feet or 0.648 Acres, more or less.

**Flood Zone Information**

By graphic plotting only, the subject tract is located in Flood Zone X? (areas determined to be outside 500 year floodplain) as shown on Flood Insurance Rate Map, Panel Number 40109C0285H, with an effective date of December 18, 2009, which is the current map for this area.

**Schedule B Items**

First American Title Insurance Company Commitment No. 2196307-OK11, having an effective date of November 7, 2016, affects the subject property and was relied upon for recorded information regarding rights-of-way, easements and encumbrances in the preparation of this Survey.

- Restrictive covenants, conditions, restrictions and easements recorded in Book 21 of Plats, page 47, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, national origin, sexual orientation, marital status, ancestry, source of income or disability, to the extent such covenants, conditions or restrictions violate Title 42 Section 3604(c), of the United States Codes. AFFECTS THE DESCRIBED TRACT NOTHING TO PLOT.
- All items affecting subject Lots as shown on the recorded plot are made a part hereof. AFFECTS THE DESCRIBED TRACT AS SHOWN.
- A 35-foot front building set back line, as shown by plat and dedication, and as provided in Restrictive Covenants. AFFECTS THE DESCRIBED TRACT AS SHOWN.
- Easement for public utilities over the rear 5 feet, as shown by the recorded plat. AFFECTS THE DESCRIBED TRACT AS SHOWN.
- Restrictive covenants and reservations set forth in the Warranty Deed recorded in Book 545, page 30. AFFECTS THE DESCRIBED TRACT NOTHING TO PLOT.
- Affidavit of Contractual Agreements with Cox Communications, Inc. and Property Owners, recorded in Book 8792, page 264. BLANKET EASEMENT COVERING THE DESCRIBED TRACT.

**Utility Notes**

The underground utilities shown have been located from field survey information. The surveyor makes NO guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor does NOT further warrant that the underground utilities shown are in the exact location indicated, although he does certify that they are located as accurately as possible from the information available. The surveyor has NOT physically located the underground utilities.

Point of entry of the utilities were NOT determined at the time of survey. UTILITIES LOCATED BY VISUAL OBSERVATION ONLY. Before any construction is started, call: Call-Okie Before You Dig 405-840-5032.

**General Notes**

The basis for the bearings shown on the above annexed ALTA Survey, are based upon the recorded plot of Lincoln Terrace, an addition to Oklahoma City, Oklahoma County, Oklahoma.

This Plat of Survey meets the Minimum Technical Standards as adopted by The Board of Licensure for Professional Engineers and Land Surveyors for the State of Oklahoma.

At the time of survey, no evidence of cemeteries or burial grounds existed on the subject tract.

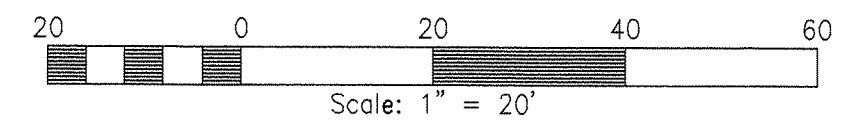
At the time of survey, there was no observable evidence of earth moving work, building construction or building additions within recent months. At the time of survey, there was no observable evidence of the site being used as a solid waste dump, sump or sanitary landfill.

The above described tract has direct access to Lindsay Avenue and Culbertson Drive, both publicly dedicated streets.

**GENERAL NOTE: BUILDING DEEMED TO BE A NONCONTRIBUTING STRUCTURE TO THE HISTORIC CHARACTER OF THE NEIGHBORHOOD. (I.E. - DOESN'T RELATE TO 1920-30'S CHARACTER)**

**Legend**

- x — Fence Line
- L — Landing
- — Traffic Direction Arrow
- ⊙ — Water Meter
- ⊕ — Fire Hydrant
- ⊗ — Sanitary Sewer Manhole
- 10 — Lot Number
- \* — Light Pole
- ⊙ — Power Pole
- Fiber Optic Cable Sign
- P — Planted Area



Survey and Plat by:  
**James S. Yager**  
 Licensed Professional Land Surveyor  
 Certificate of Authorization Number 2778 Expires: 30 June 2017  
 1212 South Air Depot \* Number 19 Suite 102  
 Midwest City, Oklahoma 73110 Telephone: 405-737-3412/Fax: 405-737-4215

File Name: C:\701 CULBERTSON\2017 ALTA.DWG  
 Date of Survey: 9 January 2017  
 Date of Revision:  
 Page 1 of 1





NO EXISTING PARKING LOT SCREENING

NO SECURITY CONTROL FOR COURTYARD





DETERIORATED CONCRETE



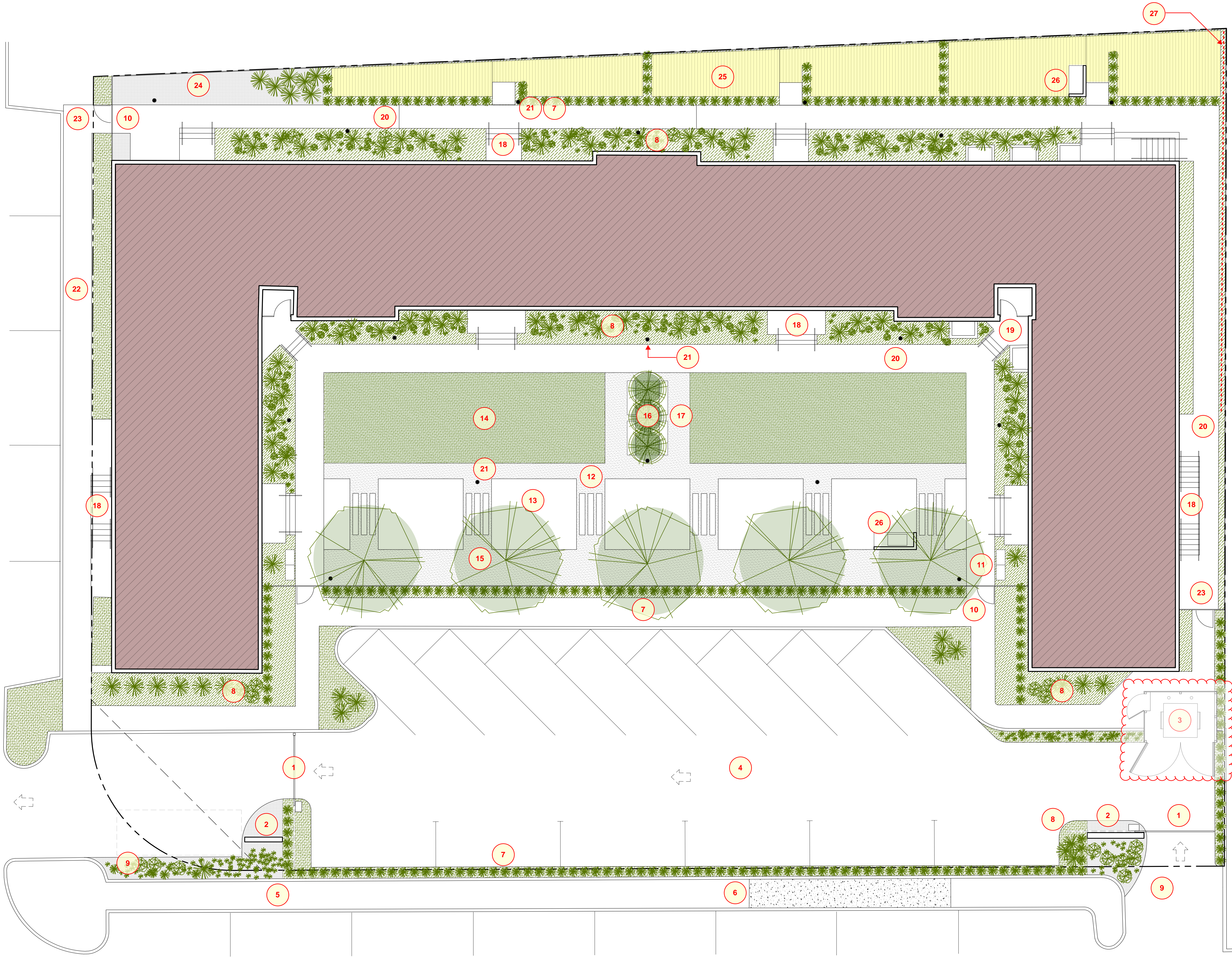
DUMPSTER ADDRESSED IN SEPARATE APPLICATION

DRIVEWAYS TOO NARROW FOR TWO-WAY TRAFFIC



## **C : SITE PLAN**





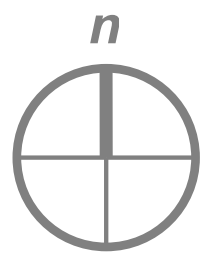
**MASTERPLAN KEY:**

- 1. NEW ROLLING ENTRY / EXIT GATE
  - 2. MONUMENT SIGN (PRIMARY, DIRECTIONAL)  
**ADDRESSSED IN SEPARATE APPLICATION**
  - 3. DUMPSTER ENCLOSURE
  - 4. RESURFACED & RESTRIPEDED PARKING LOT
  - 5. REPAIR EXISTING CONCRETE SIDEWALK
  - 6. NEW CONCRETE SIDEWALK INFILL
  - 7. SCREENING VEGETATION\*
  - 8. LANDSCAPING / PLANTINGS\*
  - 9. XERISCAPE LANDSCAPING / PLANTINGS
  - 10. SECURITY FENCE / CONTROLLED ACCESS
  - 11. (x4) 9 SLOT + 2 PARCEL MAILBOXES
  - 12. DECOMPOSED GRANITE SCREENING
  - 13. CONCRETE GATHERING PADS
  - 14. TURF GRASS
  - 15. TREES – MALE GINGKO BILOBA\*
  - 16. TREES – CREPE MYRTLE / ROSE OF SHARON\*
  - 17. SEATING / BENCHES
  - 18. REPAIR ENTRY STEPS / INSTALL HANDRAILS
  - 19. NEW CORNER UNIT ENTRY AND DOOR
  - 20. RECONFIGURED CONCRETE PATHS
  - 21. SITE BOLLARD LIGHTING
  - 22. NEW CONCRETE PATH
  - 23. RECONFIGURED GATE / FENCE
  - 24. BIKE RACKS
  - 25. TERRACED DECKS
  - 26. GRILL
  - 27. INSTALL SOLID FENCE TO SCREEN VIEW OF NEIGHBORING PARKING LOT
- \*NOTE: IRRIGATION SYSTEM TO BE PROVIDED

ADDRESSSED IN SEPARATE APPLICATION

**701 Culbertson Masterplan**  
 701 Culbertson Drive  
 Oklahoma City, OK - 73105

fitzsimmons architects



scale: 1" = 8'-0"  
 October 7th, 2020





## **D : PROPOSED FEATURES**



DUMPSTER ENCLOSURE  
SEPARATE APPLICATION

36" TALL PARKING  
SCREENING VEGETATION

3'-10" x 7'-5" MONUMENT SIGN  
NAME & ADDRESS

BAR FENCE ROLLING GATE

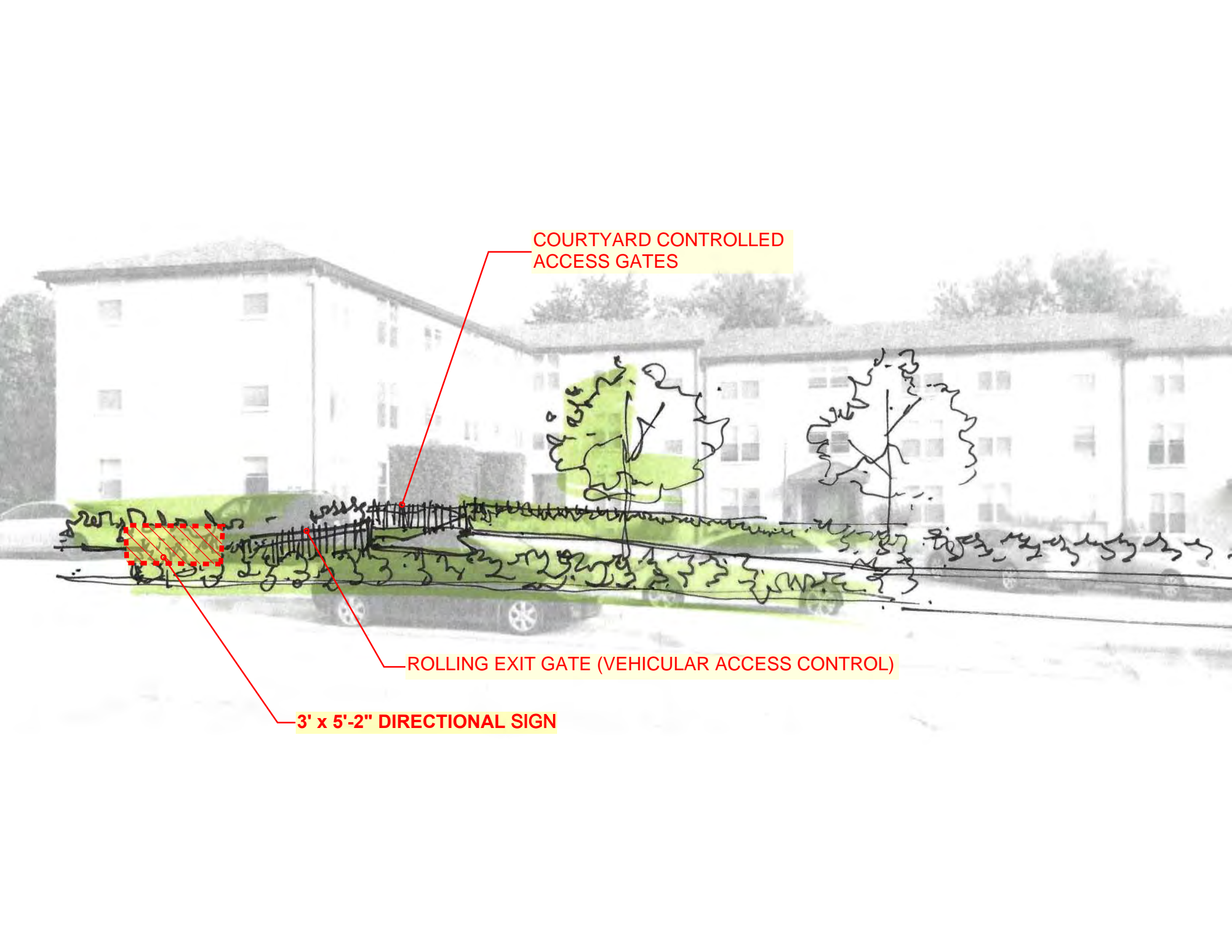
SCREENING VEGETATION



COURTYARD CONTROLLED  
ACCESS GATES

ROLLING EXIT GATE (VEHICULAR ACCESS CONTROL)

3' x 5'-2" DIRECTIONAL SIGN



## 701 Culbertson Signage

Spencer Wilson <Spencer@fitzsimmons-arch.com>

Tue 2/2/2021 3:36 PM

To: Casey Jones <Casey.Jones@omes.ok.gov>

Cc: Brian Fitzsimmons <brian@fitzsimmons-arch.com>

 1 attachments (1 MB)

210202 - 701 Culbertson - Signage.pdf;

Casey,

Attached are the sign elevations for 701 Culbertson. The background for each is just a neutral body, but we are planning to proceed with blonde brick to match the existing building.

Thank you,

**spencer wilson aia**

**fitzsimmons architects**

918.766.1728 m

405.600.9460 o

2721 north walker oklahoma city, ok 73103

[fitzsimmons-arch.com](http://fitzsimmons-arch.com)



ENTRY SIGNAGE

SIGN MATERIAL TO BE BLONDE BRICK TO MATCH EXISTING BUILDING - REFER TO EXISTING DOCUMENTATION

7'-5"

SIGN BODY OUTLINE

STUCCO SIGN BODY

4'-8"

3'-10"

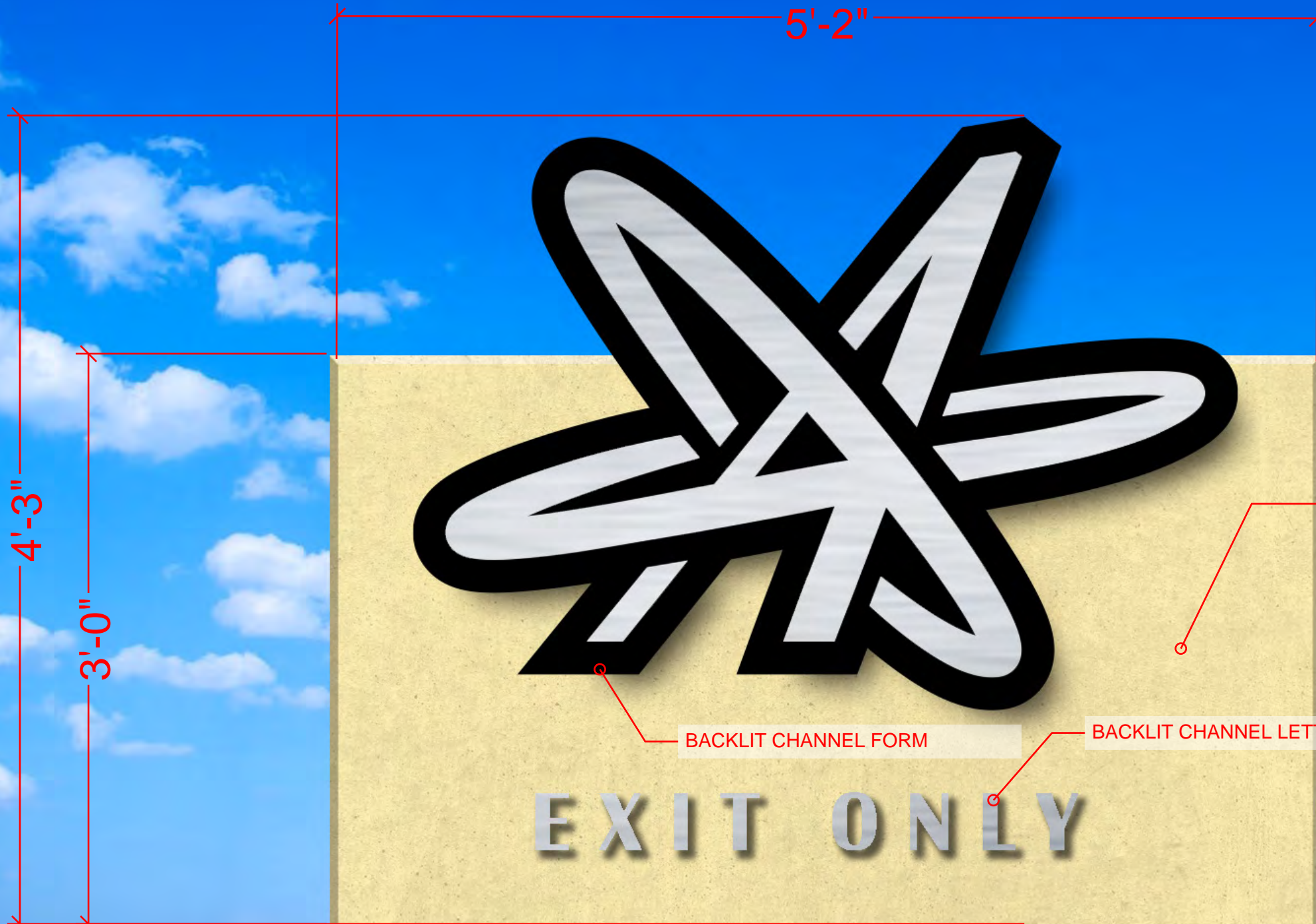


BACKLIT CHANNEL LETTERS

701 N CULBERTSON DR



# EXIT SIGNAGE



SIGN MATERIAL TO BE BLONDE BRICK TO MATCH EXISTING BUILDING - REFER TO EXISTING DOCUMENTATION

BACKLIT CHANNEL FORM

BACKLIT CHANNEL LETTERS

EXIT ONLY



**Larry Stein**  
County Assessor

## Oklahoma County Assessor's Public Access System

320 Robert S. Kerr #313  
Oklahoma City, Ok 73102  
(405) 713-1200



Oklahoma  
Conservation  
Commission

**All records are current as of close of previous working day**

**Larry Stein-Oklahoma County Assessor Public Access System**


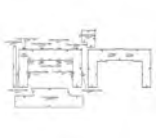
<a href="#">Home</a>	<a href="#">Contact Us</a>	<a href="#">Guest Book</a>	<a href="#">Map Search</a>	<a href="#">New Search</a>
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Real Property Display - Screen Produced 11/18/2020 10:13:29 AM

Account: <b>R034677325</b>	Type: <b>Commercial</b>		Location:	701 CULBERTSON DR
Building Name/Occupant:	SUMMIT CREST		<input type="button" value="Map Parcel"/>	OKLAHOMA CITY
Owner Name 1:	701 CULBERTSON LP	1/4 section #:	2705	
Owner Name 2:				
Billing Address 1:	PO BOX 54827	Tax District:	<input type="button" value="TXD 200"/>	
Billing Address 2:				
City, State, Zip	OKLAHOMA CITY, OK 73154	School System:	Oklahoma City #89	
Country: (If noted)		Land Size:	28,802.00 Square Feet	
		Lot Dimensions:	Width Depth	
<input type="button" value="Personal Property"/>	Land Value: 172,800	<input type="button" value="Treasurer:"/>	<input type="button" value="Click to View Taxes"/>	
Sect 27-T12N-R3W Qtr NE	<a href="#">LINCOLN TERRACE ADD Block 017 Lot 000</a>	<input type="button" value="Subdivision Sales"/>		

**Full Legal Description:** LINCOLN TERRACE ADD 017 000 LOTS 10 THRU 13

<input type="button" value="Photo &amp; Sketch (if available)"/>	<input type="button" value="Comp Sales Address/Date/Price (ordered by relevancy)"/>	<input type="button" value="Report Coming Soon"/>
--	---	---

No comparable sales returned.

**Valuation History** (\*Tax amounts are estimates only, actual tax amounts will be available mid November 2020)

Year	Market Value	Taxable Mkt Value	Gross Assessed	Exemption	Net Assessed	Millage	Tax	Tax Savings
2020	1,250,600	1,250,600	137,566	0	137,566	119.08	16,381.36	0.00
2019	1,250,600	1,250,600	137,566	0	137,566	119.00	16,370.35	0.00
2018	1,250,600	1,250,600	137,566	0	137,566	113.44	15,605.49	0.00
2017	1,250,600	543,531	59,787	0	59,787	113.35	6,777.02	8,816.09
2016	555,000	517,649	56,940	0	56,940	113.43	6,458.86	466.04

-- -- > >| [1/4]

**Property Account Status/Adjustments/Exemptions**

Account #	Grant Year	Exemption Description	Amount
R034677325	2019	5% Capped Account	0

**Property Deed Transaction History** (Recorded in the County Clerk's Office)

Date	Type	Book	Page	Price	Grantor	Grantee
7/8/2020	>	Deeds	<a href="#">14407</a> <a href="#">896</a>	2,625,000	DIANA BUILDING LLC	701 CULBERTSON LP
1/5/2017	>	Deeds	<a href="#">13335</a> <a href="#">1392</a>	1,250,000	HUXLEY ESTATE WEST LLC	DIANA BUILDING LLC
11/1/2007	>	Hmstd Off &	<a href="#">11025</a> <a href="#">817</a>	0	COLCLOUGH JOHN M	HUXLEY ESTATE WEST LLC
5/6/2004	>	Deeds	<a href="#">9309</a> <a href="#">483</a>	825,000	HOFFMAN RONNIE	COLCLOUGH JOHN M
11/16/2001	>	Deeds	<a href="#">8268</a> <a href="#">181</a>	500,000	SERENITY APARTMENTS LLC	HOFFMAN RONNIE

-- -- > >| [1/3]

**Last Mailed Notice of Value (N.O.V.) Information/History**

Year	Date	Market Value	Taxable Market Value	Gross Assessed	Exemption	Net Assessed
2018	04/18/2018	1,250,600	1,250,600	137,566	0	137,566
2017	03/20/2017	1,250,600	543,531	59,787		
2016	03/14/2016	555,000	517,649	56,940	0	56,940
2015	03/26/2015	710,800	493,000	54,229	0	54,229
2014	03/18/2014	475,000	469,525	51,647	0	51,647

-- -- > >| [1/2]

**Property Building Permit History**

Issued	Permit #	Provided by	Bldg #	Description	Est Construction Cost	Status
3/30/1993	10189245	OKLAHOMA CITY	1	Cell Tower	0	Inactive

Click button on building number to access detailed information:

	Bldg #	Vacant/Improved Land	Bldg Description	Year Built	SqFt	# Stories
<input type="button" value="Click"/>	1	Improved	Multiple - Residential	1948	25,248	3 Stories





Case Number: V-20-21-3

Property Address: 701 Culbertson Drive

Owner: 701 Culbertson LP

Representative:  
Spencer Wilson – Fitzsimmons Architects

701 Culbertson Drive, South Elevation, Existing



Zoning: CN, Neighborhood Commercial District & HP, Historic Preservation District

Surrounding Zoning: North: RD-1, Single Family Residential District; HP, Historic Preservation District  
South: CN, Neighborhood Commercial District; HP, Historic Preservation District  
East: CN, Neighborhood Commercial District; HP, Historic Preservation District  
West: RD-1, Single Family Residential District; HP, Historic Preservation District

Current Land Use: Multiple family dwelling  
Proposed Land Use: Same as existing

Surrounding Land Uses: North: Single family dwellings  
South: Multiple family dwelling  
East: Multiple family dwelling  
West: Single family dwellings

Comprehensive Plan Designation: Neighborhood Commercial

**Background:**

The applicant acquired the property at 701 Culbertson Drive in July 2020 and is now in the process of repairing and improving the building, parking lot and grounds. The applicant proposes to construct a screening enclosure to screen the existing trash bin from public view. The trash bin is currently located in front (to the south) of the existing building near the east entrance to the property from Culbertson Drive. The applicant requests a variance from the siting standards for trash enclosures, which require enclosures to be located to the side or rear of principal structures rather than in the front.

The applicant’s submitted plans are attached for the Commission’s consideration.

**Items for Consideration:**

**1. Variance from siting standards for trash enclosures.**

Proposal: The applicant proposes to install a fenced enclosure to screen the property’s existing dumpster from public view. The applicant requests a variance from the zoning rule that requires dumpster enclosures to be located behind the front building line. In this case, the proposed screening enclosure is south (to the front) of the principal building, and this is where the dumpster has been located for many years. Plans for the enclosure are provided in the attached application and scope of work.

The proposed dumpster enclosure would be located near the driveway onto the property from Culbertson Drive as indicated on the submitted application and plans. The enclosure would be constructed of horizontal cedar plank fencing on a steel structure with steel tube posts and dual six-foot gates. Bollards would be installed inside the enclosure to protect the fence from potential damage from dumpster movement. The enclosure would be designed and located for safe and adequate truck access. The proposed placement of the enclosure would limit the amount of truck maneuvering movements required to enter and exit the property. The enclosure would be 6 feet, 8 inches in height to fully screen the dumpster from public view and would be an aesthetic improvement as the existing dumpster is in open view from the street.

### **Applicable Zoning Rules:**

Mechanical equipment, service areas, and dumpsters in locations visible to the public are to be screened with landscaping, fencing, or a combination of both. In regard to dumpsters and screening in the Historic Preservation District, the *Historic Preservation Standards and Guidelines* state:

3.4.3: Service and mechanical equipment are commonplace, but their presence must be minimized by appropriate placement and screening. A planted screen is preferred and a fence screen is also acceptable.

2.4.4: Service equipment (including ground mounted solar collectors), mechanical areas and trash receptacles, if proposed, must be screened from the street and other pedestrian areas. Loading areas should be located away from primary façades and be well-maintained.

Title 120:10-5-8 of the Commission’s Zoning Rules provides the following standards for dumpsters:

“No commercial dumpster or trash receptacle shall be located or stored in the front yard area or in the street right-of-way. Except for periods of unloading, all commercial dumpsters, residential dumpsters and trash receptacles shall be stored behind the front yard building line in areas that are not visible from the street. These areas shall be appropriately screened by use of a sight proof fence or plantings at a height adequate to hide the dumpster or receptacle from view on all sides.”

Since the enclosure would be located in front of the building, it requires a variance from the strict application of the above-listed rule. The property is a corner lot with no rear or side yard areas large enough to accommodate a dumpster or to provide truck access. Placement of a dumpster in the front courtyard is not recommended due mainly to aesthetic impacts and truck access issues. Existing overhead powerlines preclude placement of a trash enclosure at the rear of the building adjacent to Lindsay Avenue. The proposed placement of the dumpster enclosure in front of the building at the driveway on Culbertson Drive is the most sensible solution given the circumstances.

### **OAC 120:10-13-18. Powers of the Commission relative to variation**

(a) The Commission is empowered to authorize, as requested a variation from the strict application of this Chapter to relieve difficulties or hardship, but may establish requirements relative to the property to achieve the purpose and intent of this Chapter. The Commission shall have the power to grant variances in the following instances:

- (1) Exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the original adoption of this Chapter.
- (2) Exceptional topographical conditions or other extraordinary or exceptional situations or conditions of a specific piece of property, which is a condition generally not prevalent in the area.

- (3) When the strict application of the requirements of this Chapter would result in peculiar and exceptional undue hardship on the property owner.
- (b) The Commission shall not grant a variance for a principal use that is not permitted in the applicable district. It is the expressed spirit and intent of this Chapter that a change of the permitted principal use shall be made by amendment of the regulations or the zoning map.
- (c) A variance from the requirements of this Chapter shall be granted by the Commission under the following provisions:
  - (1) The granting of the variance will not confer on the applicant any special privilege that is denied by this Section to the lands, structures, or building in the same district.
  - (2) No nonconforming use of the neighborhood lands, structures, or buildings in the same zone and no permitted use of land, structures, or building in other district shall be considered grounds for issuance of a variance.

**Prior Actions:**

The Historical Preservation and Landmark Board of Review reviewed this proposal on March 4, 2021, and granted a certificate of appropriateness for the proposed work as submitted (CA-20-21-17).

The Citizens' Advisory Committee will review this proposal on March 11, 2021, and Staff will provide a report on the Committee's recommendations at the March 26, 2021 Commission meeting.

**Staff Recommendation:**

1. **Approve V-20-21-3** with the following findings:
  - a. The location of the existing structure and the improvements on the property makes strict compliance with the zoning rules difficult and impractical and causes a hardship on the owner.
  - b. The proposed trash enclosure's design, size, height, and placement are compatible with the existing building and surrounding buildings.
  - c. The proposed work will have no detrimental impact on adjacent properties.
  - d. The proposed work is compatible with the Master Plan land use designation for the property, which is Neighborhood Commercial.
  - e. The proposed work is in keeping with the spirit and intent of the zoning rules.
  - a. The proposed work will not adversely affect the integrity and historic character of the district or the property.
  - b. The proposed work will not damage any historic materials or character-defining features.
  - c. The proposed work, if removed in the future, would not impair the essential form and integrity of the property and its environment.

**Attachments:**

Application and Supporting Documents  
County Assessor Property Record Card





**State of Oklahoma  
Capitol-Medical Center Improvement  
and Zoning Commission**

**Application for  
Certificate of Appropriateness**

P.O. Box 53448  
Oklahoma City, OK 73152-3448  
Phone: 405-522-0440 Fax: 405-522-3861

<http://omes.ok.gov/boards-commissions/capitol-medical-center-improvement-and-zoning-commission>

I (we), the undersigned owners of the following described property, respectfully make application to the Capitol-Medical Center Improvement and Zoning Commission to request the addition, demolition, or alteration of an improvement or structure on the property. In support of the application, the following facts are shown:

**Location of Property (Address) and Legal Description:**

701 Culbertson Drive Oklahoma City 73105  
Address City ZIP Code

Lincoln Terrace 17 10, 11, 12, & 13  
Addition Block Lot(s)

Legal Description (unplatted land only): \_\_\_\_\_

**Itemized Description of Proposed Work** (List each item proposed. Work not listed here will NOT be reviewed. Attach additional pages as necessary.)


**Dumpster Enclosure - See attached description of work (Item A)**

Is federal funding, a federal license, or a federal permit included/required for any part of this project?  Yes  No  
If yes, what federal agency? \_\_\_\_\_

Is the property owner pursuing the Federal Tax Credits for Rehabilitation of income producing historic properties?  
 Yes  No (For questions concerning the federal tax credit program, contact the State Historic Preservation Office at 405-522-4479.)

**Authorization**

I hereby certify that all above statements and statements contained in all attached and transmitted exhibits are true to the best of my knowledge and belief. In the event that this proposal is approved and begun, I agree to complete the changes in accordance with approved plans in a good and workmanlike manner. I authorize the State of Oklahoma to enter the property for the purpose of observing and photographing the project for presentations and to ensure consistency between the approved proposal and the completed project. I understand that my proposal may require additional approvals/permits from the State of Oklahoma and/or the City of Oklahoma City.

Applicant Signature (owner/agent): 		
<u>P.O. Box 54827</u>	<u>Oklahoma City</u>	<u>73154</u>
Street Address	City	ZIP Code
<u>405-456-0750</u>	<u>info@substancia.com</u>	
Phone number	Email	

Representative (If applicable):	<u>Brian Fitzsimmons, AIA</u>
<u>(405) 600-9460</u>	<u>brian@fitzsimmons-arch.com &amp; spencer@fitzsimmons-arch.com</u>
Phone Number	Email

## **A : SCOPE OF WORK**

# 701 CULBERTSON DRIVE

CA Application #2: Dumpster Enclosure

701 Culbertson Drive – Oklahoma City, OK 73105

November 3<sup>rd</sup>, 2020

## DESCRIPTION OF WORK:

The redesign and/or repair of the existing courtyard, exterior spaces, amenities, and tenant entrances at the multi-family housing property at 701 Culbertson Drive to provide a more secure and tenant friendly exterior experience. Work is limited to exterior site work and entrances to the structure; no work is to impact the roof, windows, or other aspects of the actual building exterior beyond what is listed.

## ITEMIZED LIST OF WORK:

3. **Dumpster Enclosure:** provide a 6'-8" enclosure to screen dumpster from public view. Enclosure to consist of horizontal cedar plank fencing on steel structure with dual 6'-0" gates to provide a clear opening as needed for waste management vehicles to access bin. A pedestrian door shall be provided for tenant access, and cane bolts provided to secure vehicle access gates.

The existing structure was constructed on the site in such a manner that there exists no practical or allowed solution by which any manner of trash container can be placed out of public view and presents an extenuating circumstance to justify an exception to zoning requirements. This is largely due to the necessary clearances needed for waste management vehicles to approach, and the building being located on a corner lot where it is exposed on two sides.

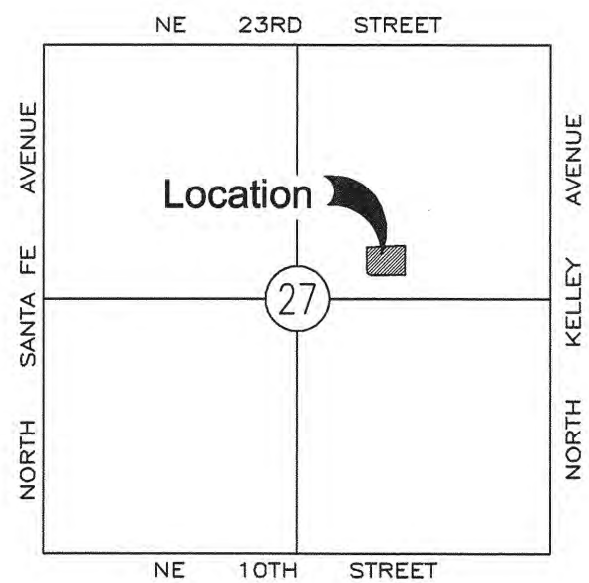
**END OF DESCRIPTION**

## **B : EXISTING CONDITIONS**



**ALTA SURVEY**  
**Lots 10 through 13, inclusive, in Block 17 of Lincoln Terrace**  
**Oklahoma City, Oklahoma County, Oklahoma**

R 3 W



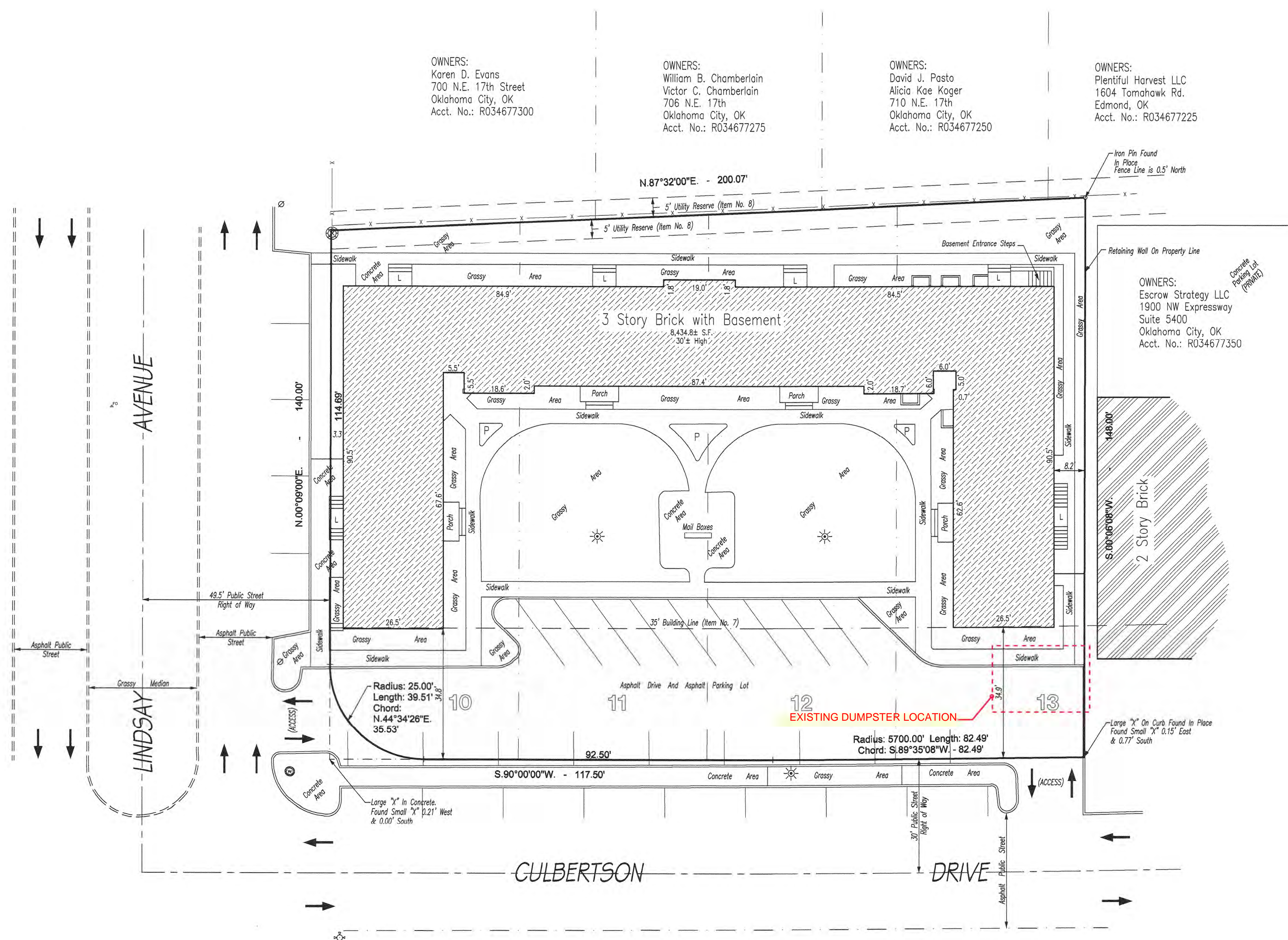
Location Map

OWNERS:  
 Karen D. Evans  
 700 N.E. 17th Street  
 Oklahoma City, OK  
 Acct. No.: R034677300

OWNERS:  
 William B. Chamberlain  
 Victor C. Chamberlain  
 706 N.E. 17th  
 Oklahoma City, OK  
 Acct. No.: R034677275

OWNERS:  
 David J. Posto  
 Alicia Koe Koger  
 710 N.E. 17th  
 Oklahoma City, OK  
 Acct. No.: R034677250

OWNERS:  
 Plentiful Harvest LLC  
 1604 Tomahawk Rd.  
 Edmond, OK  
 Acct. No.: R034677225



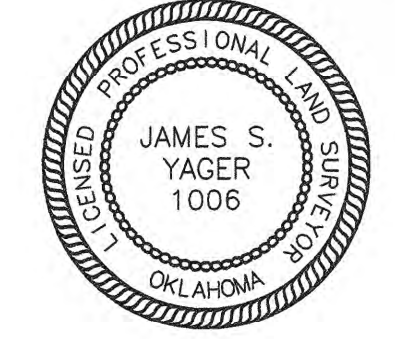
**Surveyor's Certificate**

To: First American Title Insurance Company  
 First American Title & Trust Company  
 Diana Building LLC  
 RCB Bank

This is to certify that this map or plot and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6(a), 6(b), 7(a), 7(b)(1), 7(c), 8, 9, 13, 14, 16, and 19 (Graphically depict in relation to the subject tract or property any offsite easements or servitudes benefitting the surveyed property and disclosed in Record Documents provided to the surveyor as part of the Schedule "A") of Table A thereof. The field work was completed on 9 January 2017.

Date Signed: 1-12-17

James S. Yager  
 Licensed Professional Land Surveyor No. 1006  
 Certificate of Authorization Number 2778  
 Expires: 6-30-2017  
 1212 South Air Depot Number 19 Suite 102  
 Midwest City, Oklahoma 73110  
 405-737-3412



**Legal Description**

Lots Ten (10) through Thirteen (13), Block Seventeen (17), LINCOLN TERRACE, an Addition to Oklahoma City, Oklahoma County, Oklahoma, according to the recorded Plat thereof.

The above legal description is the same as listed in First American Title Insurance Company commitment for title insurance, title commitment number 2196307-OK11 dated November 7, 2016.

**Land Area**

28,203.976 Square Feet or 0.648 Acres, more or less.

**Flood Zone Information**

By graphic plotting only, the subject tract is located in Flood Zone ?? (areas determined to be outside 500 year floodplain) as shown on Flood Insurance Rate Map, Panel Number 40109C0285H, with an effective date of December 18, 2009, which is the current map for this area.

**Schedule B Items**

First American Title Insurance Company Commitment No. 2196307-OK11, having an effective date of November 7, 2016, affects the subject property and was relied upon for recorded information regarding rights-of-way, easements and encumbrances in the preparation of this Survey.

- Restrictive covenants, conditions, restrictions and easements recorded in Book 21 of Plats, page 47, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, national origin, sexual orientation, marital status, ancestry, source of income or disability, to the extent such covenants, conditions or restrictions violate Title 42 Section 3604(c), of the United States Codes. AFFECTS THE DESCRIBED TRACT NOTHING TO PLOT.
- All items affecting subject Lots as shown on the recorded plat are made a part hereof. AFFECTS THE DESCRIBED TRACT AS SHOWN.
- A 35-foot front building set back line, as shown by plat and dedication, and as provided in Restrictive Covenants. AFFECTS THE DESCRIBED TRACT AS SHOWN.
- Easement for public utilities over the rear 5 feet, as shown by the recorded plat. AFFECTS THE DESCRIBED TRACT AS SHOWN.
- Restrictive covenants and reservations set forth in the Warranty Deed recorded in Book 545, page 30. AFFECTS THE DESCRIBED TRACT NOTHING TO PLOT.
- Affidavit of Contractual Agreements with Cox Communications, Inc. and Property Owners, recorded in Book 8792, page 264. BLANKET EASEMENT COVERING THE DESCRIBED TRACT.

**Utility Notes**

The underground utilities shown have been located from field survey information. The surveyor makes NO guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor does NOT further warrant that the underground utilities shown are in the exact location indicated, although he does certify that they are located as accurately as possible from the information available. The surveyor has NOT physically located the underground utilities.

Point of entry of the utilities were NOT determined at the time of survey. UTILITIES LOCATED BY VISUAL OBSERVATION ONLY. Before any construction is started, call: Call-Okie Before You Dig 405-840-5032.

**General Notes**

The basis for the bearings shown on the above annexed ALTA Survey, are based upon the recorded plat of Lincoln Terrace, an addition to Oklahoma City, Oklahoma County, Oklahoma.

This Plat of Survey meets the Minimum Technical Standards as adopted by The Board of Licensure for Professional Engineers and Land Surveyors for the State of Oklahoma.

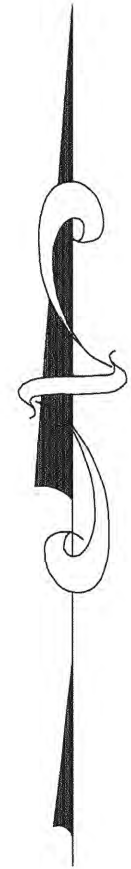
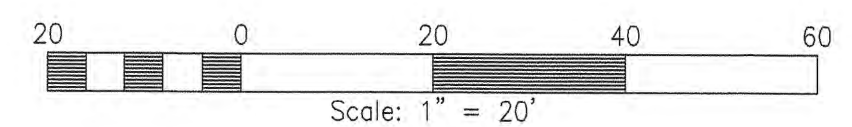
At the time of survey, no evidence of cemeteries or burial grounds existed on the subject tract.

At the time of survey, there was no observable evidence of earth moving work, building construction or building additions within recent months. At the time of survey, there was no observable evidence of the site being used as a solid waste dump, sump or sanitary landfill.

The above described tract has direct access to Lindsay Avenue and Culbertson Drive, both publicly dedicated streets.

**Legend**

- Fence Line
- L - Landing
- - Traffic Direction Arrow
- ⊙ - Water Meter
- ⊕ - Fire Hydrant
- ⊗ - Sanitary Sewer Manhole
- 10 - Lot Number
- \* - Light Pole
- ⊘ - Power Pole
- ⊙ - Fiber Optic Cable Sign
- P - Planted Area



Survey and Plat by:  
**James S. Yager**  
 Licensed Professional Land Surveyor  
 Certificate of Authorization Number 2778 Expires: 30 June 2017  
 1212 South Air Depot \* Number 19 Suite 102  
 Midwest City, Oklahoma 73110 Telephone: 405-737-3412/Fax: 405-737-4215

File Name: C:\701 CULBERTSON\2017 ALTA.DWG  
 Date of Survey: 9 January 2017  
 Date of Revision:  
 Page 1 of 1





DUMPSTER VISIBLE  
FROM STREET

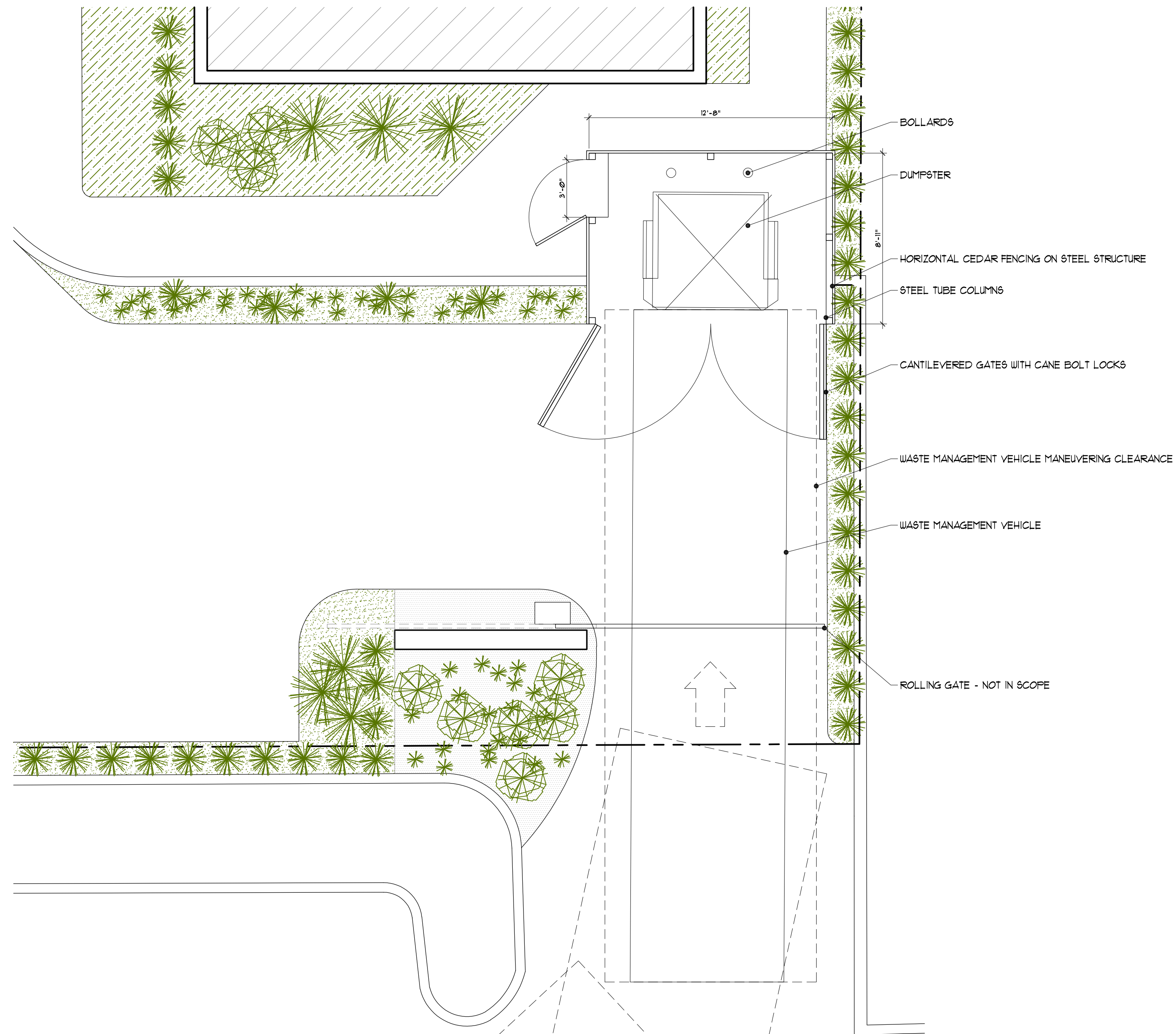
WASTE MANAGEMENT VEHICLES  
LIMITED TO ONE APPROACH DRIVEWAY





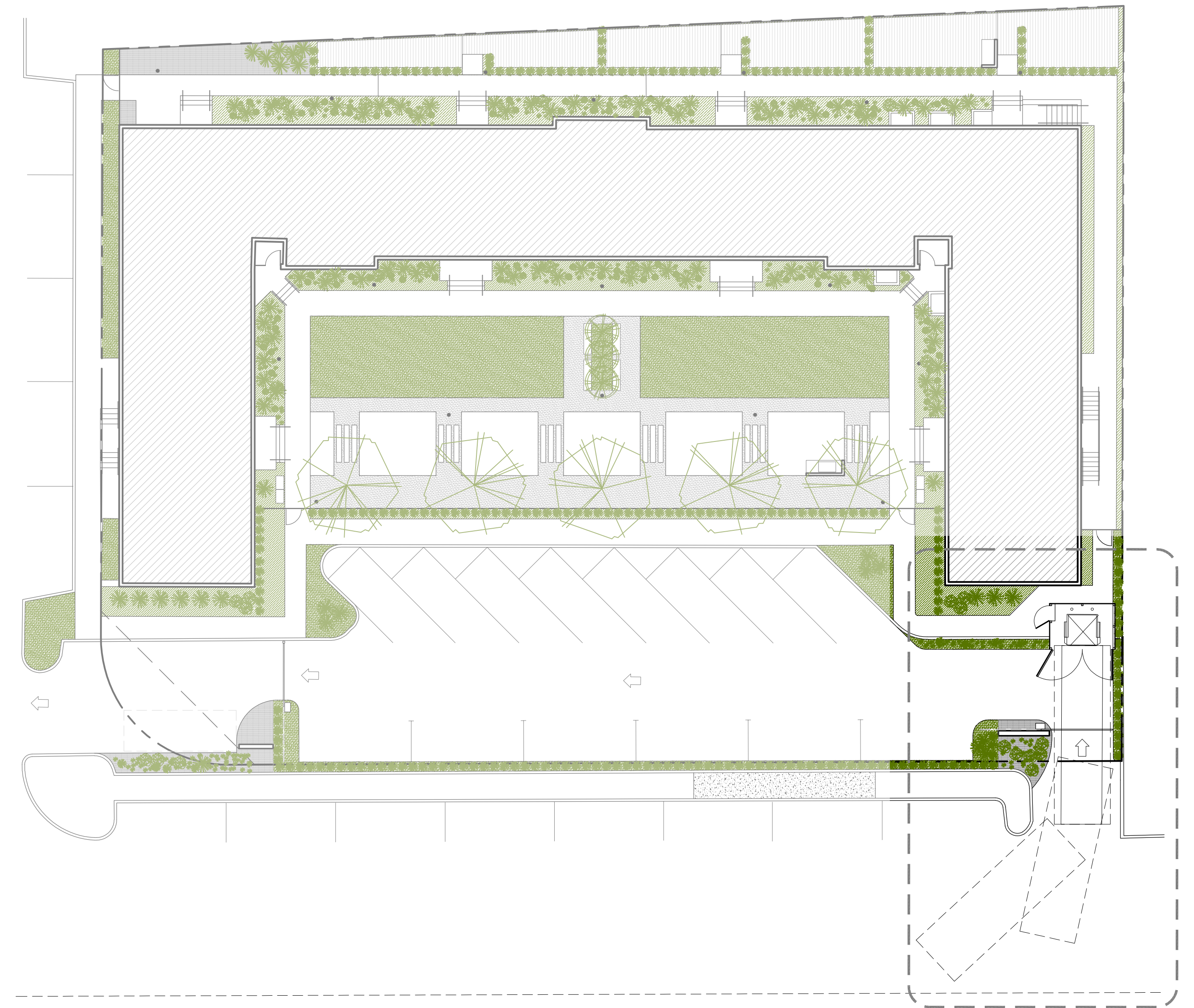
VISIBLE DUMPSTER





**NECESSARY APPROACH AND REVERSE PATH**

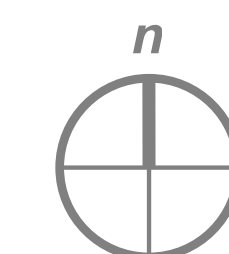
scale: 1/4" = 1'-0"



scale: 1/16" = 1'-0"

**701 Culbertson Masterplan - Dumpster Enclosure**  
 701 Culbertson Drive  
 Oklahoma City, OK - 73105

fitzsimmons architects



November 3rd, 2020







DUMPSTER ENCLOSURE  
6'-8" TALL, CEDAR PLANK  
ON STEEL STRUCTURE



**Larry Stein**  
County Assessor

## Oklahoma County Assessor's Public Access System

320 Robert S. Kerr #313  
Oklahoma City, Ok 73102  
(405) 713-1200



Oklahoma  
Conservation  
Commission

**All records are current as of close of previous working day**

**Larry Stein-Oklahoma County Assessor Public Access System**

<a href="#">Home</a>	<a href="#">Contact Us</a>	<a href="#">Guest Book</a>	<a href="#">Map Search</a>	<a href="#">New Search</a>
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Real Property Display - Screen Produced 11/18/2020 10:13:29 AM

Account: <b>R034677325</b>	Type: <b>Commercial</b>		Location:	701 CULBERTSON DR
Building Name/Occupant:	SUMMIT CREST		<input type="button" value="Map Parcel"/>	OKLAHOMA CITY
Owner Name 1:	701 CULBERTSON LP	1/4 section #:	2705	
Owner Name 2:		Parent Acct:		
Billing Address 1:	PO BOX 54827	Tax District:	<input type="button" value="TXD 200"/>	
Billing Address 2:		School System:	Oklahoma City #89	
City, State, Zip	OKLAHOMA CITY, OK 73154	Land Size:	28,802.00 Square Feet	
Country: (If noted)		Lot Dimensions:	Width Depth	
<input type="button" value="Personal Property"/>	Land Value: 172,800	<input type="button" value="Treasurer:"/>	<input type="button" value="Click to View Taxes"/>	
Sect 27-T12N-R3W Qtr NE	<a href="#">LINCOLN TERRACE ADD Block 017 Lot 000</a>	<input type="button" value="Subdivision Sales"/>		

**Full Legal Description:** LINCOLN TERRACE ADD 017 000 LOTS 10 THRU 13

<input type="button" value="Photo &amp; Sketch (if available)"/>	<input type="button" value="Comp Sales Address/Date/Price (ordered by relevancy)"/>	<input type="button" value="Report Coming Soon"/>
	No comparable sales returned.	

**Valuation History** (\*Tax amounts are estimates only, actual tax amounts will be available mid November 2020)

Year	Market Value	Taxable Mkt Value	Gross Assessed	Exemption	Net Assessed	Millage	Tax	Tax Savings
2020	1,250,600	1,250,600	137,566	0	137,566	119.08	16,381.36	0.00
2019	1,250,600	1,250,600	137,566	0	137,566	119.00	16,370.35	0.00
2018	1,250,600	1,250,600	137,566	0	137,566	113.44	15,605.49	0.00
2017	1,250,600	543,531	59,787	0	59,787	113.35	6,777.02	8,816.09
2016	555,000	517,649	56,940	0	56,940	113.43	6,458.86	466.04

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**Property Account Status/Adjustments/Exemptions**

Account #	Grant Year	Exemption Description	Amount
R034677325	2019	5% Capped Account	0

**Property Deed Transaction History** (Recorded in the County Clerk's Office)

Date	Type	Book	Page	Price	Grantor	Grantee
7/8/2020	>	Deeds	<a href="#">14407</a> <a href="#">896</a>	2,625,000	DIANA BUILDING LLC	701 CULBERTSON LP
1/5/2017	>	Deeds	<a href="#">13335</a> <a href="#">1392</a>	1,250,000	HUXLEY ESTATE WEST LLC	DIANA BUILDING LLC
11/1/2007	>	Hmstd Off &	<a href="#">11025</a> <a href="#">817</a>	0	COLCLOUGH JOHN M	HUXLEY ESTATE WEST LLC
5/6/2004	>	Deeds	<a href="#">9309</a> <a href="#">483</a>	825,000	HOFFMAN RONNIE	COLCLOUGH JOHN M
11/16/2001	>	Deeds	<a href="#">8268</a> <a href="#">181</a>	500,000	SERENITY APARTMENTS LLC	HOFFMAN RONNIE

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**Last Mailed Notice of Value (N.O.V.) Information/History**

Year	Date	Market Value	Taxable Market Value	Gross Assessed	Exemption	Net Assessed
2018	04/18/2018	1,250,600	1,250,600	137,566	0	137,566
2017	03/20/2017	1,250,600	543,531	59,787		
2016	03/14/2016	555,000	517,649	56,940	0	56,940
2015	03/26/2015	710,800	493,000	54,229	0	54,229
2014	03/18/2014	475,000	469,525	51,647	0	51,647

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**Property Building Permit History**

Issued	Permit #	Provided by	Bldg #	Description	Est Construction Cost	Status
3/30/1993	10189245	OKLAHOMA CITY	1	Cell Tower	0	Inactive

Click button on building number to access detailed information:

	Bldg #	Vacant/Improved Land	Bldg Description	Year Built	SqFt	# Stories
<input type="button" value="Click"/>	1	Improved	Multiple - Residential	1948	25,248	3 Stories