

MINUTES
BUILDING MATERIALS REVIEW COMMITTEE
CITY HALL 2nd FLOOR CONFERENCE ROOM
OCTOBER 25, 2023

Minutes of the Building Materials Review Committee Special Meeting October 25, 2023 in the 2nd Floor Conference Room , City Hall, 212 SW 9th Street, Lawton, Oklahoma.

The agenda for the meeting was posted on the bulletin board in City Hall in compliance with the Oklahoma Open Meeting Act.

The meeting was called to order at 3:00 pm by Darren Medders.

ROLL CALL

MEMBERS PRESENT: Darren Medders
 Chris Boyd
 George Gill

MEMBERS ABSENT: None

ALSO PRESENT: Christina Ryans-Huffer, Recording Secretary
 Charlotte Brown Director Community Services/Planning
 Kameron Good Senior Planner
 Tyler Pobiedzinski Planner I
 Joaquin Puente

2. Establish Quorum.

3 (three) of 3 (three).

3. Consider approving the meeting minutes from August 2, 2023.

Medders stated we are striking Item# 3 (three).

Business

4. Consider a request for the building material of a proposed carport to be metal for the property located at 7607 NW Taylor Avenue, Lawton, OK 73505 and take appropriate action deemed necessary.

Good stated this is an application for an appeal to the Building Material Review Committee decide to accept a metal carport. In Code it says that it needs to match in appearance to the main structure and as you can see submitted with the application is a picture. The first picture in your packet is the house, where the carport is proposed 7607, the second and third picture is the houses that are adjacent to the property and then the other pictures submitted are the example of the carport that the applicant would like to build. There are certain requirements, other requirements as far as setbacks go and all of those requirements will be met. The question at hand is whether or not we will like this to be built out of metal, with the metal panel roofing. The structure itself is required to be metal or wood but the architectural look of it is what's supposed to be matching the house. That's the question at hand. The applicant is here if you have any questions of the applicant. Do you have anything you'd like to say?

Gill asked would that Code require a gabled or a flat?

Brown stated he's got a hip roof so, a flat would be a better aesthetic and you can't do shingles on a flat roof, obviously.

Gill stated I just noticed there were a lot of others when I went through there, that were flat, were metal with flat roofs.

Brown stated and several of those are probably predate our Code.

Gill stated I didn't look at the Code but I'm sure those were done before the Code we have now.

Brown stated yes, the Code we have now was originally written in 2011 because we were getting the real cheap metal carports and we were getting a lot of complaints about those.

Gill stated that is the only thing that bothers me is Prefab metal like that some are good I'm sure, but I can remember many years ago a lot of those you could buy them at Sears or wherever. They look very good but if you got a really strong wind, it would be down the street in their neighbors yard every time, not just once in a while. So, does it have any engineering requirements or weather certification it has to have?

Brown stated it's not required. We do have standards in our Codes that you know the footings have to be 2 (two) feet deep and rebar and stuff in them and they have to be tied down.

Gill stated okay.

Brown stated we do, do that.

Gill stated those are basically the only questions I had. I don't have an objection. I think Kameron addressed the fact that it's going to be inside the property line not over, Correct?

Good stated the requirements are within the property line and also it will be 12 (twelve) feet back from the street curb. I measured arial and it does have the proper length. I would propose is the 24 (twenty-four) by 20 (twenty) by 9 (nine) and there is the appropriate set back requirements.

Gill stated that is one of the biggest things for me is the setback to keep the neighborhoods looking good.

Brown stated yes. I actually think you know based on the pictures that the applicant provided that this is a really nice carport.

Puente stated and it will get trim and gutters as well and that will be exposed.

Brown asked so you're going to have trim and gutters to match the house?

Puente stated yes.

Brown stated okay.

Boyd asked so have done, I know we've done before when we've talked about like the wainscotting and stuff like the precedent for previous appeals?

Good stated that's actually Item 5.

Brown stated yes.

Good stated to clarify what we want moving forward.

Brown stated to have a discussion on that. This I believe is actually the first carport that we've brought to BMRC.

Boyd stated okay, I'm glad I didn't even know we did it until you sent this.

Good stated the question at hand for this one is just because Code requires that the color, material, and the general appearance will harmonize with the house and the house is brick with a shingled roof and this is a metal carport. So, that's where the residential plans examiner didn't feel that it was in harmonize with the house. We are also are looking for clarification on that, that's we do have that discussion item on number 5 to clarify what we want moving forward on that.

Brown stated and to bring back some possible Code changes to put that clarification into Code.

Gill asked so this was turned down when he came in for a Building Permit?

Good stated correct.

Puente stated yes Sir.

Brown asked did he actually deny it, or did he just tell you to come to us?

Puente stated no I spoke to somebody in Planning and that's why I brought it to you.

Brown stated okay.

Good stated a Building Permit wasn't actually submitted. He was here to submit it and with further discussion said this was going be the route he needed to come before we would issue a Permit.

Boyd asked but Staff's recommendation is to approve?

Brown stated yes.

Good stated yes.

Boyd stated okay.

Medders stated it's up to you.

Boyd stated I think that looks quality. It's not like what Councilman Gill was talking about like an old aluminum junky carport that's going to blow away.

Good stated so my understanding the intent of this Code when it was created was, we were getting a lot of barn tin carports. They were just using old barn tin and making carports out of them, so I think that was the intent.

Gill stated and shipping crates.

Good stated so that was my understanding when this Code was created what the purpose of it was to make sure these carports are built to at least a standard.

Puente stated yes Sir that what we want to do with the final pieces.

Good asked the intent is for it to be black?

Puente stated yes Sir.

Good asked to match the trim, guttering and garage?

Puente stated yes Sir.

Good stated the neighbors also as you can see on his photos that he provided, the first photo in your packet, the neighbors also have updated recently since the Goggle street view, they have black trim with black guttering and a black roof. The street view on Goggle shows everything brown. They have updated their house to black roof and black guttering as well. You can kind of see a corner of it in his photo he provided.

Gill stated well we want you to have a carport and so we're here to help you get it, that way. Sounds like staff is happy so far. Do we need to still approve the metal?

Brown stated yes.

Gill asked right now we're just looking at the design, basically the concept?

Boyd stated I make a motion to approve it.

Gill stated I second it.

Brown asked any discussion or debate?

Motion by Boyd, Second by Gill to grant the approval of the request for the building material of a proposed carport to be metal for the property located at 7607 NW Taylor Avenue, Lawton, OK 73505. **Aye:** Boyd, Medders, Gill **Nay:** None. **Motion Passed.**

5. Hold a discussion on the architectural requirements for carports and other accessory buildings and direct staff as deemed necessary.

Good stated this is like I said, this is to cover exactly what we just talked about on the previous item. We're looking for your opinion, your discussion, your thoughts on where you'd like this Code what the purpose of this Code is for, to clarify right now. When somebody comes in with the carport and they have a metal paneled roof, our Residential Plans Examiner understanding after my discussion with him is, if they have a metal panel roof that's when we would accept that same exact factory painted metal panel roof on that carport and so there is a continuous same look of the house and so that was our understanding of, our interpretation of this Code. The Code is not clearly written. It does say in the Code that factory painted metal is accepted but our ruling or our enforcement of Code has always been if it is the same factory coated painted metal as the house. So, that's why the item was brought to you before this because the house was shingled roof.

Gill asked you mean color?

Good stated same color and same material.

Brown stated same color, same material.

Boyd stated it says roofing materials and color matching the same structure, except that factory painted panel metal roofing is allowed. So, it kind of already says that. If I got a black roof and I want to do a metal carport if I use black metal then I will be fine.

Good stated right now with just like the one we had now, as an example, the roof was shingled. You have a nice looking carport that was a metal roof but.

Boyd stated but what I just said was Code, like I just read Code "roofing materials that match the main structure except that factory painted panel metal roofing is allowed. So that kind of reads to me, if my metal panels are the same color as my shingles, I'm all good.

Brown stated so part of where the discussion is, is when this Code was originally written, if you had a gabled roof we wanted you to continue the gabled roof out. If you had a hip roof where you're connecting, in my opinion I always thought a flat carport is going to look better, instead of trying to gable what's not gabled and so, they did make some changes in 2018, Richard did and I was kind of iffy with them but doesn't straight up say, if you have a hip roof we're not going to expect you to gable, we'll allow for a flat roof carport. So, I think we need to specify if you have a hip roof where you're attaching, then a flat carport is what a flat metal carport is what's going to be expected.

Gill stated I don't have any problem with that, but what I think we might want to look at this. Most of these packages that you buy, unless you build it from scratch or some of the builders do

when you use metal roof, that roofing is going to come pre painted, of course, and to get pre painted roof panels number one and the color of shingles will be difficult because the menu on that is small in colors. Secondly, if you try to paint that over that with paint, it doesn't usually stay very good. And thirdly, you really can't see that flat roof anyway except underneath. So even if you use a galvalume which a lot of these are, which really is the best material, if you use painted steel, it will rust out down balloon one. So, if I were building in as a contractor or the architect, I would use a Gallup type material, so if the trim around it what I would call fascia or the flat trim up and down where the guttering goes on of that matches the House that would be great. You can buy that at any color on the rainbow, but to qualify to say that those roof panels have to be that color might run into a hardship, and I don't see it's going to make any difference because you really can't see it. So, we might just consider any type of a pre-engineered metal panel. I think that would be the right wording because they do come from an engineering company, they'll have a certain load. They'll be at a certain gauge, usually at 28 gauge 26 gauge and they'll have a about an 80,000 PSI index to them, pounds per square inch of pressure. So we might want to just if we're doing it really hold it tight, we could use pre-engineered roofing, I think that would cover anything that we want used.

Brown stated yes, I agree.

Gill stated I think anything that fell out of that realm, we really wouldn't want them using it so, tell them I wouldn't make an issue out of it.

Brown stated yes, I agree with that because you're not going to see that top and that's why, like a hip, you've got the hip and then it's just going flat right there. So, it's going to look like an extension, especially if you trim it out to match the rest of the house. It's just going to look like an extension of that so.

Gill responded that would be my thoughts on it.

Brown stated okay. So, on the other hand, on accessory buildings in the past with the 150 square foot accessory building architectural requirements, we've allowed for the three foot wainscoting in the past Boards. That's what the Board has always approved in the 36 inch wainscoting. Here lately we've actually had some structures that they've had turn the siding sideways or up and down to match the house, the siding and stuff like that. In the past they required windows to be installed on accessory structures to match the house. Especially, the really big ones, so I didn't know if you guys wanted us to actually put that in the Code that you know, if they meet those requirements, then they wouldn't have to come to you guys or if you guys still wanted to do it.

Good stated so right now, I think the issue is we have somebody that comes in and they want to build an accessory structure. We've been basing our review on accessory structures and commercial structures on the precedence of the BMRC ruling that said, yes, we'll accept the wainscoting of the material and so it's not written in Code that way. Written Code anything over 400 square feet has to meet our architectural standards and architectural standards says that any street facing or residential facing has to be of approved material and so when we're doing that, we're basing off of 1 ruling that BMRC said, rather than OK, let's get it written in the Code, you know. So, I think what we're asking here is, do you want this to us to bring back a Code change

to set that in Code to accept the wainscotting of approved material? Or do you guys think that it should be the full facing side for residential and street facing? It can be one thing for commercial it could be one thing for accessory buildings, it could you know.

Boyd responded so, that's what I was about to say. It's like, you know, if we just say, well, the wainscot is fine, then somebody can go put up a metal building on Cache Road and just put 3 foot of brick at the bottom and they're fine.

Brown stated well, and we could, we could specify like the three foot wainscotting would only be for residential accessory structures, not for main buildings, that they would still have to meet those requirements.

Boyd stated yes.

Good stated that's what we've actually been enforcing is the wainscotting on commercial side of things based on the BMRC and so when people have brought up a question of that, it's hard to say well, it's based on this decision rather than here's the Code, you know, and we much feel much comfortable as staff if it was here's the Code, not oh BMRC said this you know so.

Boyd stated yes, for sure. That makes sense.

Good asked if you guys would like it to be commercial, does full on street facing and residential facing sides and then on an accessory structure for residential a wainscotting would be acceptable? Is that what you're thinking?

Gill responded I think that sounds pretty good. I really I really hate to turn commercial loose because there's no telling what we'll get.

Boyd responded absolutely.

Medders stated definitely.

Gill stated I'd keep commercial, tight Is the best word I can think of just like you've been doing.

Good stated the other thing is on some of the commercials. I know there, Caliber Collision on the West side, we did the three facing, the front facing side is what they proposed and we said, yes, of course we'll accept that because they did the full front facing side as their approved material and then on the three other sides, they did a wainscotting.

Boyd stated that's a Mike Brown special.

Gill asked we're calling brick wainscotting, right?

Brown responded yes, brick, stucco, something that's not metal. Yeah, and. And, you know, on the residential side, a lot of it and we could even go so far as you know, if it's not, if it's surrounded by an opaque fence, then they wouldn't have to meet, they wouldn't have to put a wainscotting on it because you're not going to see it if it's got a.6 foot opaque fence around it.

Gill asked aren't you accepting like 150 to 200 square foot Pre-made Buildings you just go down there and buy them for ABC Buildings and just put them in your backyard so you don't have permits for that? You're wanting to get control of the larger types?

Boyd asked over 200, right?

Brown stated right, so over 200 requires a permit, but over 150 kicks in the architectural requirements on the residential side, which has always been a little weird to me, especially when we went to like you don't have to have a permit at 200. I think we need; I think in my opinion, we should bump it up to match the 200 on the architectural side on the residential and then that way we're straight across the board. And then when you come in for permits, we can tell you this is what you have to do, to work with that.

Good asked so do you guys feel that we need to put in code as well on the residential side, if, like she said, a 6 (six) to 8 (eight) foot OPEC screen fence is on the property line then the wainscotting wouldn't be required?

Boyd stated I don't think so because I know we've done that. We did that, I think the last time we met.

Good stated my only concern about it is.

Gill stated now where does that start? If you go down here and buy one of these.

Brown stated so it would be at the 200, yes..

Good stated my only concern is the structure is going to way outlast that fence.

Gill stated oh yeah, that's just what I was thinking about. You say that some of these opaque fences and 2/3 of the venetian blinds are gone and that's why they use. That's the cheapest.

Good responded so then it kind of kicks in the concern of, OK, so if that's the requirement that that fence has to be there now on my fence permits, now I'm going to look at, okay, does your accessory structure have this? Oh, it doesn't. Then your opaque fence is required, you know, what I'm saying?

Boyd asked well, but can you retroactively make them? You can't make retroactive?

Good stated but if they were applying for a fence permit.

Boyd responded and accessory structure permit.

Good stated no, and the accessory structure was already there and it didn't and it was metal and it didn't have the wainscotting because we allowed it to be there without the wainscotting.

Medders asked but if they're replacing a fence, they wouldn't have to have a permit, would they?

Boyd stated if the posts go back in the same holes you then you don't.

Brown stated yes, Chris knows that real well.

Boyd responded I'm very well versed in fence Code.

Gill asked are we talking about Lincoln?

Boyd responded whichever school you want to bring up.

Good stated bring it up.

Brown responded so he's not bitter about that.

Boyd stated I'm not bitter, I'm just sharing information that I've learned.

Good stated I think the opaque would be acceptable exemption for that. If you are you know you require this if your opaque screening on all property lines to where a person standing in the residential area can't see the structure, then the wainscotting would be required. But because that that sentence is key though, standing in the residential area because there's a lot of times when you're standing residence area and the opaque fence, you can see clearly over it.. You know, the elevation really matters so I think that sentence is key because we have it in our Opaque Screening Code written that way.

Brown stated yes, we do.

Good asked so is that something you guys like?

Gill responded well everybody now is using cedar fence so that we classify for it.

Brown stated yes.

Gill asked the only thing I don't like about is the window deal is having to put those in. You have to put those in at 200 and more or below 200?

Brown stated I only know of one that the board made them do that and that was over here on Columbia.

Good stated it's already in Code that they required that.

Brown responded yes. So that was because it was like a like a 400 to 500 square foot building. I mean, it was a good sized building and it was like a long building. So, they required this, the siding, the panels to match the siding and then they required I think 2 (two) windows on each side. Which means you're losing your structural integrity at that point but that's the only one that I can think of. And to me, I didn't really agree with that piece, but it was the Board at that time.

Gill stated yes the only thing that so many of these people don't want windows because they don't want people to get into them.

Brown stated right. Yes.

Boyd responded So but Code doesn't, that was just the board came up with that.

Brown stated yes, that was just a board requirement.

Good asked my next question on the same topic, wainscotting. Would wainscotting on the commercial side be acceptable if the residential behind it has an opaque screen fence? So, we require on a commercial building now that you guys, we want it to be fully done? Wainscotting is

not acceptable, correct? For our commercial side, is what we've just discussed. But if the rear is a residential area, so they would be required architectural if they have an opaque screen fence, would the wainscoting or just the metal be acceptable? So just like the residential way, you know we have that exemption.

Brown responded but the commercial the commercial buildings.

Boyd stated so with that you have to put in an opaque fence and tree buffer.

Brown responded yes, and tree buffer. But the commercial buildings are going to be a lot taller, most of them than you would see a regular accessory residential accessory structure.

Good asked so, we want commercial buildings to be fully acceptable material all the way around?

Brown stated on the residential side and the street side.

Good asked so that means, you got the residential in the back, you're on the street, you got commercial to your east and west. You you're east and West or right and left wouldn't have to be approved material?

Brown responded right.

Good asked so just your residential side on the back and your street facing side?

Brown responded yes, because technically your right and left side, your east and west side or whichever side are commercial embedded.

Good asked so the exemption would not kick in for commercial if there is a screen?

Brown stated right.

Good stated because we, like I said, we've been accepting wainscoting for commercial based on the old BMRC, a wainscoting is acceptable.

Boyd asked if you're adjacent to residential, but the residential is across an alley, do you still have to meet that Code?

Brown stated yes.

Boyd asked when did that become Code?

Brown stated so because you're the zoning, goes the middle of the alleyway, the property is still abutting.

Boyd responded I see. When did that? Did that change or is that always right?

Brown stated that's always been like that.

Gill responded as long as I can remember.

Boyd stated I know a couple of buildings have nothing like that. I got permits, man.

Good asked you can get an easement to place the fence on the residential, the opaque screening, on residential side but you obviously have to have the easement from that property line.

Gill stated well, you really can't enforce that opaque fencing in most cases on the residential side. So, if it disappears or goes down tears up, then it's really exposed it to the commercially and having done it, I'm sure that's the reasoning that's logical.

Brown responded yes, yes it is.

Gill stated so we just put a few more dollars on the bid or let them put their own fence up. I prefer that.

Good asked so I think I think we got clarification on residential and commercial side.

Brown stated okay, so then I have one more thing on the same topic. Metal fences. It's very rarely that we see a metal fence come in, but the board's decision in the past had been, it's approved, but they have to put a top cap and a bottom cap on, and those have to be also like the trim color. So, you have one color fence and the top and the bottom cap are a different color to be, like trim it out like you would a house and that and the that reasoning was just so that you don't have the sharp edges and then it's easier to, you know, weed, eat and stuff around when you're mowing. Is that something that you want us to put into code as a permitted type of fence?

Gill responded well, I think metal fence is important. There's a lot of them used, especially in the industrial areas. I don't know as far as the trim goes, it's expensive as metal fences are and the trim and all, I personally not really excited about trimming.

Brown stated well, and it's like so in the industrial area then you know we don't, that's not a requirement. It would only be a metal fence at the house.

Gill asked you're talking about residential.

Brown stated because the industrial doesn't have to follow the same rules as the architectural requirements, so they can have full metal buildings, metal fences and stuff like that. So, but this would be for a residential area.

Gill responded in the in the residential area it really cleans it up and it really looks nice. yes, I agree on that. I just, on all the Salvage companies and all the people down in there, that's a real hassle to do, put that trim on there and then try to keep it there and make it look good.

Brown stated yes.

Boyd asked my only thing is maybe do we have to delineate to them that the trim has to be a different color, just as long as they put a top and bottom cap?

Brown responded and that's up to you guys, I mean the first time that I remember this coming. We had a lady who backed up to Highland Cemetery and she wanted to. Her husband was buried there and she had a little kid and, you know she wanted to block the cemetery.

And so, she came in and cried because she wanted this metal fence and we had told her, unfortunately it didn't meet code. And so that's when during that discussion, that's when the different differentiating colors. I don't care honestly.

Gill stated I think it's extra work for not much worry. I think whoever puts that fence up, even if they match the panel. It might look better to match the panel because they may pick purple or green.

Boyd responded yes.

Brown stated yes, to me, I would, you know definitely delineate a metal fence with the top and bottom cap and not specify that it has to be alternating colors and stuff.

Boyd responded that's what I think.

Gill stated yes, I think that's a good idea.

Brown stated okay, so we will work on some ordinance changes and we will bring those back to you guys before we take them through CPC and stuff just to make sure that you guys are good with how we do that. Any other thing on that?

6. Reports or Comments.

None.

7. Comments from the Public.

Puente stated I know it's policy but it's kind of, it's a little bit ridiculous to get permission to get this on your property. I can see you know commercial. But I mean I understand you know I mean because like you said the cheap ones they had ; you want to have them good.

Medders stated I think the biggest thing, you wouldn't want your neighbor devaluing your property and that's all we're trying to do, so.

Puente stated I understand that.

Good stated and I think the Code changes we're going to be bringing up will help clarify and you know.

Medders responded make it easier.

Good stated yes. I think with the Code change that as we're moving forward, I don't think you would have been required to come, you know after we make these Code changes.

Puente stated because we got a lot of, you know, military, we all know.

Brown responded and that's why, you know, if we have it, if we have it written out, then it's a little bit easier to explain.

Puente responded gotcha.

Gill stated we also unfortunately, like any city have Contractors that come in when there's a storm or there's damage like this last hail storm and they're the guys you don't want work in on your property, but they go around the people unsuspectedly especially the elderly, and they sell them a bill of goods. And if somebody doesn't get a permit and control what they do. These people get swindled out of a lot of money, so that's why we have Codes and Regulations. It's not always really fair necessarily, but it just protection and for your property because when you put up that carport, that leads to increase your value for your property. The same thing for your neighbor. I've seen, everybody laughed, but I have actually seen carports with shipping crates or ammunition boxes like Fort Sill use to have and they put it up on right in front of the house and they're there. And then you live next door and you're calling the city all the time because of this problem or that problem. So that's why we do what we do.

Puente stated I got you Sir.

Gill responded but we want to help you or anyone else from getting your carport. So, we're here to help, not to stop.

Puente stated I appreciate it. I appreciate you guys. Thank you. Thank you guys.

Good stated I'll get an action letter to you letting you know, and then we'll be able to get that Permit issued okay.

Brown stated you can apply for a permit now.

Puente asked I can? Awesome.

Brown responded Yes, you can.

Puente asked I can bring in all the same stuff? I have a folder already filled out.

Brown stated yes, and actually if you want to submit it all online that we have to come back in the office because you can if you go to our city web page at the top.

Boyd stated I did it last week. It's actually very, very easy.

Brown stated there is a civic access portal, so you. Just you click on that and then it will. You just click here to register.

Puente asked you can pay the fee online.

Brown responded yes, you do. You submit everything online and then so you'll hit the apply and you'll submit everything online and it will tell you the fee and then it will go through the review process and then they'll notify you via e-mail with your Permit is ready and if any additional fees.

Puente stated okay.

Good asked Tyler Pobiedzinski you have anything you want to add?

Brown stated they do that just to say his last name. So Christy has to spell it when she does the minutes.

Gill stated I'll make a motion to adjourn.

Medders responded second, I think the chairman supposed to 2nd.

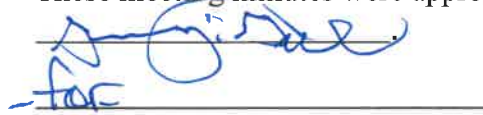
Boyd stated I'll second I was about to. But you did it.

Motion by Gill, Second by Boyd to adjourn the meeting **Aye:** Boyd, Medders, Gill **Nay:** None. **Motion Passed.**

With no further business the meeting was adjourned.

These meeting minutes were approved by the BMRC members at their meeting on

9-17-2025



Darren Medders

Chairman

Building Materials Review Committee