

CITY OF MOBILE
ARCHITECTURAL REVIEW BOARD
Minutes of the Meeting
August 27, 2007

CALL TO ORDER

Chair Bunky Ralph called the meeting to order at 3:00 p.m. MHDC Staff member called the roll as follows:

- **Members Present:** Tilmon Brown, Carlos Gant, Harris Oswalt, Bunky Ralph, Craig Roberts, Barja Wilson.
- **Members Absent:** Robert Brown, Michael Mayberry Cameron Pfeiffer, Jim Wagoner.
- **Staff Present:** Aileen de la Torre, Anne Crutcher, Devereaux Bemis, John Lawler.

<u>In Attendance</u>	<u>Mailing Address/Email Address</u>
Bradley Ezell	bhez@bellsouth.net
Mark Ezell	mezell@TDS.net
Frank C. Crawford	fcrawford@mcwinc.com
Judy Dittman	
Robbin Stevens	rstevens@wabb.com
Ronald and Ruth Suggs	ronanthony98@yahoo.com
Wayne and Susan Gardner	waynegardner@allstate.com
Phillip Davenport, Sr.	556 Eslava Street 36602
John Dendy	dendyarch@zebra.net

Tilmon Brown moved to approve the minutes of the last meeting as emailed. The motion was seconded by Harris Oswalt and unanimously approved. Tilmon Brown moved to approve the mid-month Certificates of Appropriateness. The motion was seconded by Harris Oswalt and unanimously approved.

MID-MONTH APPROVALS

1. **Applicant's Name:** Laura and Mark Reese
Property Address: 57 North Monterey Street
Date of Approval: July 31, 2007
Paint house in the following color scheme:
 - Body – Fort Conde Gray Green

2. **Applicant's Name:** Ester de Agviar
Property Address: 37 South Lafayette Street
Date of Approval: July 31, 2007
Paint building in the following Sherwin Williams color scheme:
 - Body – Hammered Silver, SW 2840
 - Trim – Roycroft Vellum, SW 2833
 - Accent – Copper Red, SW2839

3. **Applicant's Name:** Paul Morris
Property Address: 123 Houston Street
Date of Approval: August 1, 2007
Replace rotten wood as needed with materials to match existing. Repaint in the existing color scheme with the exception of the front and back porches, which will be light green. Replace two broken windowpanes.

4. **Applicant's Name:** Gene Hubbard
Property Address: 1510 Dauphin Street
Date of Approval: August 1, 2007
Repaint residence in the existing color scheme.

5. **Applicant's Name:** Leola Woods
Property Address: 352 South Broad Street
Date of Approval: August 2, 2007
Reroof residence with Charcoal Gray 3-tab shingles. Repaint in the existing color scheme.

- 6. Applicant's Name:** J. Lowe Roofing and Construction
Property Address: 116 Ryan Avenue
Date of Approval: August 2, 2007
 Reroof residence using Estate Gray architectural shingles.
- 7. Applicant's Name:** Skip Shirah
Property Address: 1126 Palmetto Street
Date of Approval: August 2, 2007
 Install an 8"x12" storage building per MHDC stock plans. Paint to match existing color scheme on main house.
- 8. Applicant's Name:** Barry and Stevi Gaston
Property Address: 261 Marine Street
Date of Approval: August 2, 2007
 Paint residence in the following Olympic color scheme:
- Body – Smoky Slate, D68-4
 - Trim – Brick Dust, C34-6
- 9. Applicant's Name:** Kristen Rogers
Property Address: 352 McDonald Street
Date of Approval: August 3, 2007
 Construct a 12'-0" x 12'-0" rear wood deck with a corner staircase using stock railing.
- 10. Applicant's Name:** Ralph Van Fosson
Property Address: 1504 Eslava Street
Date of Approval: August 6, 2007
 Repair/replace rotten wood throughout the exterior with materials to match existing in material, profile and dimension. Repair roof with materials to match existing in material, profile and dimension. Repair/replace rotten sections of fence with materials to match existing in material, profile and dimension. Paint in the existing colors.
- 11. Applicant's Name:** Henningburg Construction Unlimited
Property Address: 506 Chatham Street
Date of Approval: August 7, 2007
 Reroof building with black 3-tab shingles.
- 12. Applicant's Name:** Samuel Perloff
Property Address: 1120 Dauphin Street
Date of Approval: August 8, 2007
 Reroof residence with 30-year Timberline shingles in a brown-gray color (the same color as 1150 Dauphin).
- 13. Applicant's Name:** Sharon Lane
Property Address: 57 St. Emanuel Street (parking lot for 50 St. Emanuel)
Date of Approval: August 8, 2007
 Put up a temporary chain link fence at the north and west property boundaries during Hampton Inn construction.
- 14. Applicant's Name:** Wendell Quimby
Property Address: 266 Dauphin Street
Date of Approval: August 8, 2007
 Reroof building with black 3-tab shingles.
- 15. Applicant's Name:** Wendell Quimby
Property Address: 914 Charleston Street
Date of Approval: August 8, 2007
 Reroof building with black 3-tab shingles.
- 16. Applicant's Name:** Read Roofing and Contracting
Property Address: 110 North Lafayette Street
Date of Approval: August 8, 2007
 Reroof building with Owens Corning Duration series 30-year architectural shingles in Onyx Black.

17. Applicant's Name: Bowen Maintenance

Property Address: 1518 Eslava Street

Date of Approval: August 10, 2007

Install new roof, 3 tab shingles in Weathered Grey. Paint house in the following color scheme:

- Body – Khaki
- Trim – White

18. Applicant's Name: Absolute Building and Construction

Property Address: 253 St. Anthony Street

Date of Approval: August 13, 2007

Repair inside wall by removing and re-installing existing wood siding on one side to match existing exterior.

NOTICES OF VIOLATION and MUNICIPAL OFFENSE TICKETS

1. None

NEW BUSINESS

1. **133-07-CA:** 1610 Government Street
Applicant: Advantage Sign Company/New Horizons Credit Union
Request: Install new signs.
APPROVED WITH CONDITIONS. Certified Record attached.
2. **134-07-CA:** 459 Charles Street
Applicant: Eddie Womack
Request: Construct a two-story addition.
DENIED. Certified Record attached.
3. **135-07-CA:** 361 Regina Avenue
Applicant: Wayne Gardner
Request: Construct a one-story addition. Renovate existing residence.
APPROVED. Certified Record attached.
4. **136-07-CA:** 354 Regina Avenue
Applicant: Ronald and Ruth Suggs
Request: Construct a two-story addition.
TABLED. Certified Record attached.
5. **137-07-CA:** 1201 New St. Francis Street
Applicant: Don Salter
Request: Pave the unpaved driveway.
APPROVED. Certified Record attached.
6. **138-07-CA:** 1551 Springhill Avenue
Applicant: WABB FM, Inc
Request: Install a pipe railing barrier.
APPROVED WITH CONDITIONS. Certified Record attached.
7. **139-07-CA:** 308 St. Louis Street
Applicant: John Dendy and Associates
Request: Allow the alteration of the original fenestration plan.
TABLED. Certified Record attached.
8. **140-07-CA:** 556 Eslava Street
Applicant: Phillip and Gail Davenport
Request: Construct a two-story addition.
APPROVED. Certified Record attached.

9. **141-07-CA:** 1559 Dauphin Street
Applicant: Mark and Denise Burks
Request: Install an iron and stucco wall.
APPROVED. Certified Record attached.

10. **142-07-CA:** 56 Hamilton Street
Applicant: Mark Ezell
Request: Demolish building.
APPROVED. Certified Record attached.

OTHER BUSINESS and ANNOUNCEMENTS

1. Tilmon Brown reported that there is someone who intends to construct a new residence in the Henry Aaron Loop that is not within a historic district. The Downtown Alliance is concerned that the design will not be compatible with housing found downtown. He directed that Staff work toward some sort of Review Board control in the area. Staff informed the Board that there is no State enabling legislation that would allow for the establishment of a conservation district in the area. There is, however, a new Master Plan being developed for the area and perhaps overseeing the design of construction in the area can be woven into the plan.
2. Devereaux Bemis reported that there are new regulations from the National Park Service that will govern tax credit projects. He will be sending the link to all Board members since these regulations may be incorporated in local guidelines.
3. There is an upcoming conference in October in New Orleans. Plan on trying to attend although MHDC will probably not have the money to pay for Board members to attend.

There being no further business, the meeting adjourned at 4:40 p.m.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD**

133-07-CA: 1610 Government Street
Applicant: Advantage Sign Company/New Horizons Credit Union
Received: 08/03/07 (+45 Days: 09/17/07)
Meeting: 08/27/07

INTRODUCTION TO THE APPLICATION

Historic District: Government Street Signs
Classification: Non-Contributing
Zoning: B-1
Project: Install new signs.

BUILDING HISTORY

This is a late twentieth-century building that faces Government Street.

STANDARD OF REVIEW

Section 9 of the Historic Preservation Ordinance states that “the Board shall not approve any application proposing a Material Change in Appearance unless it finds that the proposed change...will not materially impair the architectural or historic value of the building, the buildings on adjacent sites or in the immediate vicinity, or the general visual character of the historic district...”

STAFF REPORT

- A. This building is currently vacant and is being renovated to house a new credit union. The linear front footage of the building is approximately 50'-0”.
- B. The Sign Design Guidelines for Mobile state that signs shall “not obscure the architectural features or openings of a building...shall relate to the design of the principal building on the property...shall be in proportion to the building and the neighboring structures and signs...should match the historic materials of the building...[and] shall use focused, low intensity illumination.”
- C. The proposed work includes the following:
 - 1. Install one 50 SF aluminum wall sign with unlit letters.
 - 2. Install one 50 SF (25 SF per side) brick and aluminum monument sign with one ground-mounted floodlight per side.
 - 3. The total sign package is 100 SF; the Board cannot approve more than 64 SF.

RECOMMENDATION

Based on the information contained in the application, staff feels the proposed work will impair the historic integrity of the district. Staff believes the proposed wall and monument signs are too large relative to the building. The materials and lighting, however, follow the standards of the guidelines. Staff recommends the applicant reduce the size of the proposed signs.

PUBLIC TESTIMONY

Neither the applicant nor his representative was present to discuss the application. There were no comments from the public to enter into the record. Staff had no comments from the public or city departments to enter into the record.

BOARD DISCUSSION

The Board discussed the size of requested signage and stated that the Board could not approve any signage over the 64 sq. ft. limit specified in the Sign Ordinance. The Board felt that the materials were acceptable, but that the size was excessive.

FINDING OF FACT

Craig Roberts moved that, based upon the evidence presented in the application and during the public hearing, that the Board finds the facts in the Staff report. The motion was seconded by Carlos Gant and unanimously approved.

DECISION ON THE APPLICATION

Craig Roberts moved that, based upon the facts found by the Board, that the application does impair the historic integrity of the district according to the Guidelines and that the application be denied. There was no second to the motion.

Tilmon Brown moved that, based upon the facts found by the Board, that the application does impair the historic integrity of the district according to the guidelines and that a Certificate of Appropriateness be issued with signage limited to 64 sq. ft. (Monument sign may not exceed 50 sq. ft.) The motion was seconded by Harris Oswald and unanimously approved.

Certificate of Appropriateness Expiration Date: 08/27/08.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD**

134-07-CA: 459 Charles Street
Applicant: Eddie Womack
Received: 08/03/07 (+45 Days: 09/17/07)
Meeting: 08/27/07

INTRODUCTION TO THE APPLICATION

Historic District: Oakleigh Garden
Classification: Non-Contributing
Zoning: R-1
Project: Construct a two-story addition.

BUILDING HISTORY

This one-story brick and vinyl residence was built in 1972.

STANDARD OF REVIEW

Section 9 of the Historic Preservation Ordinance states that “the Board shall not approve any application proposing a Material Change in Appearance unless it finds that the proposed change...will not materially impair the architectural or historic value of the building, the buildings on adjacent sites or in the immediate vicinity, or the general visual character of the historic district...”

STAFF REPORT

- A. This residence was recently added to the district in the Oakleigh Garden Historic District expansion. It is sided with brick and vinyl and has metal windows.
- B. The Design Review Guidelines state that new additions should respect the age and style of the building.
- C. Mr. Womack is proposing to add a 29’-0” x 16’-0” two-story wing to the east side of the residence per the submitted plans:
 - 1. The foundation will be a concrete slab to match existing.
 - 2. It will feature 6/6 sash windows to match existing and a 6-panel steel door at the rear elevation.
 - 3. It will be a simple rectangular addition with a design and materials to match existing, including the vinyl siding, roof pitch, roof shingles, 8’-0” ceiling height per floor, fascia and trim.

RECOMMENDATION

Based on the information submitted in the proposal, staff feels that some of the work will impair the historic integrity of the district. Staff believes the addition should be better incorporated into the residence. There are foreseeable issues with the current design, most notably the gap in the roof between the new and existing buildings, which will likely cause water problems. As far as the materials are concerned, this is a newer building, and though the Board generally does not approve the proposed materials, which includes the vinyl siding, in this case they are an existing feature.

Staff recommends Mr. Womack redesign the addition.

PUBLIC TESTIMONY

Neither the applicant nor his representative was present to discuss the application. There were no comments from the public to enter into the record. Staff had no comments from the public or city departments to enter into the record. Staff explained that there is a house with a similar addition nearby. The house dates from the 1970s and is non-historic with vinyl siding already in place on the structure.

BOARD DISCUSSION

The Board discussed that once the roof is cut into, the City will require an architect or engineer to be involved in the construction. The Board felt that the addition was disproportionate to the existing structure and that there would be water infiltration problems caused by the addition.

FINDING OF FACT

Tilmon Brown moved that, based upon the evidence presented in the application and during the public hearing, that the Board finds the facts in the Staff report. The motion was seconded by Craig Roberts and unanimously approved.

DECISION ON THE APPLICATION

Tilmon Brown moved that, based upon the facts found by the Board, that the application does impair the historic integrity of the structure or the district according to the Guidelines and that the application be denied. The motion was seconded by Harris Oswalt and unanimously approved.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD**

135-07-CA: 361 Regina Avenue
Applicant: Wayne Gardner
Received: 08/13/07 (+45 Days: 09/27/07)
Meeting: 08/27/07

INTRODUCTION TO THE APPLICATION

Historic District: Oakleigh Garden
Classification: Contributing
Zoning: R-1
Project: Multiple renovations. Construct an addition.

BUILDING HISTORY

According to previous records, although this one-story Late Victorian residence is shown on the 1904 Sanborn map, it is possible this map was not completed until 1907. All other research indicates a 1907 construction date.

STANDARD OF REVIEW

Section 9 of the Historic Preservation Ordinance states that “the Board shall not approve any application proposing a Material Change in Appearance unless it finds that the proposed change...will not materially impair the architectural or historic value of the building, the buildings on adjacent sites or in the immediate vicinity, or the general visual character of the historic district...”

STAFF REPORT

- A. This residence is currently in fair condition. Gregory Gardner recently purchased it.
- B. The Design Review Guidelines call for renovations and new additions to be sympathetic to the age and style of the building. The Guidelines also state, “[a]ccessory roof elements not original to the structure...shall be located inconspicuously.”
- C. The proposed plan includes the following:
 - 1. Replace the rear shed-roof addition with a 24’-7” x 21’-7” one-story addition per the submitted plans.
 - a. Foundation will be brick piers with wood lattice to match existing.
 - b. Siding will be wood lap to match existing.
 - c. Roof will be asbestos (or similar substitute) shingles to match existing.
 - d. Windows will be wood 2/2 sashes with true divided lights to match existing.
 - e. Design elements such as the trim, fascia, roof overhang, etc will match existing.
 - 2. Renovate the interior and exterior of the existing residence per the submitted plans.
 - a. Interior elements will be remodeled and updated.
 - b. Wood elements throughout the exterior will be repaired or replaced with materials to match existing including the windows, floor joists, siding, trim, foundation lattice and privacy fence.
 - c. The body will be BLP Conti Street Gray Green; the trim will be BLP Dauphin Street Light Gold.
 - d. Trees will be trimmed back from the residence.
 - 3. Add a dormer to the north side of the residence per the submitted plans.

RECOMMENDATION

Based on the information submitted in the proposal, staff feels that the work will not impair the historic integrity of the building or the district. The proposed renovation and new addition will match the existing design and materials. Staff does not review interior work. Staff recommends approving the application.

PUBLIC TESTIMONY

Mr. and Mrs. Gardner were present to discuss the application. They explained that their son would be living in this house. The current roof is 4 or 5 year old and they are confident that they will be able to match the shingles, which are asphalt

rather than asbestos as stated in the staff report. All other elements will match existing. They explained that there are different window types on the building including casement where the rear porch was enclosed. The Gardners asked if it would be all right to remove burglar bars. The Board responded in the affirmative.

In response to the Gardners asking about making all the windows match, Staff responded that the existing windows had attained historic significance and the existing window pattern should be retained.

Craig Roberts asked the applicant about the proposed door which has not been selected.

There were no comments from the public to enter into the record.

Staff had no comments from the public or city departments to enter into the record.

BOARD DISCUSSION

The Board discussed having the proposed door approved by Staff.

FINDING OF FACT

Tilmon Brown moved that, based upon the evidence presented in the application and during the public hearing, that the Board finds the facts in the Staff report with an amendment to C.c. "Roof will be asphalt or fiberglass shingles to match existing." The motion was seconded by Harris Oswald and unanimously approved.

DECISION ON THE APPLICATION

Tilmon Brown moved that, based upon the facts found by the Board, that the application does not impair the historic integrity of the structure or the district according to the Guidelines and that a Certificate of Appropriateness be issued with Staff approving the door on a mid-month basis. The motion was seconded by Harris Oswald and unanimously approved.

Certificate of Appropriateness Expiration Date: 08/27/08.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD**

136-07-CA: 354 Regina Avenue
Applicant: Ronald and Ruth Suggs
Received: 08/13/07 (+45 Days: 09/27/07)
Meeting: 08/27/07

INTRODUCTION TO THE APPLICATION

Historic District: Oakleigh Garden
Classification: Contributing
Zoning: R-1
Project: Construct an addition.

BUILDING HISTORY

According to previous records, this two-story frame Sidehall residence was built circa 1908.

STANDARD OF REVIEW

Section 9 of the Historic Preservation Ordinance states that “the Board shall not approve any application proposing a Material Change in Appearance unless it finds that the proposed change...will not materially impair the architectural or historic value of the building, the buildings on adjacent sites or in the immediate vicinity, or the general visual character of the historic district...”

STAFF REPORT

- A. Mr. and Mrs. Suggs received a CoA for work on the residence in February 2005 (renewed in January 2006), which included the replacement of rotted wood and painting. However, during the course of the work, they started to put up walls on an existing concrete block foundation for an addition to the rear. Although work has been stopped for a while, staff recently received a complaint from an Oakleigh Garden Historic District resident that the work was not being done as approved, and an NoV was issued on July 18, 2007. Consequently, the Suggs’ are coming before the ARB with a plan for review.
- B. The Design Review Guidelines state that new additions should respect the age and style of the building.
- C. The proposed plan includes the following:
 - 1. Attach an 8’-0” x 30’-0” two-story addition per the submitted plans.
 - a. It will sit on the existing concrete block foundation.
 - b. There will be one 6’-0” x 8’-0” double French door with 15-lights each located on the left side of the rear elevation.
 - c. There will be two 4’-0” x 6’-0” single-pane wood fixed windows on the first floor of the rear elevation.
 - d. The existing 4’-0” x 9’-0” 2/2 wood sash windows will be relocated to the new side and rear elevations.
 - e. The materials and design elements such as the siding, trim, fascia, roof overhang, etc will match existing.
 - 2. Prep and paint the entire residence in the existing color scheme.
 - 3. Reassemble the rear deck in the new location.

RECOMMENDATION

Based on the information submitted in the proposal, staff feels that some of the proposed work will impair the historic integrity of the building or the district. Although the design and materials of the new construction will match the existing residence and removed elements will be reused, the proportion of the windows appears incorrect. As the plan is proposed, the second floor windows will be taller than the first floor windows and door. Options include correcting the proportion through transoms above the windows and door, or perhaps switching the windows. Also, the concrete block foundation on which the new addition will rest, which is an existing element, is unfinished and will need to be stuccoed. The remaining work consists of maintenance and minor renovation. Staff recommends approving the application with the above provisions.

PUBLIC TESTIMONY

Mr. and Mrs. Suggs were present to discuss the application. They explained that there had been a deck on the house that they removed in order to replace a sill. They were trying to mimic the construction of the house next door. There were no comments from the public to enter into the record. Staff had no comments from the public or city departments to enter into the record.

BOARD DISCUSSION

The Board discussed that it could not determine how the roof would be treated from the submitted information. The Board felt plans and elevations were required in order to make a decision on the application.

FINDING OF FACT

There was no finding of fact.

DECISION ON THE APPLICATION

Craig Roberts moved to Table the application pending the submission of scaled elevations. The motion was seconded by Tilmon Brown and unanimously approved.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD**

137-07-CA: 1201 New St. Francis Street
Applicant: Don Salter
Received: 08/13/07 (+45 Days: 09/27/07)
Meeting: 08/27/07

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way
Classification: Contributing
Zoning: R-1
Project: Pave the driveway.

BUILDING HISTORY

According to previous records, this one-story frame residence was built circa 1920.

STANDARD OF REVIEW

Section 9 of the Historic Preservation Ordinance states that “the Board shall not approve any application proposing a Material Change in Appearance unless it finds that the proposed change...will not materially impair the architectural or historic value of the building, the buildings on adjacent sites or in the immediate vicinity, or the general visual character of the historic district...”

STAFF REPORT

- A. This residence currently has an unpaved ribbon driveway.
- B. The Design Review Guidelines state, “[m]odern paving materials are acceptable in the historic districts. However, it is important that the design, location and materials be compatible with the property...[g]ravel and shell are preferred paving material, however...hard surface materials may also be acceptable.”
- C. Mr. Salter is proposing to pave over the existing unpaved ribbon drive with a light-colored concrete per the submitted site plan.

RECOMMENDATION

Based on the information submitted in the proposal, staff feels that the changes will not impair the historic integrity of the building or the district. The proposed work falls within the standards of the Design Review Guidelines. Staff recommends approving the application.

PUBLIC TESTIMONY

Neither the applicant nor his representative was present to discuss the application. There were no comments from the public to enter into the record. Staff had no comments from the public or city departments for the record.

BOARD DISCUSSION

The Board stipulated that the width of the drive would be no larger than the existing curb cut.

FINDING OF FACT

Harris Oswalt moved that, based upon the evidence presented in the application and during the public hearing, that the Board finds the facts in the Staff report as amended—adding Fact. D. Width of the drive will be no larger than the existing curb cut. The motion was seconded by Craig Roberts and unanimously approved.

DECISION ON THE APPLICATION

Harris Oswalt moved that, based upon the facts found by the Board, that the application does not impair the historic integrity of the structure or the district according to the Guidelines and that a Certificate of Appropriateness be issued. The motion was seconded by Barja Wilson and unanimously approved.

Certificate of Appropriateness Expiration Date: 08/27/08.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD**

138-07-CA: 1551 Springhill Avenue
Applicant: WABB FM, Inc
Received: 08/13/07 (+45 Days: 09/27/07)
Meeting: 08/27/07

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way
Classification: Non-Contributing
Zoning: B-2
Project: Install a pipe railing barrier.

BUILDING HISTORY

According to previous records, this one-story masonry commercial building was constructed in the latter half of the twentieth century.

STANDARD OF REVIEW

Section 9 of the Historic Preservation Ordinance states that “the Board shall not approve any application proposing a Material Change in Appearance unless it finds that the proposed change...will not materially impair the architectural or historic value of the building, the buildings on adjacent sites or in the immediate vicinity, or the general visual character of the historic district...”

STAFF REPORT

- A. This property sits on the corner of North Catherine and Springhill. As a result, drivers often illegally cut through the parking lot to avoid the traffic light, causing accidents and other hazardous conditions for WABB employees.
- B. The Design Review Guidelines state, “[fences] should complement the building and not detract from it. Design, scale, placement and materials should be considered along with their relationship to the Historic District. The height of solid fences in historic districts is generally restricted to six feet...the finished side of the fence should face toward public view.”
- C. The applicant is proposing the installation of 32’-0” of pipe railing that would stand 3’-0” high per the submitted plans.

RECOMMENDATION

Based on the information submitted in the proposal, staff feels that the work would impair the historic integrity of the district. The proposed pipe railing is more appropriate in an industrial rather than a commercial area. A more suitable option would be bollards, which are found throughout the commercial and residential areas of the historic districts. Staff recommends denying the application.

PUBLIC TESTIMONY

The Dittmans were present to discuss the application. They explained that people used their property as a cut through to avoid the light on Springhill. The building has been hit three times in the last year. In one of those events, an SUV was pushed through the window of the building. Board members asked if planting areas were considered as a way to deter vehicular traffic through the property. Closely spaced bollards would be another option. They would have to be painted black or green not yellow as proposed. The Dittmans felt that bollards would be a more expensive option since the concrete would have to be drilled to permit their installation. Following this discussion, the Dittmans amended their application asking for bollards painted black or dark green. There were no comments from the public to enter into the record. Staff had no comments from the public or city departments for the record.

BOARD DISCUSSION

The Board cautioned the applicants that Traffic Engineering might need to approve the bollards.

FINDING OF FACT

Tilmon Brown moved that, based upon the evidence presented in the application and during the public hearing, that the Board finds the facts in the Staff report. The motion was seconded by Harris Oswald and unanimously approved.

DECISION ON THE APPLICATION

Tilmon Brown moved that, based upon the facts found by the Board, that the application as amended does not impair the historic integrity of district according to the Guidelines and that a Certificate of Appropriateness be issued. The motion was seconded by Craig Roberts and unanimously approved.

Certificate of Appropriateness Expiration Date: 08/27/08.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD**

139-07-CA: 308 St. Louis Street
Applicant: John Dendy and Associates
Received: 08/13/07 (+45 Days: 09/27/07)
Meeting: 08/27/07

INTRODUCTION TO THE APPLICATION

Historic District: DeTonti Square
Classification: Non-Contributing
Zoning: B-4
Project: Alter the initial fenestration pattern.

BUILDING HISTORY

This two-story masonry commercial building was originally the Mobile Fixture warehouse. The Board approved a plan in August 2006 to redevelop the building into 21 residential condominiums. The majority of the building lies outside of the historic district; however, a small section at the northeast side of the property is in DeTonti Square.

STANDARD OF REVIEW

Section 9 of the Historic Preservation Ordinance states that “the Board shall not approve any application proposing a Material Change in Appearance unless it finds that the proposed change...will not materially impair the architectural or historic value of the building, the buildings on adjacent sites or in the immediate vicinity, or the general visual character of the historic district...”

STAFF REPORT

- A. The new windows located alongside the north and east elevations were originally slated to be twin sash windows. However, to add light for the interior of the units and to produce a fenestration more in scale with wall proportions, the building owners added on one more window to each pair to increase the total size per loft unit. Concerned with the alteration to the original plan, staff asked the owners to present the change to the Board. According to the letter from John Dendy, the architect on the project, “[t]he windows tested to meet the code requirements for wind loading provided approvals for only two combined (twinned) units, so the mull adjacent to the third window unit needed to be structural.”
- B. The Guidelines for New Residential and Commercial Construction state “the goal of new construction should be to blend into the historic district but to avoid creating a false sense of history.” The Design Review Guidelines call for renovations to be sympathetic to the age and style of the building.
- C. The applicants are requesting that the new window plan be approved per the submitted plans.

RECOMMENDATION

Based on the information submitted in the proposal, staff feels that the alteration will not impair the historic integrity of the district. The additional window matches the existing windows that were approved in the original plan. Staff recommends approving the application.

PUBLIC TESTIMONY

John Dendy was present to discuss the application. He explained that the paired windows were altered to triple windows in order to introduce more light into the spaces. He explained that he needed to introduce a structural member into the opening in order to meet wind code requirements. He also explained that windows on the northwest portion of the building were rebuilt; windows on the southwest portion of the building are double windows. Tilmon Brown stated that with three windows, the unit is not visually balanced. Approved 9/9 windows had become 6/6 with a vertical bar.

Mr. Dendy contended that it is necessary to look at the entire façade, not just the window, to see balance. He stated that the vertical bar could be painted a dark color in order to visually disappear. The windows are bronze. He questioned if the building was actually located in the DeTonti Square Historic District.

Staff stated that only the northwest corner was in the district and, by virtue of that fact, the entire project is in the district.

There were no comments from the public to enter into the record.

Staff had no comments from the public or city departments to enter into the record.

BOARD DISCUSSION

After much discussion the Board made it clear to the applicant that the window unit must read as a whole. The applicant agreed to return with a proposal to treat the windows as a single unit.

FINDING OF FACT

There was no finding of fact.

DECISION ON THE APPLICATION

Tilmon Brown moved to table the application. The motion was seconded by Craig Roberts and unanimously approved.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD**

140-07-CA: 556 Eslava Street
Applicant: Phillip and Gail Davenporte
Received: 08/13/07 (+45 Days: 09/27/07)
Meeting: 08/27/07

INTRODUCTION TO THE APPLICATION

Historic District: Church Street East
Classification: Contributing
Zoning: R-1
Project: Construct an addition.

BUILDING HISTORY

According to previous records, this two-story frame Creole Cottage was built circa 1880.

STANDARD OF REVIEW

Section 9 of the Historic Preservation Ordinance states that “the Board shall not approve any application proposing a Material Change in Appearance unless it finds that the proposed change...will not materially impair the architectural or historic value of the building, the buildings on adjacent sites or in the immediate vicinity, or the general visual character of the historic district...”

STAFF REPORT

- A. This residence currently has three very small bedrooms with little storage space, which the Davenportes have found to be not functional.
- B. The Design Review Guidelines state that new additions should respect the age and style of the building.
- C. The proposed work includes the following:
 - 1. Attach an approximately 34’-7” x 24’-0” two-story addition per the submitted plans.
 - a. It will sit on brick piers with wood lattice to match existing.
 - b. The existing rear porch will be enclosed and a new one will be built.
 - c. There will be a variety of wood windows including 9/9 and 6/6 sashes with true divided lights, single-pane fixed windows and a diamond window.
 - d. The materials and design elements such as the siding, trim, etc will match existing.
 - 2. Prep and paint the residence in the existing color scheme.

RECOMMENDATION

Based on the information submitted in the proposal, staff believes the materials of the proposed addition will not impair the historic integrity of the building or the district. However, staff is concerned about the size of the addition in relation to the original residence. Some of the items that staff feels the Board should consider are:

- Placing the roof of the proposed addition lower than the existing roof.
- Matching the pitch of the gable better.
- Insetting the proposed rear from either side of the original house.
- Reusing the removed windows and door in the new addition.

PUBLIC TESTIMONY

Phillip Davenporte was present to discuss the application. He explained that the large addition reflected the current needs of his family. He explained that when he originally purchased the house, he constructed an addition that is marked only by a corner board (there is no inset). He plans on using a metal roof.

There were no comments from the public for the record. Staff had no comments from the public or city departments for the record.

BOARD DISCUSSION

In discussion, Board members determined that the pitch of the rear gable was approximately 3/12, too low to use a shingle roof. The Board stated that the metal roof should be 5 v crimp or standing seam.

FINDING OF FACT

Tilmon Brown moved that, based upon the evidence presented in the application and during the public hearing, that the Board finds the facts in the Staff report as amended: Fact 3 – Roof to be 5 v crimp or standing seam, color to be approved by Staff. The motion was seconded by Barja Wilson and unanimously approved.

DECISION ON THE APPLICATION

Tilmon Brown moved that, based upon the facts found by the Board, that the application does not impair the historic integrity of the structure or the district according to the Guidelines and that a Certificate of Appropriateness be issued. The motion was seconded by Craig Roberts and unanimously approved.

Certificate of Appropriateness Expiration Date: 08/27/08.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD**

141-07-CA: 1559 Dauphin Street
Applicant: Mark and Denise Burks
Received: 08/13/07 (+45 Days: 09/27/07)
Meeting: 08/27/07

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way
Classification: Contributing
Zoning: R-1
Project: Replace the existing privacy fence with a stucco wall.

BUILDING HISTORY

According to previous records, this two-story frame residence with a circular porch was built circa 1900.

STANDARD OF REVIEW

Section 9 of the Historic Preservation Ordinance states that “the Board shall not approve any application proposing a Material Change in Appearance unless it finds that the proposed change...will not materially impair the architectural or historic value of the building, the buildings on adjacent sites or in the immediate vicinity, or the general visual character of the historic district...”

STAFF REPORT

- A. There is currently a wood privacy fence surrounding the property.
- B. The Design Review Guidelines state, “[fences] should complement the building and not detract from it. Design, scale, placement and materials should be considered along with their relationship to the Historic District. The height of solid fences in historic districts is generally restricted to six feet...the finished side of the fence should face toward public view.”
- C. The proposed work will partially replace the existing wood privacy fence with a 6’-0” true stucco wall with square 16” x 16” masonry posts with ball caps per the submitted site plan. There will be an iron vehicular gate to the east of the house at the driveway and an iron pedestrian gate to the west.

RECOMMENDATION

Based on the information submitted in the proposal, staff feels that the proposed work will not impair the historic integrity of the building or the district. The proposed stucco wall is replacing an existing wood privacy fence and falls within the standards of the Design Review Guidelines. Staff recommends approving the application.

PUBLIC TESTIMONY

Neither the applicant nor his representative was present to discuss the application.
There were no comments from the public to enter into the record.
Staff had no comments from the public or city departments to enter into the record.
Staff stated that the wall would be painted a champagne color.

BOARD DISCUSSION

The Board requested that the wall be constructed of true stucco with the proper substrate to prevent block lines from showing.

FINDING OF FACT

Tilmon Brown moved that, based upon the evidence presented in the application and during the public hearing, that the Board finds the facts in the Staff report as amended with the addition of fact “D. The wall will be true stucco with proper substrate to prevent block lines from showing.” The motion was seconded by Harris Oswalt and unanimously approved.

DECISION ON THE APPLICATION

Tilmon Brown moved that, based upon the facts found by the Board, that the application does not impair the historic integrity of the structure or the district according to the Guidelines and that a Certificate of Appropriateness be issued. The motion was seconded by Barja Wilson and unanimously approved.

Certificate of Appropriateness Expiration Date: 08/27/08.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD**

142-07-CA: 56 South Hamilton Street (part of 457 Conti Street)
Applicant: Mark Ezell
Received: 08/13/07 (+45 Days: 09/27/07)
Meeting: 08/27/07

INTRODUCTION TO THE APPLICATION

Historic District: Church Street East
Classification: Non-Contributing
Zoning: B-4
Project: Demolish building to expand parking area.

BUILDING HISTORY

According to previous records, this one-story masonry commercial building was built in the latter half of the twentieth century.

STANDARD OF REVIEW

Section 44-79 of the Mobile City Code – Demolition/Relocation of structures within the Historic Districts:

- (a) *Required findings; demolition/relocation.* The board shall not grant certificates of appropriateness for the demolition or relocation of any property within a historic district unless the board finds that the removal or relocation of such building will not be detrimental to the historical or architectural character of the district. In making this determination, the board shall consider:
- (1) The historic or architectural significance of the structure;
 - (2) The importance of the structure to the integrity of the historic district, the immediate vicinity, an area, or relationship to other structures;
 - (3) The difficulty or the impossibility of reproducing the structure because of its design, texture, material, detail or unique location;
 - (4) Whether the structure is one of the last remaining examples of its kind in the neighborhood, the county, or the region or is a good example of its type, or is part of an ensemble of historic buildings creating a neighborhood;
 - (5) Whether there are definite plans for reuse of the property if the proposed demolition is carried out, and what effect such plans will have on the architectural, cultural, historical, archaeological, social, aesthetic, or environmental character of the surrounding area.
- (b) *Content of applications.* All applications to demolish or remove a structure in a historic district shall contain the following minimum information:
- (1) The date the owner acquired the property, purchase price, and condition on date of acquisition;
 - (2) The number and types of adaptive uses of the property considered by the owner;
 - (3) Whether the property has been listed for sale, prices asked and offers received, if any;
 - (4) Description of the options currently held for the purchase of such property, including the price received for such option, the conditions placed upon such option and the date of expiration of such option;
 - (5) Replacement construction plans for the property in question and amounts expended upon such plans, and the dates of such expenditures;
 - (6) Financial proof of the ability to complete the replacement project, which may include but not be limited to a performance bond, a letter of credit, a trust for completion of improvements, or a letter of commitment from a financial institution; and
 - (7) Such other information as may reasonably be required by the board.
- (c) *Post demolition or relocation plans required.* In no event shall the board entertain any application for the demolition or relocation of any historic property unless the applicant also presents at the same time the post-demolition or post-relocation plans for the site.

STAFF REPORT

- A. Currently, the building at 56 South Hamilton is part of the 457 Conti Street property. It had been used as a childcare facility, although it is now vacant.
- B. In considering demolitions, the Design Review Guidelines refer to **Section 44-79 of the Mobile City Code**, discussed above. Also, the Design Review Guidelines state “[t]he appearance of parking areas should be minimized through good site planning and design...[p]arking areas should be screened from view by the use of low masonry walls, wood or iron fences or landscaping.”
- C. The proposed work includes the following:
 - 1. Demolish the building facing Hamilton Street.
 - 2. Expand the existing parking area for 407 Conti Street per the submitted plans.

RECOMMENDATION

Although this is a non-contributing building to the district that is in fair to poor condition, staff feels that the plans are not sufficient to allow its demolition. The application does not include a landscape plan that would minimize the appearance of the paved parking lot. Also, the type and materials of the proposed fence have not been called out. Staff recommends denying the application.

PUBLIC TESTIMONY

Mark and Bradley Ezell were present to discuss the application. They submitted a landscaping plan and wall elevation at the meeting. They stated that they were trying to improve the property by building a landscaped and gated parking lot. People who rent their house for parties often inquire about secure parking. The fence will be 6 ft. in height with a gate of the same design. Existing chain link will be removed as much as possible. There were no comments from the public to enter into the record. Staff had no comments from the public or city departments to enter into the record.

BOARD DISCUSSION

There was no additional Board discussion.

FINDING OF FACT

Craig Roberts moved that, based upon the evidence presented in the application and during the public hearing, that the Board finds the facts in the Staff report. The motion was seconded by Harris Oswald and unanimously approved.

DECISION ON THE APPLICATION

Craig Roberts moved that, based upon the facts found by the Board, that the application does not impair the historic integrity of the structure or the district according to the Guidelines and that a Certificate of Appropriateness be issued. The motion was seconded by Harris Oswald and unanimously approved.

Certificate of Appropriateness Expiration Date: 08/27/08.