

AGENDA
ARCHITECTURAL REVIEW BOARD
November 19, 2007 – 3:00 P.M.
Pre-Council Chambers – Mobile Government Plaza

CALL TO ORDER

Chair Bunky Ralph called the meeting to order at 3:01 p.m. Staff member Aileen de la Torre called the roll as follows:

- Members Present: Tilmon Brown, Harris Oswalt, Bunky Ralph, Carlos Gant, Michael Mayberry, Tom Karwinski, Jim Wagoner, Barja Wilson and alternate Andrew Martin.
- Members Absent: Robert Brown, Craig Roberts and Cameron Pfeiffer.
- Staff Present: Aileen de la Torre and Devereaux Bemis.

<u>In Attendance</u>	<u>Mailing Address/Email Address</u>
John Bridler	255 North Jackson Street, Mobile
Marie Dyson	203 South Dearborn, Mobile
Jim Maurer	Mobile
Celia Lewis	158 South Jefferson Street, Mobile
John Peebles	P.O. Box 1187, Mobile
Danny French	112 North Catherine Street, Mobile
Victoria Wood	110 Ryan Avenue, Mobile
Greg Rawls	4360 Knob Hill Drive, Mobile
Bowden and Kemper Sarrett	216 Lanier Avenue, Mobile
Beth Schalin	Mobile
Douglas Kearley	10 Wisteria Avenue, Mobile
Francis Forrest	1524 Withers Avenue, Mobile
William Carroll	City of Mobile
Al Stokes	City of Mobile
Kirk Burgamy	519 Dauphin Street, Mobile
(Name Illegible)	
(Name Illegible)	

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 Tom Karwinski and unanimously approved.

A. MID-MONTH APPROVALS

1. **Applicant's Name:** Mikal A. Raheen
Property Address: 509 Aurelia Street
Date of Approval: October 3, 2007
Reroof residence with 3-tab shingles to match existing.
2. **Applicant's Name:** Mikal A. Raheen
Property Address: 1158 Texas Street
Date of Approval: October 3, 2007
Paint residence in the existing color scheme.
3. **Applicant's Name:** Stephen May
Property Address: 510 South Jefferson Street
Date of Approval: October 4, 2007
Repair/replace rotted wood throughout the exterior with materials to match existing in material, profile and dimension. Prep and paint the residence in a light blue with white trim. Add wood lattice in between the piers. Replace the non-historic banister with a wood balustrade to match existing railing.
4. **Applicant's Name:** Charles McDonald
Property Address: 66 North Monterey Street
Date of Approval: October 9, 2007
Repair/replace as needed rotten wood throughout the exterior, to include the siding, trim and any architectural details, with materials to match existing in material, profile and dimension. Paint the residence in the color scheme that matches the rear garage. Repair and step up the current foundation with materials that match existing.

5. **Applicant's Name:** CW Construction
Property Address: 7 North Reed Avenue
Date of Approval: October 11, 2007
Reroof building with Onyx Corning 30-year 3-tab shingles.
6. **Applicant's Name:** Jeff and Gwentyth Kyker
Property Address: 7 North Catherine Street
Date of Approval: October 15, 2007
Repair rotten and damaged wood on the exterior with wood to match existing. Paint in the following BLP colors:
- Body – Theater Street Dark Gold
 - Trim – Dauphin Street Light Gold
 - Front Door – Summerville Red
 - Porch Floor – Bellingrath Green
7. **Applicant's Name:** Paula Mount
Property Address: 1403 Dauphin Street
Date of Approval: October 15, 2007
Paint residence in the following Behr color scheme:
- Body – Sandstone, P170
 - Trim – White
 - Accents – Black
8. **Applicant's Name:** Richard and Peggy Gudmundson
Property Address: 14 South Catherine Street
Date of Approval: October 16, 2007
Repair/replace rotten wood throughout the exterior, to include the porch boards, fence boards, sheeting boards along the front edge of the roof and sashes, with wood to match existing in material, profile and dimension. Replace the damaged gutter with a gutter to match existing. Reroof using architectural shingles in a dark color.
9. **Applicant's Name:** Paul Diaz
Property Address: 358 Michigan Avenue
Date of Approval: October 16, 2007
Renewal of COA dated 02/03/06 – Repaint building in the existing color scheme. Replace rotten wood as necessary to match.
10. **Applicant's Name:** David Trammell
Property Address: 357 Regina Avenue
Date of Approval: October 23, 2007
Reroof residence with Owens-Corning slate grey architectural shingles.
11. **Applicant's Name:** Carolyn S. Jeffers
Property Address: 108 Ryan Avenue
Date of Approval: October 23, 2007
Paint trim of house in existing color scheme.
12. **Applicant's Name:** Stauter Construction
Property Address: 359 Church Street
Date of Approval: October 24, 2007
Repair rotten wood on balconies in the courtyard, if replacement is necessary match existing.
13. **Applicant's Name:** Delta Construction
Property Address: 356 Charles Street
Date of Approval: October 25, 2007
Replace rotten wood as necessary with new materials to match existing in profile, dimension and material.
14. **Applicant's Name:** Oakleigh Venture Revolving Fund
Property Address: 301 Marine Street
Date of Approval: October 26, 2007
Paint house in the following Sherwin Williams color scheme:
- Body – Rookwood Red
 - Trim – Downing Sand
 - Shutters, Deck and Lattice – Rookwood Sash Green

15. **Applicant's Name:** Bay Town Builders
Property Address: 955 Palmetto Street
Date of Approval: October 26, 2007
Repaint building in the existing color scheme. Build a storage-shed on the existing foundation using MHDC stock shed plans.
16. **Applicant's Name:** Andre Baskin
Property Address: 5 North Pine Street
Date of Approval: October 26, 2007
Prep and paint residence in the following Benjamin Moore color scheme:
- Body – Classic Burgundy
 - Trim – Creamy White
 - Accents – Gettysburg Gold
17. **Applicant's Name:** Sean McDonald
Property Address: 111 Garnett Avenue
Date of Approval: October 26, 2007
Reroof residence in 3-tab shingles to match the existing color. Repair rotted wood siding with materials to match existing in material, profile and dimension.
18. **Applicant's Name:** Cornell Family Properties
Property Address: 1751-1759 Old Shell Road
Date of Approval: October 29, 2007
Renewal of COA dated 09/11/06 – Demolish concrete block garage apartment and wood carport at the rear of 1757 and 1759 Old Shell Road. Install parking per the submitted plan. Parking area to be illuminated by bollards. Parking lot material will be concrete to match remainder of lot. Six-foot high fence, capped and turned with the finished side facing inward, to be extended. Approval is conditional upon approval by the Planning Commission.
19. **Applicant's Name:** Chris Bowen
Property Address: 106 North Ann Street
Date of Approval: October 30, 2007
Reroof with black 30-year Timberline shingles.
20. **Applicant's Name:** Sandra Atzin
Property Address: 152 Houston Street
Date of Approval: October 30, 2007
Reroof porch with charcoal 3-tab shingles.
21. **Applicant's Name:** Stauter Construction
Property Address: 359 Church Street
Date of Approval: October 30, 2007
Repair rotten wood on balconies in the courtyard, if replacement is necessary match existing.
22. **Applicant's Name:** Thomas Roofing Company
Property Address: 157-159 North Conception Street
Date of Approval: October 31, 2007
Repair roof and gutters with materials to match existing in profile, dimension and material.
23. **Applicant's Name:** Chatham Apartments
Property Address: 1051 Church Street
Date of Approval: October 31, 2007
Repair/replace as needed rotten wood throughout the exterior to include the shutters, siding and trim with materials to match existing in material, profile and dimension. Paint building in the following color scheme:
- Brick – To Remain Unpainted
 - Body, Shutters, Iron Handrails – White
 - Stairs – BLP Bellingrath Green
 - Doors and Gable Vent – BLP Kendall Lodge
24. **Applicant's Name:** Casey Ginn
Property Address: 9 North Cedar Street
Date of Approval: November 1, 2007
Replace rotten wood on the addition with lap siding to match existing. Repair and boost the existing foundation.

25. **Applicant's Name:** Ann Jarvis
Property Address: 904 Charleston Street
Date of Approval: November 1, 2007
Install balustrade, using MHDC stock plans for balustrade #1 on front porch between existing columns. Replace rotten wood as necessary with materials to match existing in profile, dimension and material. Paint house:
- Body – White
 - Shutters – Shutter Green
26. **Applicant's Name:** Virginia S. McClinton
Property Address: 108 Charles Street
Date of Approval: November 2, 2007
Reroof house with architectural shingles. Color will match existing.
27. **Applicant's Name:** Greg Rawls
Property Address: 1410-1412 Eslava Street
Date of Approval: November 5, 2007
Remove aluminum siding from the main building.
28. **Applicant's Name:** Mary Ann Moore
Property Address: 1363 Dauphin Street
Date of Approval: November 5, 2007
Paint house in the following Sherwin Williams color scheme:
- Body – Ethereal Mood, SW7639
 - Trim – White
29. **Applicant's Name:** Rebecca Pomrenke
Property Address: 904 Augusta Street
Date of Approval: November 5, 2007
Repair rotten siding and trim with new wood to match existing in profile, dimension and material. Paint exterior (colors to be submitted later).
30. **Applicant's Name:** Harris Oswalt
Property Address: 301 West Street
Date of Approval: November 5, 2007
Repair rotten wood as necessary with new wood to match existing in dimension and profile. Paint garage to match the color scheme of the main house.
31. **Applicant's Name:** John Pomerat
Property Address: 1154 Caroline Avenue
Date of Approval: November 6, 2007
Replace rotten wood as necessary with new materials to match existing in profile, dimension and material. Paint new materials to match the existing color scheme.
32. **Applicant's Name:** Double AA Construction Company
Property Address: 100 Gilbert Street
Date of Approval: November 6, 2007
Remove iron railing and columns. Install a 6” box column and base per MHDC stock plans. Replace rotten siding as necessary with new materials to match existing in profile, dimension and material. Prepare exterior for paint (colors to be submitted later). Repair concrete sidewalk to match existing.
33. **Applicant's Name:** Robert Lamon
Property Address: 1262 Selma Street
Date of Approval: November 6, 2007
Replace the current wood garage door with white AMARR multi-panel steel doors.
34. **Applicant's Name:** B. Moore Roofing Company
Property Address: 105 Bradford Avenue
Date of Approval: November 6, 2007
Reroof flat roof to match existing in profile, dimension and material.

35. **Applicant's Name:** James Shine
Property Address: 1453 Dauphin Street
Date of Approval: November 7, 2007
 Install white anodized metal storm windows. Repair concrete sidewalk at the rear drive entrance on Lafayette (see Right of Way). Repair rotten wood with new wood to match existing. Paint exterior in the following Glidden colors:
- Body – Paramount Sage
 - Trim – Fence Post (creamy white)
 - Accent – Tavern Green
 - Porch Ceiling – Robin’s Egg Blue
36. **Applicant's Name:** Beth Walmsley
Property Address: 300 Chatham Street
Date of Approval: November 7, 2007
 Paint the front porch ironwork and gutter underside white. Touch up the stucco by the garage to match existing.
37. **Applicant's Name:** Mobile Housing Board
Property Address: 809 Government Street
Date of Approval: November 7, 2007
 Rebuild windows as needed to match existing in profile, dimension and material. Repair broken glass as needed.
38. **Applicant's Name:** Thomas Roofing Company
Property Address: 105-107 Dauphin Street
Date of Approval: November 7, 2007
 Reroof with materials to match existing in profile, dimension and material.
39. **Applicant's Name:** Lucky Roofing
Property Address: 61 South Hallett Street
Date of Approval: November 8, 2007
 Reroof with 20-year 3tab shingles in Dove Grey.
40. **Applicant's Name:** Casey Ginn
Property Address: 9 North Cedar Street
Date of Approval: November 8, 2007
 Reroof with v-crimp metal panels to match existing.
41. **Applicant's Name:** Patrick Nolan
Property Address: 104 South Georgia Avenue
Date of Approval: November 8, 2007
 Repair/replace rotten wood siding and trim as needed with wood to match existing in profile and dimension. Replace the gutter system with new gutters in white. The downspouts will be located at the current locations.
42. **Applicant's Name:** Helen Emmons
Property Address: 1410 Brown Street
Date of Approval: November 9, 2007
 Paint exterior in the following colors:
- Body – Tan
 - Shutters and Door – Rookwood Dark Red

B. NEW BUSINESS

1. **198-07-CA:** 805 Church Street
Applicant: City Management Company
Request: Modify the wood porch, remove and landscape the curb cut, landscape and fence the parking area and allow the other existing elements to remain.
2. **199-07-CA:** 112 North Catherine Street
Applicant: Danny French
Request: Allow the vinyl siding to remain.
3. **200-07-CA:** 23 Lee Street
Applicant: Tom Clement
Request: Demolish the residence for new parking.

4. **201-07-CA:** 30 Lee Street
Applicant: Tom Clement
Request: Demolish the residence for new parking.
5. **202-07-CA:** 31 Lee Street
Applicant: Tom Clement
Request: Demolish the residence for new parking.
6. **203-07-CA:** 110 Houston Street
Applicant: Douglas Kearley
Request: Construct a carport in front of the existing garage.
7. **204-07-CA:** 201 South Georgia Avenue
Applicant: Sharyn Bohannon
Request: Replace the wood privacy fence with an aluminum fence.
8. **205-07-CA:** 202 Government Street
Applicant: Zito Russell Architects
Request: Install an aluminum garage door as opposed to the proposed iron gate.
9. **206-07-CA:** 110 Ryan Avenue
Applicant: Victoria Wood
Request: Pour a new concrete driveway and install a wood privacy fence.
10. **207-07-CA:** 304 State Street
Applicant: John Bridler
Request: Continue the metal fence along the front and side and install a wood privacy fence along the back.
11. **208-07-CA:** 515-521 Dauphin Street
Applicant: Kirk Burgamy
Request: Pour a new concrete parking area and install an iron gate and fence.
12. **209-07-CA:** 1412 Eslava Street
Applicant: Greg Rawls
Request: Demolish the rear two-story outbuilding.
13. **210-07-CA:** 951 Selma Street
Applicant: Montdrakgo Caldwell
Request: Construct a rear addition.
14. **211-07-CA:** 1705 Conti Street
Applicant: Francis Forrest
Request: Demolish residence and leave lot as a greenspace.
15. **212-07-CA:** 216 Lanier Avenue
Applicant: Bowden Sarrett
Request: Construct a concrete block wall along the north property line.
16. **213-07-CA:** 9 South Joachim Street
Applicant: Bill Appling
Request: Extend existing wood treatment with board & batten siding, remove rotten wood on post and install an awning.

C. OTHER BUSINESS and ANNOUNCEMENTS

1. Discussion.

D. ADJOURNMENT

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

198-07-CA: 805 Church Street
Applicant: City Management Company LLC
Received: 10/10/07 (+45 Days: 11/24/07)
Meeting: 11/19/07

INTRODUCTION TO THE APPLICATION

Historic District: Church Street East
Classification: Non-Contributing
Zoning: R-1
Project: Multiple renovations to include modifying the porch; healing the curb cut; planting shrubbery; painting; installing windows, doors, metal sheeting and a fence; and repaving.

BUILDING HISTORY

According to previous records, this two-story warehouse/office complex was the Appliance Parts and Supply Company. The building was constructed in the latter half of the twentieth century. It sits next to the Church Street Graveyard and across the street from Big Zion AME Church.

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 received Board approval on 11/14/05 to renovate the existing warehouse. The plan that was approved, however, called for a two-story metal balcony and casement windows. Additionally, the COA required submittal of a landscape plan and appropriate fencing solution to the Board before installation. A palette of colors was also submitted. Subsequently, the work performed at the site was not done in accordance with the approval and an amended application was submitted. The Board denied the amended application and required the original plan be followed. The City Council later denied an appeal from the applicant. A Notice of Violation was issued in March and the amended July application was returned. This application is being presented because the six-month requirement for submissions has passed.
- B. The Design Review Guidelines call for new materials, finishes and elements to reflect the age and style of the building.
- C. The proposed plan includes the following:
 - 1. Building:
 - a. Modify the wood porch as per the submitted drawing, painting the balcony and trim Bellingrath Green.
 - b. Leave the sash windows, metal skin, metal roof and painted masonry as installed.
 - c. Install a new door opening on the west side of the building as per the submitted drawing.
 - 2. Landscape:
 - a. Remove the existing curb cut in front of the building and install neutral ground as per the submitted drawing.
 - b. Install shrubbery on Church Street as per the submitted drawing.
 - c. Install an “industrial” (Patriot) metal fence and gate as per the submitted drawing and pamphlet information.
 - d. Repave the existing asphalt parking lot with new asphalt.

RECOMMENDATION

*The Design Review Guidelines for Porches and Canopies (P.12) state, “[t]he porch is an important regional characteristic of Mobile architecture. Historic porches should be maintained and repaired to **reflect their period**. Particular attention should be paid to handrails, lower rails, balusters, decking, posts/columns, proportions and decorative details.”* In this case, there is no historic porch; however, new porches should be a reflection of the building. Although wood porches/balconies are typical of residential buildings in the Church Street East neighborhood, a wood porch/balcony is not appropriate for this commercial building. Adding detail such as what is being proposed in this application only serves to place the building into an earlier time period and create a false sense of history. The original plan called for a more suitable metal balcony that reflected the style and use of the building through its design and material and staff thinks that the porch as originally proposed should replace the porch as built. Alternatively, the wooden porch, which was constructed in order to serve the proposed luxury apartments, could be removed since the upper floor will now be used as offices and the building did not originally have a balcony.

The Design Review Guidelines for Windows (P.10) state, “[t]he type, size and dividing lights of windows and their location and configuration (rhythm) on the building help establish the historic character of a building. Original window openings should be retained as well as original window sashes and glazing. Where windows cannot be repaired, new windows must be compatible to the existing. The size and placement of new windows for additions or alterations should be compatible with the general character of the building.” The original windows of this building were metal frame casement and plate glass windows, which were typical of industrial buildings such as this one. The sash windows that are being proposed are more residential in nature and casements to resemble the original would be more appropriate. However, staff thinks that since the building is non-contributing and the windows are replacements, the sash windows could be acceptable when viewed in the overall design.

The Design Review Guidelines for Exterior Materials and Finish (P.8) state, “[t]he exterior of a building helps define its style, quality and historic period. The original siding should be retained and repaired. Replacement of exterior finishes, when required, must match the original in profile, dimension and material...” Metal panels were installed to replace the original rusted metal panels. Replacing exterior materials with materials to match existing is common and typical maintenance for buildings. However, the new replacement panels are bright blue as opposed to the Dark Bronze color originally proposed and approved by the Board. In practice, the Board has generally required that the colorations of exterior materials such as siding and roofing in the districts be subtle, particularly on non-contributing buildings. Staff thinks that this is of particular import for the metal panels on this building, as it is not only rather large, but is also a visual intrusion on the serene and pastoral Church Street Graveyard next door, which is one of the most significant historic sites in Mobile.

The Design Review Guidelines for Roofs (P.8) state, “[a] roof is one of the most dominant features of a building [and] materials should be appropriate to the form and pitch and color.” Long Span III or a similar ribbed-pattern roofing panel replaced the original galvanized corrugated roofing. Again, replacing exterior materials with materials to match existing is common and typical maintenance for buildings. Nonetheless, while the original approved plan called for the new roof color to be Surrey Beige, the panels that were actually installed were galvanized. As mentioned above, the Board has generally required that the colorations of exterior materials such as siding and roofing in the districts be subtle and this building does about Church Street Graveyard. However, because this building originally had a galvanized roof, staff thinks that this is an acceptable substitution.

The Design Review Guidelines for Doors and Doorways (P.9) state, “[o]ften one of the most important decorative features...doorways reflect the age and style of a building. Wood or metal garage doors should be simple in design and compatible with the main building.” Although the doors as installed and proposed in this application differ somewhat from the original proposal, staff thinks that the changes are acceptable and appropriate.

The Design Review Guidelines for Drives, Walks and Parking (P.14) 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. Landscaping can often assist in creating an appropriate setting. Asphalt is inappropriate for walkways. Gravel or shells are preferred paving material; however, a variance from the Board of Adjustment is required for commercial application. Hard surface materials may also be acceptable. The appearance of parking areas should be minimized through good site planning and design... Parking areas should be screened from view by the use of low masonry walls, wood or iron fences or landscaping.” The **Landscape Ordinance**, which also impacts the Board’s requirements, states, “12% of the site must be landscaped with 60% of the required landscaping between the street and the building wall. In parking lots landscaping shall be provided in such a manner as to break up the expanse of paving...” The parking area is currently paved with black asphalt. Staff is aware that due to the warehouse/boat storage nature of the building, the parking area must provide an area clear of obstruction, including landscaping. For this reason, staff thinks that there should be much more landscaping around the perimeter of the lot in order to satisfy the requirements of both the Guidelines and the Landscape Ordinance. More perimeter landscaping would also mitigate the impact on Church Street Graveyard. Staff also noted that there are no overstory trees on the plans. Healing the curb cut in front of the building, proposed in the original application but never done, is also appropriate and staff recommends the Board approve the curb cut removal and require a more appropriate landscape plan.

The Design Review Guidelines for Fences, Walls and Gates (P.14) state, “[fences, walls and gates] 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 fencing is proposed to be black welded wire set between square posts. The fence will be located on the north side of the property extending from the two-story commercial building to the east property line and along the east property line to a warehouse building. No fencing is proposed for the west property line. Although the height and gauge of fencing is not specified, staff thinks that the type (Patriot Ornamental Wire Fence) is appropriate for a commercial setting.

Since the structure is a non-contributing building, all of the alterations should be done so as to create the least impact in the historic neighborhood. Staff recommends that aspects of the application that maintain the essential commercial character of the building are appropriate and should be approved, while those aspects that alter the character or intrude into the neighborhood are inappropriate and should be approved with conditions.

PUBLIC TESTIMONY

John Peebles was present to represent City Management. He had nothing to add to the staff report. The Board asked for clarification on some issues of the proposed request: French doors will be added to the upper level; the aluminum sash windows will be retained; a new steel door would be placed in the west side; the glass blocks will surround the front door; the fence will be 6’-0” high and made of the

lightest gauge of commercial wire with a rolling gate for the drive; decorative mouldings and a wood spindle frieze will be added to the front balcony (though he would prefer not to); and it will be painted. He also stated he would be willing to consider more landscaping.

Celia Lewis of 158 South Jefferson asked to speak to the Board. She, her husband and neighbors have followed the rules of the ARB and done work in accordance with their COAs. New neighbors have moved into the area because of the appearance and protections offered by the Review Board process. Neighbors received a letter from City Management in 2005 describing the project at 805 Church (attached and made part of the record). The neighborhood was disappointed in the ongoing saga. This was her third time before the ARB and she had hired an attorney, Ion Gaston, to speak for the neighborhood when the previous appeal went before City Council, which upheld the decision of the Board. In considering this application, she felt the fence and roof were acceptable. However, the porch does not blend with the building style and she objected to the submitted decorative moulding. Though she approved of the removal of the curb cuts from the building front, she believes the landscaping is insufficient and more should be required. She asked the purpose of the west side door and objected to the current sash windows. She also raised a strong objection to the blue color of the warehouse section of the building.

Marie Dyson of 203 South Dearborn also appeared before the Board. In addition to living in the district, Ms. Dyson is president of the neighborhood association. She agreed with and echoed the remarks made by Celia Lewis. She, too, has appeared before the ARB and the City Council on this issue. City Management has not complied with any of the decisions of the ARB or the City Council, and he must come into compliance. She agreed the fence was an acceptable design and the landscaping was insufficient. Both the Church Street East Neighborhood Association and the MHDC have passed resolutions in support of the ARB and condemning the current state of the building. She believes that the Board should approve those items of this request that are acceptable and deny the items that do not meet the Board's guidelines. She felt that the original COA was appropriate and that should be the guide for any new request.

At that point the Board began asking questions, principally of the applicant. Tilmon Brown asked for clarification on the gauge of the fence. Peebles' reply was that it would be the lightest commercial grade that would allow the fence to be 6'-0". Mr. Brown asked what the purpose was of the new west door. Peebles' reply was that it would lead to an interior stair to the second floor. Mr. Brown asked if the applicant would paint the blue warehouse the originally proposed color. Peebles's reply was no, it would be too expensive. Carlos Gant suggested changing the balcony balusters to steel cable. Peebles objected to the design but would consider it. He also wished to delete the porch decoration. He is not willing to come back before the Board. Tom Karwinski stated that accepting alterations to the original plan would result in the ARB losing credibility. Bunky Ralph noted that there were changes to the plan and the Board could approve items that did not impair the integrity of the neighborhood. Staff had no comments from the public or city departments for the record.

BOARD DISCUSSION

The Chair closed the public hearing portion of the meeting. Much discussion had ensued during the public part of the meeting. Tilmon Brown noted this item had been over two years in consideration and that the Board should look at this application as though it were new and make a decision on the items as presented. Tom Karwinski thought the concrete apron leading into the drive should be reduced to the width of the gate and more landscaping was needed.

FINDING OF FACT

Tilmon Brown moved that based upon the evidence presented in the application and during the public hearing the Board finds the facts in the staff report with the addition of 2.c: The fence will be six feet in height and commercial grade. Harris Oswalt seconded the motion with all voting in favor except Tom Karwinski. The motion carried.

DECISION ON THE APPLICATION

Andrew Martin moved that based on facts adopted by the Board and on the public testimony, the application as submitted does impair the historic integrity of the neighborhood.

DECISION ON THE COA

Due to the complicated nature of the application the ARB went through each section of the request and decided on each aspect separately, then made a motion to include the decisions. Therefore, Harris Oswalt moved to approve the application with the following conditions:

- Install the fence as submitted;
- Retain the roof as constructed;
- Retain and install the doors as constructed and submitted;
- No balcony ornamentation is to be added; the rail and posts should remain, but the pickets should be replaced with a cable rail;
- The windows should be casement windows;
- The blue color should be painted per the original submission of Dark Bronze;
- The curb cut will be healed and the area planted with grass to create neutral ground;
- The landscaping must be increased to the minimum required by the City's landscape ordinance as if this were a new parking lot.

Michael Mayberry seconded the motion and it passed with Tom Karwinski and Jim Wagoner voting in opposition. **Certificate of Appropriateness Expiration Date: 11/19/2008**

It should be noted that during the discussion on the various aspects of the COA, not all items received unanimous approval. Below is a record of those votes. However, there was only one vote on the Certificate of Appropriateness and it contained all the items.

- Install the fence as submitted:
 - Against – Tom Karwinski
- Retain the roof as constructed:
 - Unanimous approval
- Retain and install the doors as constructed and submitted:
 - Unanimous approval
- No ornamentation added to the balcony; the rail and posts to remain, but the pickets replaced with a cable rail:
 - For – Tilmon Brown, Bunky Ralph, Carlos Gant, Jim Wagoner and Barja Wilson
 - Against – Andrew Martin, Harris Oswalt, Tom Karwinski and Michael Mayberry
- The windows should be casement windows:
 - Against – Harris Oswalt and Michael Mayberry
- The blue color should be painted per the original submission of Dark Bronze:
 - Against – Carlos Gant
- Landscaping to be increased to the minimum required by the City landscape ordinance as if this were a new lot and the curb cut to be healed to create neutral ground.
 - Unanimous approval

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
STAFF COMMENTS

199-07-CA: 112 North Catherine Street
Applicant: Danny French
Received: 10/23/07 (+45 Days: 12/08/07)
Meeting: 11/19/07

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way
Classification: Conditionally Contributing
Zoning: R-1
Project: Allow the vinyl siding to remain.

BUILDING HISTORY

According to previous records, this one-story frame residence was constructed circa 1920. It had been clad in mineral fiber siding for a number of years.

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. As mentioned above, this residence has mineral fiber siding for a number of years and Mr. French recently resided it with vinyl. Staff received complaints regarding the work and issued a Notice of Violation on 10/09/07.
- B. The Design Review Guidelines call for new materials, finishes and elements to reflect the age and style of the building.
- C. Mr. French is requesting that the Board allow the vinyl siding to remain.

RECOMMENDATION

The Design Review Guidelines classify vinyl siding as an inappropriate material in historic districts; however, this residence had already been categorized as conditionally contributing due to the previous mineral fiber siding. Staff is recommending denial of the application, but will defer to the Board.

PUBLIC TESTIMONY

Mr. French was present. He said there are many businesses on Catherine though his house is residential. He feels his renovation has spurred others as well. He did not get a COA because he thought the district ended at Old Shell. His contractor did not get a building permit. Most of the fiberboard siding and a good bit of the underlying wood had fallen off. At this point the work is almost complete. 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

Tilmon Brown noted this was an unusual circumstance where one inappropriate material replaced another. He also noted that the house had been in very poor condition and though this was an improvement to the building, it is not something that would or should ordinarily be allowed. However, considering the unique situation and the other facts brought out in the testimony, he thought the Board could approve the application. He did make it clear that he did not and the Board should not consider this a precedent for other cases.

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 does not impair the historic integrity of the structure or the district and that a Certificate of Appropriateness be issued. The motion was seconded by Harris Oswald and unanimously approved. **Certificate of Appropriateness Expiration Date: 11/20/08.**

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
STAFF COMMENTS

200-07-CA: 23 Lee Street
Applicant: Tom Clement
Received: 10/22/07 (+45 Days: 12/07/07)
Meeting: 11/19/07

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way
Classification: Non-Contributing
Zoning: R-1
Project: Demolish the residence for new parking.

BUILDING HISTORY

This one-story frame residence was constructed circa 1925.

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 residence is in a poor state. Dauphin Way United Methodist Church recently purchased the property to demolish it for a parking lot.

- B. In considering demolitions, the Design Review Guidelines refer to **Section 44-79 of the Mobile City Code**, discussed above.
- C. The proposed work will demolish the existing residence to install a parking lot per the submitted plans.

RECOMMENDATION

The residence is currently vacant. According to Mr. Clement, the church purchased the property after the previous owners had tried to sell it without success for some time. Since the purchase, there has been no other attempt to improve upon or reuse the property or sell the residence. In addition, the only post-demolition plans are to create a parking lot.

Although this building is non-contributing to the Old Dauphin Way Historic District, staff feels that all other avenues should be exhausted before demolition is considered.

PUBLIC TESTIMONY

There were no comments from the public to enter into the record. Staff, however, did receive a letter, an email and two phone calls from neighborhood residents opposing the demolition of 23, 30 and 31 Lee Street for parking. The residents were concerned with the fact that the church purchased these properties years ago (2004) and have let them deteriorate through neglect. They felt that the church is purposely allowing these properties to get to a point where rehabilitating them would be too difficult so they can use the space for parking even though the parking area across Dauphin at the pumpkin patch is rarely full. The residents noted that the church has never made an effort to rehabilitate or sell these properties and that it also owns several more along the street.

BOARD DISCUSSION

It was noted that this was one of three demolition requests on Lee Street on the agenda. There was concern raised that the removal of three houses from the historic district would have an adverse impact on the stability of the neighborhood. It was also noted that the Church owned three more houses on Lee. It was pointed out that Lee Street was being taken over by parking lots and the residential character of the neighborhood would be lost if the expansion of parking continued.

FINDING OF FACT

Andrew Martin 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 does impair the historic integrity of the structure and the district and that a Certificate of Appropriateness be denied. The motion was seconded by Michael Mayberry and unanimously approved.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
STAFF COMMENTS

201-07-CA: 30 Lee Street
Applicant: Tom Clement
Received: 10/22/07 (+45 Days: 12/07/07)
Meeting: 11/19/07

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way
Classification: Non-Contributing
Zoning: R-1
Project: Demolish the residence for new parking.

BUILDING HISTORY

This one-story frame residence was constructed circa 1940.

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.
- (d) *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 residence is in a poor state. Dauphin Way United Methodist Church recently purchased the property to demolish it for a parking lot.

- B. In considering demolitions, the Design Review Guidelines refer to **Section 44-79 of the Mobile City Code**, discussed above.
- C. The proposed work will demolish the existing residence to install a parking lot per the submitted plans.

RECOMMENDATION

The residence is currently vacant. According to Mr. Clement, the church purchased the property after the previous owners had tried to sell it without success for some time. Since the purchase, there has been no other attempt to improve upon or reuse the property or sell the residence. In addition, the only post-demolition plans are to create a parking lot.

Although this building is non-contributing to the Old Dauphin Way Historic District, staff feels that all other avenues should be exhausted before demolition is considered.

PUBLIC TESTIMONY

There were no comments from the public to enter into the record. Staff, however, did receive a letter, an email and two phone calls from neighborhood residents opposing the demolition of 23, 30 and 31 Lee Street for parking. The residents were concerned with the fact that the church purchased these properties years ago (2004) and have let them deteriorate through neglect. They felt that the church is purposely allowing these properties to get to a point where rehabilitating them would be too difficult so they can use the space for parking even though the parking area across Dauphin at the pumpkin patch is rarely full. The residents noted that the church has never made an effort to rehabilitate or sell these properties and that it also owns several more along the street.

BOARD DISCUSSION

It was noted that this was one of three demolition requests on Lee Street on the agenda. There was concern raised that the removal of three houses from the historic district would have an adverse impact on the stability of the neighborhood. It was also noted that the Church owned three more houses on Lee. It was pointed out that Lee Street was being taken over by parking lots and the residential character of the neighborhood would be lost if the expansion of parking continued.

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. The motion was seconded by Andrew Martin 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 and the district and that a Certificate of Appropriateness be denied. The motion was seconded by Andrew Martin and unanimously approved.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
STAFF COMMENTS

202-07-CA: 31 Lee Street
Applicant: Tom Clement
Received: 10/22/07 (+45 Days: 12/07/07)
Meeting: 11/19/07

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way
Classification: Contributing
Zoning: R-1
Project: Demolish the residence for new parking.

BUILDING HISTORY

This one-story frame residence was constructed circa 1920.

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.
- (e) *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 residence is in a poor state. Dauphin Way United Methodist Church recently purchased the property to demolish it for a parking lot.

- B. In considering demolitions, the Design Review Guidelines refer to **Section 44-79 of the Mobile City Code**, discussed above.
- C. The proposed work will demolish the existing residence to install a parking lot per the submitted plans.

RECOMMENDATION

The residence is currently vacant. According to Mr. Clement, the church purchased the property after the previous owners had tried to sell it without success for some time. Since the purchase, there has been no other attempt to improve upon or reuse the property or sell the residence. In addition, the only post-demolition plans are to create a parking lot.

As a contributing building to the Old Dauphin Way Historic District, the demolition or removal of this building would result not only in an impairment of the historic structure, but also the historic district. Staff recommends denial of this application.

PUBLIC TESTIMONY

There were no comments from the public to enter into the record. Staff, however, did receive a letter, an email and two phone calls from neighborhood residents opposing the demolition of 23, 30 and 31 Lee Street for parking. The residents were concerned with the fact that the church purchased these properties years ago (2004) and have let them deteriorate through neglect. They felt that the church is purposely allowing these properties to get to a point where rehabilitating them would be too difficult so they can use the space for parking even though the parking area across Dauphin at the pumpkin patch is rarely full. The residents noted that the church has never made an effort to rehabilitate or sell these properties and that it also owns several more along the street.

BOARD DISCUSSION

It was noted that this was one of three demolition requests on Lee Street on the agenda, and that this was a contributing building and its loss would be extremely detrimental. There was concern raised that the removal of three houses from the historic district would have an adverse impact on the stability of the neighborhood. It was also noted that the Church owned three more houses on Lee. It was pointed out that Lee Street was being taken over by parking lots and the residential character of the neighborhood would be lost if the expansion of parking continued.

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 Michael Mayberry 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 and the district and that a Certificate of Appropriateness be denied. The motion was seconded by Andrew Martin and unanimously approved.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
STAFF COMMENTS

203-07-CA: 110 Houston Street
Applicant: Douglas Kearley
Received: 10/25/07 (+45 Days: 12/10/07)
Meeting: 11/19/07

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way
Classification: Contributing
Zoning: R-1
Project: Construct a carport in front of the existing garage.

BUILDING HISTORY

According to previous records, this one-story frame Craftsman was constructed circa 1923.

STANDARD OF REVIEW

Section 9 of the Ordinance states “the Board shall not approve any application proposing 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 garage in the back.
- B. The Design Review Guidelines state, “[a]n accessory structure...should complement the design and scale of the main building.”
- C. Douglas Kearley is proposing to construct a 21’-0” x 21’-0” carport in front of the existing garage.
 - 1. It will be an open space with 12’-0” x 12’-0” wood columns and brackets and MARC privacy lattice.
 - 2. There will be a wood sash window with vents on either side in the gable.
 - 3. The design and materials will match existing to include the roof pitch, roof shingles, wood siding, wood trim and overhanging eaves.

RECOMMENDATION

Based on the submitted information, the proposed work will not impair the historic integrity of the building or the district and staff recommends approving the application.

PUBLIC TESTIMONY

Douglas Kearley was present to answer questions. He stated that everything would be painted to match the house. Staff had no comments from the public or city departments to enter into the record.

BOARD DISCUSSION

The Board asked about the lattice panels, and was told they would be framed and painted.

FINDING OF FACT

Jim Wagoner 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 Tilmon Brown 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 and the district and that a Certificate of Appropriateness be issued. The motion was seconded by Michael Mayberry and unanimously approved. **Certificate of Appropriateness Expiration Date: 11/20/08.**

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
STAFF COMMENTS

204-07-CA: 201 South Georgia Avenue
Applicant: Sharyn Bohannon
Received: 10/25/07 (+45 Days: 12/10/07)
Meeting: 11/19/07

INTRODUCTION TO THE APPLICATION

Historic District: Oakleigh Garden
Classification: Contributing
Zoning: R-1
Project: Replace the wood privacy fence with an aluminum fence.

BUILDING HISTORY

According to previous records, this two-story frame Craftsman was constructed circa 1914.

STANDARD OF REVIEW

Section 9 of the Ordinance states “the Board shall not approve any application proposing 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 at the driveway of the residence.
- B. The Design Review Guidelines state that 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.”
- C. Ms. Bohannon is proposing to replace 18’-0” of wood privacy fence with a 5’-0” tall powder-coated black aluminum fence with a 3’-0” wide arched gate.

RECOMMENDATION

The proposed fence does not impair the historic integrity of the district and staff recommends approving the application. This residence has an easement and will need to go before the Properties Committee.

PUBLIC TESTIMONY

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 Board discussion.

FINDING OF FACT

Harris Oswald 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 Michael Mayberry and unanimously approved.

DECISION ON THE APPLICATION

Harris Oswald moved that, based upon the facts found by the Board, that the application does not impair the historic integrity of the structure and the district and that a Certificate of Appropriateness be issued. The motion was seconded by Jim Wagoner and unanimously approved. **Certificate of Appropriateness Expiration Date: 11/20/08.**

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
STAFF COMMENTS

205-07-CA: 202 Government Street
Applicant: Zito Russell Architects
Received: 10/30/07 (+45 Days: 12/15/07)
Meeting: 11/19/07

INTRODUCTION TO THE APPLICATION

Historic District: Church Street East
Classification: Non-Contributing
Zoning: B-4
Project: Multiple renovations.

BUILDING HISTORY

According to previous records, this mid-twentieth century building was originally the Southern Bell Telephone and Telegraph Building. It has undergone a number of alterations throughout the years.

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 being renovated for the offices of Sullivan-St. Clair. An application was made and approved on 01/06, with the exception of the garage doors. However, though the work was started, it was not completed. A new application was made July 2007, but it was denied due to the coiled garage doors and the vents. In September 2007, the Board approved an application for this project using iron gates at the garage entrances.
- B. The Design Guidelines state, “[w]ood or metal garage doors should be simple in design and compatible with the main building.”
- C. The applicant is proposing to install aluminum garage doors per the submitted photo as opposed to iron gates as originally planned.

RECOMMENDATION

Based on the information submitted in the proposal, staff feels that the work will not impair the historic integrity of the district. Staff believes the proposed garage doors satisfy the primary concern the Board had with the solid to void ratio of both the Government and Conception Street façades. Staff also believes that the proposed aluminum doors better fit the industrial look of the rest of the project.

PUBLIC TESTIMONY

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

The Board asked repeatedly why the open steel gate would not work in this setting and about the color of the aluminum. It was pointed out that this was an important location on Government Street and the correct solution was important. The Board also asked what would happen to the vent on the east side. It was noted that this had appeared on the agenda before and that if someone representing the owners would attend the meeting, many of the Board’s questions could be answered and an approval could be forthcoming.

FINDING OF FACT

Harris Oswald 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 Michael Mayberry and unanimously approved.

DECISION ON THE APPLICATION

Harris Oswald moved and Carlos Gant seconded a motion to approve the application. Following discussion concerning the vent and the door, the motion was withdrawn. Michael Mayberry moved that the facts found by the Board were insufficient to render a decision and that the application be tabled. The motion was seconded by Carlos Gant and unanimously approved.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
STAFF COMMENTS

206-07-CA: 110 Ryan Avenue
Applicant: Victoria Wood
Received: 10/30/07 (+45 Days: 12/15/07)
Meeting: 11/19/07

INTRODUCTION TO THE APPLICATION

Historic District: Ashland Place
Classification: Contributing
Zoning: R-1
Project: Pour a new concrete driveway and install a wood privacy fence.

BUILDING HISTORY

This one-story frame English Revival cottage was constructed circa 1928.

STANDARD OF REVIEW

Section 9 of the Ordinance states “the Board shall not approve any application proposing 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 ribbon drive and a wood privacy fence along the south property line. A larger concrete drive for this residence was approved in September 2006.
- B. The Design Review Guidelines state that 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.” They also state “...the design, location and materials [of the driveway should] be compatible with the property.”
- C. The proposed plan includes the following:
 - 1. Install a 6'-0" tall wood privacy fence to match the neighbor's fence along a small portion of the south property line per the submitted plans.
 - 2. Install a light-colored concrete drive per the submitted plans.

RECOMMENDATION

The proposed work does not impair the historic integrity of the district and staff recommends approving the application. The proposed concrete drive is a slightly modified version of a drive that was approved in September 2006.

PUBLIC TESTIMONY

Victoria Wood was present to answer questions. 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 discussion among the Board members.

FINDING OF FACT

Michael Mayberry 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

Michael Mayberry moved that, based upon the facts found by the Board, that the application does not impair the historic integrity of the structure and the district and that a Certificate of Appropriateness be issued. The motion was seconded by Harris Oswald and unanimously approved. **Certificate of Appropriateness Expiration Date: 11/20/08.**

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
STAFF COMMENTS

207-07-CA: 304 State Street
Applicant: John Bridler
Received: 11/02/07 (+45 Days: 12/18/07)
Meeting: 11/19/07

INTRODUCTION TO THE APPLICATION

Historic District: DeTonti Square
Classification: Non-Contributing
Zoning: R-B
Project: Continue the metal fence at the front and side and install a privacy fence at the back.

BUILDING HISTORY

This residence is currently being constructed.

STANDARD OF REVIEW

Section 9 of the Ordinance states “the Board shall not approve any application proposing 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. As mentioned above, this fence is part of the construction of a new residence. There is a black metal fence in front of 302 State Street.
- B. The Design Review Guidelines state that 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...”
- C. The proposed plan includes the following:
 - 1. Continue the black metal fence beginning at 302 State Street westward to and turning the corner of North Claiborne Street, continuing north to the rear corner of the property.
 - 2. Install a new 6'-0" wood privacy fence from the rear corner to enclose the patio area.

RECOMMENDATION

The design, placement and materials of the proposed fence do not impair the historic integrity of the district and staff recommends approving the application. Mr. Bridler will need to clear any setback issues with Urban Development before installation.

PUBLIC TESTIMONY

John Bridler was present to answer questions. 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 discussion among the Board members.

FINDING OF FACT

Andrew Martin 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 Michael Mayberry and unanimously approved.

DECISION ON THE APPLICATION

Andrew Martin moved that, based upon the facts found by the Board, that the application does not impair the historic integrity of the structure and the district and that a Certificate of Appropriateness be issued. The motion was seconded by Michael Mayberry and unanimously approved. **Certificate of Appropriateness Expiration Date: 11/20/08.**

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
STAFF COMMENTS

208-07-CA: 515-521 Dauphin Street
Applicant: Kirk Burgamy
Received: 11/05/07 (+45 Days: 12/21/07)
Meeting: 11/19/07

INTRODUCTION TO THE APPLICATION

Historic District: Lower Dauphin Commercial
Classification: Non-Contributing
Zoning: B-4
Project: Pour a new concrete parking area and install an iron gate and fence.

BUILDING HISTORY

This is a new four-townhouse complex was built this year.

STANDARD OF REVIEW

Section 9 of the Ordinance states “the Board shall not approve any application proposing 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 fence and drive are part of the construction of a new townhouse complex. There is currently a gravel alley behind the buildings.
- B. The Design Review Guidelines state that 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.” They also state “...the design, location and materials [of the driveway should] be compatible with the property.”
- C. The proposed plan includes the following:
 - 1. Install a 6’-0” tall cast iron fence and gate at the Cedar Street entrance to the property per the submitted plans.
 - 2. Replace the gravel alley with a light-colored concrete drive per the submitted plans.

RECOMMENDATION

The proposed work does not impair the historic integrity of the district and staff recommends approving the application. Any possible setback issues must be cleared with Urban Development before installation.

PUBLIC TESTIMONY

Mr. Burgamy was present to answer questions. He returned the sign. The Board asked why he wished to change from gravel to concrete. A permeable surface was suggested. He replied that the gravel was difficult to walk on and they felt a hard surface would work in the downtown area. It was also noted that the material for the fence would be steel. 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

There was no further discussion among the Board members.

FINDING OF FACT

Harris Oswald 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 the alteration of the material in item C.1. from cast iron to steel. The motion was seconded by Tilmon Brown and unanimously approved.

DECISION ON THE APPLICATION

Harris Oswald moved that, based upon the facts found by the Board, that the application does not impair the historic integrity of the structure and the district and that a Certificate of Appropriateness be issued. The motion was seconded by Jim Wagoner and approved with Tilmon Brown voting no. **Certificate of Appropriateness Expiration Date: 11/20/08.**

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
STAFF COMMENTS

209-07-CA: 1412 Eslava Street
Applicant: Greg Rawls
Received: 11/05/07 (+45 Days: 12/21/07)
Meeting: 11/19/07

INTRODUCTION TO THE APPLICATION

Historic District: Leinkauf
Classification: Contributing
Zoning: R-1
Project: Demolish rear garage apartment.

BUILDING HISTORY

This two-story frame multi-family residence was built circa 1906. Based on available Sanborn maps, the rear two-story frame garage apartment appears to have been built by 1925.

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.
- (f) *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 rear garage apartment at 1412 Eslava is in a decrepit state. Mr. Rawls recently purchased the property and is rehabilitating it into a single-family residence.
- B. In considering demolitions, the Design Review Guidelines refer to **Section 44-79 of the Mobile City Code**, discussed above.
- C. The proposed work includes the following:
 - 1. Demolish the rear garage apartment and landscape the area as part of the renovation of the main residence and property.
 - 2. Repair/replace rotten wood throughout the exterior of the main residence with materials that match existing in material, profile and dimension.

RECOMMENDATION

This rear garage apartment is a secondary structure that is in a dilapidated condition. It does, however, appear to be contemporary with the main residence and part of an original multi-family complex within the neighborhood, and therefore a contributing building to the district. Staff feels that the demolition of this structure will negatively impact the historic integrity of the building. Nonetheless, because this demolition is part of a larger plan to rehabilitate this street, staff feels that the loss of this building may not negatively impact the historic integrity of the district and we will defer to the Board. The remaining work consists of minor maintenance or restoration and staff recommends approval.

PUBLIC TESTIMONY

Greg Rawls was present to answer questions.
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

Bunky Ralph stated she did not think the outbuilding referenced the main house and suggested it may not be contemporary. Andrew Martin agreed and pointed out that it was a secondary structure that did not add to the character of the main house or the neighborhood.

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 Jim Wagoner and unanimously approved.

DECISION ON THE APPLICATION

Andrew Martin 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 and that a Certificate of Appropriateness be issued. The motion was seconded by Jim Wagoner and unanimously approved. **Certificate of Appropriateness Expiration Date: 11/20/08.**

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
STAFF COMMENTS

210-07-CA: 951 Selma Street
Applicant: Montdrakgo Caldwell
Received: 11/05/07 (+45 Days: 12/21/07)
Meeting: 11/19/07

INTRODUCTION TO THE APPLICATION

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

BUILDING HISTORY

According to previous records, this one-story frame Victorian residence was constructed circa 1894.

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 being renovated. There was once an addition where this one will be built.
- B. The Design Review Guidelines state that additions should respect the age and style of the building.
- C. Mr. Caldwell is proposing to attach an 8'-0" x 16'-1" one-story shed-roof addition to the rear of the residence per the submitted plans that will sit on a previous addition and be attached to the rear porch.
 - 1. The proposed addition will sit on a continuous brick foundation; the foundation of the existing residence will be bricked in to match.
 - 2. The window will be reused from the removed addition.
 - 3. All details and materials will match existing to include the siding, trim, roof shingles, operable wood shutters.

RECOMMENDATION

Based on the information submitted in the proposal, staff believes the proposed addition will not impair the historic integrity of the building or the district and recommends approving the application.

PUBLIC TESTIMONY

Mr. Caldwell was not present to answer questions. 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 noted that there had been a previous rear addition.

FINDING OF FACT

Andrew Martin 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 Michael Mayberry and unanimously approved.

DECISION ON THE APPLICATION

Andrew Martin moved that, based upon the facts found by the Board, that the application does not impair the historic integrity of the structure and the district and that a Certificate of Appropriateness be issued. The motion was seconded by Michael Mayberry and unanimously approved. **Certificate of Appropriateness Expiration Date: 11/20/08.**

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
STAFF COMMENTS

211-07-CA: 1705 Conti Street
Applicant: Francis Forrest
Received: 11/06/07 (+45 Days: 12/22/07)
Meeting: 11/19/07

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way
Classification: Contributing
Zoning: R-1
Project: Demolish residence and leave lot as a greenspace.

BUILDING HISTORY

This one-story frame late Victorian cottage was built circa 1910. In 1984, Mr. Charlie Vaughn, who was the owner at the time, constructed an addition to the residence with the help of MHDC's Free Design Clinic.

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.
- (g) *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, 1705 Conti Street is in a decrepit state. Marion Forrest, the current owner, considered renovating the property, but found that the deterioration was too extensive and costly. The City recently declared the property a public nuisance, and it has directed that the owner repair or demolish the building. The Board denied demolition of this property in June 2007 citing that all other avenues for saving the building had not been exhausted.
- B. In considering demolitions, the Design Review Guidelines refer to **Section 44-79 of the Mobile City Code**, discussed above.
- C. The proposed work will demolish the existing residence to leave the lot as a greenspace and either sell or donate any salvageable elements.

RECOMMENDATION

Until recently, a family member lived in the home, but did not adequately maintain it. Since vacating the property, there has been no other attempt to improve upon or reuse the property or sell the residence. In addition, the only post-demolition plans are to leave it as an empty lot.

As a contributing building to the Old Dauphin Way Historic District, the demolition or removal of this building would result not only in an impairment of the historic structure, but also the historic district. Staff recommends denial of this application.

PUBLIC TESTIMONY

Mr. Forrest, the cousin of the owner, was present to answer questions. He stated that the family had a number of contractors view the building and all said the cost of the rehabilitation would exceed the value of the building. He also stated that several people had looked at the building to buy, but once they had, no one ever made an offer. It was the family's desire to remove an eyesore. They had a "For Sale" sign on the property but no offers were made. There had been no price, they were waiting for an offer.

William Carroll was present and spoke on behalf of the owners. He stated he had been in the house and talked to the property owners. He believes the cost to renovate the building would be well over \$200,000 and that it was a public nuisance as it stood. He asked the Board to allow the demolition.

Mr. Forrest pointed out there had been a fire in the rear that spread toward the front and building was in bad shape because of that. He stated the house had been occupied until the mid-nineties with the last family member renting the house moved. The adjacent property belongs to the Forrests and it is possible that Mobile Area Water and Sewer System would make an offer on this property as they did for the lift station 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's questions were answered during the testimony portion of the hearing. There was no further Board discussion.

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 Carlos Gant and unanimously approved.

DECISION ON THE APPLICATION

Carlos Gant moved that, based upon the facts found by the Board, that the application does not impair the historic integrity of the structure and the district and that a Certificate of Appropriateness be issued. The motion was seconded by Barja Wilson and approved with a vote of five in favor of the demolition and four opposed. **Certificate of Appropriateness Expiration Date: 11/20/08.**

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
STAFF COMMENTS

212-07-CA: 216 Lanier Avenue
Applicant: Bowden and Kemper Sarrett
Received: 11/08/07 (+45 Days: 12/24/07)
Meeting: 11/19/07

INTRODUCTION TO THE APPLICATION

Historic District: Ashland Place
Classification: Non-Contributing
Zoning: R-1
Project: Construct a concrete block wall along the north property line.

BUILDING HISTORY

According to previous records, this one-story Ranch with Classical features was constructed in 1958.

STANDARD OF REVIEW

Section 9 of the Ordinance states “the Board shall not approve any application proposing 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. A car recently ran into the Sarretts’ fence on Springhill Avenue.
- B. The Design Guidelines state that 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...[and] the finished side of the fence should face toward public view.”
- C. Mr. and Mrs. Sarrett are proposing to replace the existing iron and brick fence/gate with a 6’-0” solid block wall per the submitted drawings.
 - 1. The wall will be finished with a layer of brick that matches the residence on the top.
 - 2. Fig vine will be planted to cover the concrete blocks.

RECOMMENDATION

The design, placement and materials of the proposed fence do not impair the historic integrity of the district; however, the Sarretts currently do not intend on stuccoing the concrete block. Staff has informed Mrs. Sarrett that the wall must be stuccoed. They will also need to clear any setback issues with Urban Development before installation.

PUBLIC TESTIMONY

The Sarretts were present to answer questions and asked if there was an alternative to stucco. The Board suggested paint but that stucco would hide the lines of the concrete block. Staff suggested a blown paint like at the Royal Scam, but the blocks had to be laid evenly and it would take several applications to be effective. The Sarretts will investigate and make sure whatever they use will hide the lines of the blocks. 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

There was no further discussion among the Board members.

FINDING OF FACT

Jim Wagoner 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 Michael Mayberry and unanimously approved.

DECISION ON THE APPLICATION

Jim Wagoner moved that, based upon the facts found by the Board, that the application does not impair the historic integrity of the structure and the district and that a Certificate of Appropriateness be issued. The motion was seconded by Michael Mayberry and unanimously approved. **Certificate of Appropriateness Expiration Date: 11/20/08.**

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
STAFF COMMENTS

213-07-CA: 9 South Joachim Street
Applicant: Bill Appling
Received: 11/08/07 (+45 Days: 12/24/07)
Meeting: 11/19/07

INTRODUCTION TO THE APPLICATION

Historic District: Lower Dauphin Commercial
Classification: Contributing
Zoning: B-4
Project: Extend existing wood treatment with board & batten siding, remove rotten wood on post and install an awning.

BUILDING HISTORY

According to previous records, this two-story brick office building was constructed circa 1869 and was modernized circa 1930. As with most commercial buildings, the first floor entrance has been considerably altered throughout the years.

STANDARD OF REVIEW

Section 9 of the Ordinance states “the Board shall not approve any application proposing 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 being rehabilitated for an incoming restaurant. As mentioned above, the entrance has been altered a number of times. An awning was previously approved in 1996.
- B. The Design Review Guidelines call for new materials, finishes and elements to reflect the age and style of the building.
- C. The proposed plan includes the following:
 - 1. Repair and expand the existing plywood boards with new board and batten strips.
 - 2. Replace the rotten wood on the I-beam post.
 - 3. Install a Dark Red Sunbrella awning as per the previously approved plans.

RECOMMENDATION

Based on the submitted information, staff feels the proposed work will not impair the historic integrity of the district. Mr. Appling is extending the existing wood treatment to the entry door to create a uniform appearance. The awning had been previously approved, though with a different color.

PUBLIC TESTIMONY

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

The Board discussed the appropriateness of the board and batten infill of the corner. The photographs indicated the work was being done in a manner that obscured the entranceway. Staff was asked how the work got a permit. Staff replied no permit was issued and a complaint had been made.

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 Andrew Martin 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 and the district and that a Certificate of Appropriateness be denied. The motion was seconded by Carlos Gant and unanimously approved.