

AGENDA
ARCHITECTURAL REVIEW BOARD
January 27, 2003 – 3:00 P.M.

The Meeting was Called to Order at 3:05 p.m. by Chair Cindy Klotz.

Roll Call was called by Architectural Engineer Ed Hooker

Present: Nick Holmes, III, Douglas Kearley, Buffy Donlon, Bill Christian, Cindy Klotz, Bunky Ralph, Dennis Carlisle; Jackie McCracken arrived after roll call but before the beginning of business.

Absent: Karen Carr, Dan McCleave

Douglas Kearley moved to approve the minutes of the January 10, 2003 meeting as mailed. Buffy Donlon seconded the motion, which passed unanimously.

Bunky Ralph moved to approve the Mid-Month Requests as mailed. Douglas Kearley seconded the motion, which passed unanimously. These included:

A. MID MONTH APPROVALS

1. 315 North Joachim Street: Willie Martin
Replace rotten siding as necessary to match the original in profile and dimension.

APPROVED 1/3/03 jss

2. 253 Dexter Street: Michael Duff
Replace rotten wood as necessary with new to match existing in profile and dimension on siding and trim. Repaint to match existing color scheme.

APPROVED 1/6/03 weh

3. 1400-1404 Church Street: Banks Properties, LLC.
Paint building the following colors:
Painted brick first floor – SW Bunglehouse Gray 2845
Shingled second floor – SW Roycroft Bronze Green 2646
Trim – SW Roycroft Vellum 2833
Concrete foundation and step caps – SW Roycroft Bronze Green 2846

APPROVED 1/6/03 weh

4. 400 Government Street: Kiker Roofing Company
Re-roof building to match existing roofing material in color, profile and dimension.

APPROVED 1/6/03 weh

5. Holiday Inn Express/ Ben Meisler for MWH Investments
Replace existing rotten wood privacy fence around dumpster with new 8' high solid wood fence painted to match building. Replace rusted metal doors with new metal doors matching existing in profile and dimension, and painted to match building body. Replace rotten wood privacy fence around power transformer with new 6' high solid wood fencing painted to match building.

APPROVED 1/06/03 weh

6. 109 Gilbert Street: Blackard Roofing Company
Re-roof building with new materials to match existing in color and profile.

APPROVED 1/8/03 weh

7. 12 Semmes Avenue: Cynthia L. Nelms
Replace front walkway to match existing in profile and dimension. Replace back siding as necessary with new materials to match existing in profile and dimension and repaint to match existing color scheme.

APPROVED 1/9/03 asc

8. 301 Government Street: AT&T Wireless
Replace existing tower mounted amplifier with new equipment not to exceed existing equipment size.

APPROVED 1/13/03 weh

9. 700 St. Michael Street: Singleton Construction Company
Re-roof with 3-tab fiberglass shingles.

APPROVED 1/14/03 weh

10. 313 George Street: Diversified Roofing
Re-roof house with 5 v-crimp metal roofing.

APPROVED 1/14/03 weh

11. 551 Church Street: Robert Eddington/Nodar Construction
Repair rotten wood as necessary with new matching dimension and profile to include: front steps, porch railing, and stair rail.

APPROVED 1/15/03 asc

OLD BUSINESS:

030-02/03-CA 960 Church Street
Applicant: Oakleigh Venture Revolving Fund
Nature of Project: Request change in setback from previously-approved 10' to new 5' front setback.

APPROVED as submitted. The Board granted staff the authority to issue a Certificate of Appropriateness once the Board of Adjustment has ruled on the variance request.

NEW BUSINESS:

026-02/03 – CA 118 Ryan Avenue
Applicant: Dr. Dan McCall, Owner/Bill Baff Landscape, Contractor
Nature of Project: Construct 18" high brick retaining wall, installed on a reinforced concrete footing inside front property line, as per submitted plans.

APPROVED as submitted. A copy of the Certified Record is attached.

028-02/03 – CA 121 Macy Place
Applicant: J. W. Raybon
Nature of Project: Construct bedroom addition, measuring 12' x 13', as per submitted plans.

APPROVED as submitted. A copy of the Certified Record is attached.

029-02/03-CA 511 Eslava Street
Applicant: Albert Hartley
Nature of Project: Construct covered patio off south side of garage as per submitted plan.
Construct pergola as per submitted plan.

APPROVED as submitted. A copy of the Certified Record is attached.

031-02/03-CA 1750 Dauphin Street
Applicant: Felix and Carolyn Vereen
Nature of Project: Replace chain link fence gate with iron gates as per submitted photograph
Replace chain link fence with wooden privacy fence to match existing as per submitted design.

APPROVED as submitted. A copy of the Certified Record is attached.

027-02/03-CA 56 St. Francis Place
Applicant: TAG/The Architects' Group, architects/Ron Blount, RSA,
 Owner
Nature of Project: Demolish existing structure. Incorporate reassembled cast
 iron façade as a false front on new 8 story parking garage.

APPROVED as submitted. A copy of the Certified Record is attached.

OTHER BUSINESS

There were no Applications for Proposed Work submitted for Board review for the February 10, 2003 meeting. The next meeting of the ARB will take place February 24, 2003. Mid Month Approvals will be mailed with the minutes of this meeting.

There being no further business of the Board, the meeting adjourned at 4:20 p.m.

**APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD**

026-02/03 – CA

118 Ryan Avenue

Applicant:

Dr. Dan McCall, Owner/Bill Baff Landscape, Contractor

Received: 1/06/03

Meeting Date (s):

Submission Date + 45 Days: 2/21/03

1) 1/27/03 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District:

Ashland Place Historic District

Classification:

Contributing

Zoning:

R-1, Residential

Additional Permits Required:

Nature of Project:

Construct 18” high brick retaining wall, installed on a reinforced concrete footing inside front property line, as per submitted plans.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

Design Review Guidelines

Sections

3

Topic

Fences, Walls and Gates

Description of Work

Construct 18” high brick retaining wall

STAFF COMMENTS

Based on information contained in the Application, in Staff’s judgement:

- A. The Guidelines state that “ fences should compliment the building and not detract from it.”
 - 1. The proposed brick retaining wall will match the brick of the foundation of the main residence.
- B. The Guidelines require “...design, scale and placement...be considered along with their relationship to the Historic District.”
 - 1. The lots along Ryan Avenue are elevated from the sidewalk ranging from 6” to 2’.
 - 2. A number of residences adjacent to this location have retaining walls constructed of brick, stone or a combination of the two.
 - 3. A number of residences utilize landscaping elements such as fig ivy, sod and liriopie to retain the soil.
 - 4. The following addresses along Ryan Avenue feature retaining walls as part of the front yard landscaping:
 - 108 Ryan Avenue – brick retaining wall
 - 110 Ryan Avenue – stone retaining wall
 - 114 Ryan Avenue – stone retaining wall
 - 116 Ryan Avenue – brick retaining wall

Staff suggests that the Review Board approve the application as submitted.

PUBLIC TESTIMONY

The applicants were not present to speak on their application.

There was no one else present to speak in favor of or in opposition to the application.

FINDING OF FACT

Nick Holmes, III moved that based on the facts presented in the application and at the public hearing, the Architectural Review Board finds that staff comments A and B, be acceptable as finding of fact. Dennis Carlisle seconded the motion, which passed by unanimous vote.

DECISION ON THE APPLICATION

Douglas Kearley moved that a Certificate of Appropriateness be issued. Bunky Ralph seconded the motion, which passed by unanimous vote.

Review Board Members voting on this Application:, Nick Holmes, III, Douglas Kearley, Buffy Donlon, Bill Christian, Cindy Klotz, Bunky Ralph, Dennis Carlisle; Jackie McCracken

Certificate Expiration Date: January 28, 2004.

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**APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD**

027-02/03 – CA 56 St. Francis Street
Applicant: TAG/The Architects’ Group, architect/Ron Blount, Project Director, RSA, Owner
Received: 1/17/03 **Meeting Date (s):**
Submission Date + 45 Days: 1/27/03 1) 1/27/03 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: Lower Dauphin Street Historic District
Classification: Contributing
Zoning: B-4: General Business
Additional Permits Required: (1) Demolition
Nature of Project: Request to alter plans previously granted Concept Approval. Alteration involves change from retaining first 13’ of historic structure to demolition of existing structure and incorporation of reassembled cast iron and masonry façade as a false front on new 8 story parking garage.

History of the Project:

- 17 January 2002, Devereaux Bemis, Anne Crutcher, Buffy Donlon, and Ed Hooker (MHDC representative and ARB staff) met with Markham Smith, Dan Koch, Scott Taricco, and Libby Patrick (the architects for the RSA/Battlehouse Project to discuss a list of concerns of the MHDC. In order of importance, the future of the Coley Building was ranked number one.
- 28 June 2002 – In a follow-up letter from Smith Dalia Architects, Dan Koch addressed this concern with the following response: “... Coley Building on St. Francis Street: We are proposing retaining the Coley Building façade by integrating it into the street level retail space along St. Francis Street. The building will serve as a lobby for the parking deck and rooftop hotel fitness center and will help redefine and respectfully inform the new streetscape”
- 8 July 2002 – A meeting was held on site, attended by Devereaux Bemis, Anne Crutcher, Markham Smith, Dan Koch, and Gene Montezinos, at the Coley Building; the following comments were provided by MHDC staff:
 - Keep as much of the roof as possible
 - Step back parking lot building above Coley Building
 - Maintain 2nd floor historic fabric to the first floor interior column bay, including doors and frames, window frames, 2 historic fireplaces in rooms facing St. Francis Street, and interior walls.
 - Look at keeping 2nd floor line as it exists with steps down to 2nd level parking deck (Headroom at elevator lobby landing may be a problem.)
 - Would like to see dormer windows recreated as a mansard roof.
- 8 July 2002 – Architects Markham Smith, Bob Koch and Gene Montezinos appeared before the ARB specifically requesting Concept Approval on plans for the exterior restoration of the Battle House. As a courtesy, preliminary plans for the tower and parking garage were discussed at this time. The Board granted Concept Approval for the exterior restoration plans, with the following understanding: “... The Coley Building will remain and will be incorporated into the elevator lobby of the parking garage. Its mansard roof will be restored and the garage will be stepped back to the south ridge line...” The motion was made by Buffy Donlon, and seconded by Douglas Kearley. David Barr with TAG Architects recused himself from voting on the application.

- 23 July 2002 – Correspondence from Markham Smith of Smith Dalia Architects regarding clarification to meeting minutes. This letter stated the following with regard to the Coley Building: “... Only the first structural bay of the Coley Building is proposed to be retained, not the entire building...”
- 24 July 2002 – ARB staff Ed Hooker responded to correspondence requesting clarification of the term “ structural bay.”
- 13 August 2002 – Correspondence from Markham Smith of Smith Dalia Architects clarifying “structural bay”: “...Currently we plan on retaining all St. Francis Street frontage of the Coley Building up to the first structural bay (free-standing columns), which is approximately 13’-0” from exterior wall to centerline of column structure. The entire building to the north of the first column line will be demolished. We intend to utilize the ground floor of the Coley Building for the entrance lobby to the new elevator and stair core of the parking deck.” A site plan was attached.
- 27 August 2002 – Correspondence to Markham Smith of Smith Dalia Architects from Devereaux Bemis requesting an explanation of why the Coley Building cannot be retained intact as indicated on the site plan.
- 3 September 2002 – Correspondence from Markham Smith of Smith Dalia Architects – explanation of why the entire building cannot be retained: “...We are saving the first structural bay primarily to retain the St. Francis Street façade and part of the mansard roof; both require restoration and restructuring...” The letter further states “...We intend to instruct the contractor on how to protect and shore up the structure of the Coley Building during demolition and new construction work for the parking deck.”
- 4 December, 2002 – ARB approved demolition plans for the wing of the Battle House, and general restoration of the exterior of the Battle House.
- 13 January, 2003 – TAG, The Architects’ Group acting on behalf of Ronald J. Blount and the RSA, made application to demolish the Coley Building and reconstruct the cast iron and masonry façade of the Coley Building on the front of the parking garage. The attachment to the application cites the following reasons for this change in plans:
- A. Reason for wholesale demolition request:
 1. instability of the existing structure
 2. construction activities at the new garage producing ground vibrations and/or instability at the existing foundations
 - B. Problems with retaining a portion of the building after removal of cast iron façade:
 1. cast iron is a combination of decorative and structural elements
 2. safe method of shoring up embedded attachments without damaging the surrounding brick has not been found
 3. removal of rear portions of the building will result in structural instability

Conflicts of Interest: Cindy Klotz recused herself from review of the application. Bunky Ralph assumed the role of chair in Ms. Klotz’s absence.

APPLICABLE SECTIONS OF GUIDELINES, CITY ORDINANCE and DESCRIPTION OF PROJECT
Lower Dauphin Street Commercial District Design Guidelines
Guidelines for New Residential and Commercial Construction in Mobile’s Historic Districts
Article 4, Section 44 Mobile City Code, “Historic Preservation”
Secretary of the Interior’s Standards

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
1, LDSCD	Demolition	Demolish existing historic structure
10, Mobile City Code	Demolition	

STAFF COMMENTS

Based on information contained in the Application, in Staff's judgement:

Sub-Section 10 of Article IV, Section 44 of Mobile City Code requires the Board to consider the following:

"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 historic or architectural character of the district. In making this determination, the Board shall consider:"

A. The historic or architectural significance of the structure;

1. The Coley Building is the only antebellum commercial structure remaining along St. Francis Street between Water and Royal Streets.
2. The Coley Building is only one of a few remaining cast iron storefronts in the LDSCHD.
3. The Coley Building is the best example of a commercial structure reflecting the Second Empire design from the 1870s, characterized by the mansard roof, cast iron storefront, and decorative cornice.

B. The importance of the structure to the integrity of the Historic District, the immediate vicinity, an area, or relationship to other structures;

1. The Coley Building is a contributing structure within the LDSCD
2. The Coley Building was added to the National Register of Historic Places for its "unusual blend of architectural styles..." and is considered noteworthy for how its "...stylistic mix has resulted in a unique commercial building in which the elements blend interestingly but still retain their clearly distinctive origins."
3. The plan to combine the Coley Building with the parking garage, as originally proposed, allowed the retention of the first 13' of the Coley Building. This would allow the profile of the structure, with its mansard roof, to maintain the historic streetscape.

C. The difficulty or impossibility of reproducing the structure because of its design, texture, material, detail or unique location;

1. The solid masonry structure, along with the unique blend of cast iron structural and decorative elements, would make the replication of this structure cost-prohibitive.
2. The purpose of the demolition of the Coley Building is to construct a multi-story parking structure at this location. The construction of the new parking facility would not allow for the reconstruction of the Coley Building in its current form on the original site.

D. 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;

1. The Coley Building is the last remaining late-Federal commercial structure in the block between Water and Royal Streets.
2. The Coley Building, with its current Second Empire mansard roof and cast iron storefront, is the best remaining structure of this style in Mobile.

- E. 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.**
1. There are plans to place a multi-story parking garage on this site, connected by a bridge to the new RSA tower.
 2. The proposed plans call for the reconstructed Coley Building facade to be applied to the lower part of the proposed parking garage.

Secretary of the Interior’s Standards – Item 3

“Each property shall be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.”

Staff recommends denial of the application as submitted.

PUBLIC TESTIMONY

Applicants Ronnie Taylor, AIA, with TAG Architects, and Ron Blount with the RSA were present to speak on this application. Al St. Clair with the City of Mobile was also present. After Staff Comments were presented, Vice-Chair Bunky Ralph asked the applicants if they had anything further to add.

Ron Blount stated that they did not intend to “knock the building down and haul it away.” He noted that in preparations for the implementation stage of the project, demolition contractors had advised against attempting to retain portions of the building in place due to safety and cost issues. Blount stated the building is currently in a deteriorated state. He explained that the building would be dismantled and reassembled on a new foundation attached to the new parking structure.

Al St. Clair assured the Board that the City would ensure the replacement of the façade should the Board approve the request for demolition. St. Clair stated that the façade would be restored as authentically as possible.

Ronnie Taylor began by explaining that the intention to retain the Coley Building was still valid – only the methodology about how to retain and interpret the façade had changed. Taylor stated that TAG became involved around September 3, when a letter from Markham Smith of Smith Dalia Architects to the MHDC stated that “We intend to instruct the contractor on how to protect and shore up the structure of the Coley Building during demolition and new construction work for the parking deck.” Taylor explained that they were just in the design phase of the parking structure, but that the issues with the Coley Building would dictate how the parking deck design developed.

Taylor stated that the windows, the marble window lintels, the wood windows, doors and transoms, cast iron elements, and any other distinguishable element of the building façade would be documented, carefully removed, either replicated or repaired, stored, and then be reassembled on a new foundation as an integral part of the parking garage. Taylor further noted that the depth of the façade had not been determined. That depth will be based on the amount of roof surface necessary to reconstruct the dormers on the mansard roof.

Taylor noted that in its current deteriorated condition, the mansard roof structure would not support the weight of the new dormers. Taylor also noted the difficulty in bracing the existing foundation, and that if the building were to stay in place intact, that the superstructure supporting the remaining portion of the building would be visible through the front windows.

Taylor noted that there are currently tie rods and turnbuckles both parallel and perpendicular to the main façade. He also noted that there was some risk in preserving the façade in place. He stressed that their proposal was not demolition, just a different methodology than originally proposed by Smith Dalia. Taylor also noted that there was no intention of returning the building to its original 1836 appearance. By removing the building from the site, underground utilities and appropriate foundations could be accommodated. However, he restated that the applicants have not gone through the full design process.

Ron Blount stated that the Coley Building could be saved at some cost. However, he noted that Dr. Bronner and the Retirement Systems of Alabama has a fiduciary responsibility to approximately 228,000 members. Blount noted Dr. Bronner's commitment to the restoration of the Battle House interior, and that the budget of \$32 million for this part of the project was now up to \$40 million.

Blount noted that this "will be the nicest parking garage in Mobile."

Taylor noted a concern about the durability of the existing storefront with the continuous use by the public. Taylor also noted that fire codes had to be addressed.

There was no one else present to speak in favor of or in opposition to the application.

BOARD DISCUSSION

Nick Holmes, III noted that the Board had previously approved the demolition of 80% of the building in order to retain the façade. He summarized for clarification that the intention was to take the façade down and put it back up. Parts would be replicated, restored, or replaced.

Buffy Donlon requested clarification that the building would be reconstructed in its original location. The applicants verified that request.

The Board noted that the Coley Building façade will essentially be incorporated into a much larger façade.

FINDINGS OF FACT

Dennis Carlisle moved that based on the facts presented in the application and at the public hearing, the Architectural Review Board finds that staff comments A through E, and Item 3, be acceptable as finding of fact. Jackie McCracken seconded the motion. The motion passed by unanimous vote.

The Board also relied on the testimony of Ronnie Taylor and Ron Blount as noted above and a motion made by Nick Holmes, III, and seconded by Buffy Donlon, determined that the

application would be considered as a request to change the method and materials. The methodology changed from preserving the façade in place to disassembly, restoration off site, and reconstruction once the new parking garage was completed. Bunky Ralph voted against the motion. The motion passed 6/1.

DECISION ON THE APPLICATION

Buffy Donlon moved that a Certificate of Appropriateness be issued. Bill Christian seconded the motion. Bunky Ralph opposed the motion. The motion passed 6/1.

Review Board Members voting on this Application:, Nick Holmes, III, Douglas Kearley, Buffy Donlon, Bill Christian, Bunky Ralph, Dennis Carlisle; Jackie McCracken

Certificate Expiration Date: January 28, 2004.

**APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD**

028-02/03 – CA 121 Macy Place
Applicant: J.W. Raybon
Received: 1/21/03 **Meeting Date (s):**
 Submission Date + 45 Days: 3/07/03 1) 1/27/03 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way Historic District
Classification: Non- Contributing (New Construction)
Zoning: R-1; Single Family Residential
Additional Permits Required: (4) Building; Plumbing; Electrical; HVAC
Nature of Project: Construct bedroom addition measuring 12’ x 13’ as per submitted plans.
History of the Project: The ODWRB approved this infill construction in July 1999. Staff worked with the applicants to ensure the new construction was compatible with adjacent historic residences. The result was a compatible contemporary bungalow with arts and crafts detailing.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT
Design Review Guidelines

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
3	Piers, Foundation and Foundation Infill	Construct rear addition
3	Exterior Materials and Finishes	Construct rear addition
3	Windows	Construct rear addition
3	Roofs	Construct rear addition

STAFF COMMENTS

Based on information contained in the Application, in Staff’s judgement:

1. The addition is located at the rear of the residence and will not be visible from the street.
2. The continuous stucco foundation will match that of the main residence
3. The exterior hardiplank siding will match that of the main residence, and will be painted to match the existing color scheme.
4. Existing wood window will be removed and reused in the addition.
5. All corner board, window trim, soffit and fascia will match that of the main house.
6. The pitch of the gable roof is compatible with the existing roof of the main house. The fiberglass asphalt shingles will match existing.

Staff suggests that the Review Board approve the application as submitted.

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PUBLIC TESTIMONY

Applicant J.W. Raybon was present to speak on his application. After Staff Comments were presented, Chair Cindy Klotz asked Mr. Raybon if he had anything further to add. Mr. Raybon stated that he did not.

There was no one else present to speak in favor of or in opposition to the application.

FINDING OF FACT

Douglas Kearley moved that based on the facts presented in the application and at the public hearing, the Architectural Review Board finds that staff comments 1 through 6, be acceptable as finding of fact. Bill Christian seconded the motion, which passed by unanimous vote.

DECISION ON THE APPLICATION

Bunky Ralph moved that a Certificate of Appropriateness be issued. Douglas Kearley seconded the motion, which passed by unanimous vote.

Review Board Members voting on this Application:, Nick Holmes, III, Douglas Kearley, Buffy Donlon, Bill Christian, Cindy Klotz, Bunky Ralph, Dennis Carlisle; Jackie McCracken

Certificate Expiration Date: January 28, 2004.

**APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD**

029-02/03 – CA 511 Eslava Street
Applicant: Albert Hartley, Owner
Received: 1/14/03 **Meeting Date (s):**
 Submission Date + 45 Days: 3/04/03 1) 1/27/03 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: Church Street East Historic District
Classification: Non- Contributing (New Construction)
Zoning: R-1; Single Family Residential
Additional Permits Required: (2) Building; Electrical
Nature of Project: Construct covered patio off south side of garage. Deck to be constructed at grade, measuring 22’ x 16’-7” constructed of 2x6 treated lumber. Columns to match those existing on carport. Gable roof to tie into existing hip of garage roof, with 1x6 lap siding in exposed gable end. Roofing material to match existing.
 Construct a 20’ x 7’ – 8”x 10’ high pergola as per submitted plan. Pergola to be constructed of 8x8 posts with 2x12 cornice, with notched 2x10s. Ends of 2x10s to be moulded as per drawing.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT
Design Review Guidelines

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
3	Accessory Structures	Construct covered deck
3	Accessory Structures	Construct wood pergola

STAFF COMMENTS

Based on information contained in the Application, in Staff’s judgement:

1. The addition is located at the rear of the residence; the roof structure and a portion of the cornice will be visible from the street.
 - a. the yard is concealed from public view by a high masonry wall.
2. The design will be compatible with the existing garage structure and will compliment the design and scale of the main residence and garage.
 - a. the columns will match those of the carport
 - b. the roof will be a continuation of the carport roof
3. The pergola will be located at the rear of the residence; the top of the pergola will be visible from Cedar Street.
 - a. the materials of the pergola will match the materials used on the rear porch of the main structure and the carport.

Staff suggests that the Review Board approve the application as submitted.

PUBLIC TESTIMONY

Applicant Albert Hartley was present to speak on his application. After Staff Comments were presented, Chair Cindy Klotz asked Mr. Hartley if he had anything further to add. Mr. Hartley stated that he did not. Mr. Hartley's contractor was also present but had no comment.

Dennis Carlisle asked the applicant questions pertaining to the existing site conditions. Mr. Hartley provided additional photographs of the inside of the back yard.

Jackie McCracken asked about the spacing of the perpendicular pieces on the top of the pergola. Mr. Hartley stated that they would be spaced at 12" on center.

There was no one else present to speak in favor of or in opposition to the application.

FINDING OF FACT

Douglas Kearley moved that based on the facts presented in the application and at the public hearing, the Architectural Review Board finds that staff comments 1 through 3, be acceptable as finding of fact. Buffy Donlon seconded the motion, which passed by unanimous vote.

DECISION ON THE APPLICATION

Buffy Donlon moved that a Certificate of Appropriateness be issued. Dennis Carlisle seconded the motion, which passed by unanimous vote.

Review Board Members voting on this Application:, Nick Holmes, III, Douglas Kearley, Buffy Donlon, Bill Christian, Cindy Klotz, Bunky Ralph, Dennis Carlisle; Jackie McCracken

Certificate Expiration Date: January 28, 2004.

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**APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD**

030-02/03 – CA 960 Church Street
Applicant: Oakleigh Venture Revolving Fund
Received: 1/21/03 **Meeting Date (s):**
Submission Date + 45 Days: 3/04/03 1) 1/27/03 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: Oakleigh Garden Historic District
Classification: Non-Contributing (New Construction)
Zoning: R-1: One Family Residential
Additional Permits Required: (4) Building, Electrical, Plumbing, HVAC
Nature of Project: Request change in previously-approved setback from 10’ to 5’.
History of Project: The ARB approved this application with a site plan reflecting a 10’ setback. The applicant currently has a variance request before the Board of Adjustment to allow the residence be constructed 5’ from the sidewalk.
History of Site: According to City Records, and Sanborn Fire Insurance Maps to 1956, this property was always part of a parcel that ran from Government Street through to Church Street. A large 2 ½ story masonry residence faced Government Street. Later the property was used by the Mobile Gospel Tabernacle. Wendy’s Restaurant dates from the late 1970s , and the rear of the lot has always been used for parking.
Conflicts of Interest: Douglas Kearley recused himself from review of this application.

**APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT
*New Residential and Commercial Construction in Mobile’s Historic Districts***

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
1	Placement and Orientation	Request to alter setback

STAFF COMMENTS

Based on information contained in the Application, in Staff’s judgement:

- A. The Guidelines for New Residential Construction require that setbacks approximate the established setbacks of existing structures.
- B. Setbacks in this area of the Oakleigh Garden Historic District range from 0’ to 19’.
 - 1. The property immediately adjacent to the lot in question to the west is the parking garage for the St. Charles Apartments (building faces Government.) The solid masonry wall is set back 4’ from the sidewalk.
 - 2. The property immediately adjacent to the lot in question to the east is a one story bungalow, with a setback of 19’.
 - 3. The second house to the east of the lot, a one story bungalow, has a setback of 12’.
 - 4. Properties across the street range from 0’ to 19’.
 - 5. The property at the southeast corner of Marine and Church has a setback of 5’, with steps directly on the sidewalk facing Church Street.

6. The property at the southwest corner of Charles and Church as a setback of 5', with steps directly on the sidewalk facing Church Street.
- C. Based on Sanborn Fire Insurance Maps, the residences previously located on the north side of Church Street between Marine and South Broad Street were located in close proximity to the sidewalk. Additionally, the structure previously on the northwest corner of Church and Marine Streets faced Marine Street but had a side setback of 0' on Church Street.
 - D. The house type, a Carolina Single House, historically had an average setback of 0'-5'. No such house type exists in the Oakleigh Garden Historic District, but those extant in the DeTonti Square Historic District have an average setback of 14'.
 - E. From all information provided, it appears that the earlier houses in this area of the Oakleigh Garden Historic District (pre-1930) were closer to the sidewalk than houses constructed after 1930.

Staff recommends approval of the request as submitted.

PUBLIC TESTIMONY

There was no one else present to speak in favor of or in opposition to the application.

FINDING OF FACT

Cindy Klotz moved that based on the facts presented in the application and at the public hearing, the Architectural Review Board finds that staff comments A through E, be acceptable as finding of fact. Bill Christian seconded the motion, which passed by unanimous vote.

DECISION ON THE APPLICATION

Nick Holmes, III moved that the Board grant staff the authority to issue a Certificate of Appropriateness once the Board of Adjustment has ruled on the variance request. Cindy Klotz seconded the motion, which passed by unanimous vote.

Review Board Members voting on this Application:, Nick Holmes, III, Buffy Donlon, Bill Christian, Cindy Klotz, Bunky Ralph, Dennis Carlisle; Jackie McCracken

Certificate Expiration Date: January 28, 2004.

**APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD**

031-02/03 – CA 1750 Dauphin Street
Applicant: Felix and Carolyn Vereen
Received: 1/13/03 **Meeting Date (s):**
 Submission Date + 45 Days: 3//02 1) 1/27/03 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way Historic District
Classification: Contributing
Zoning: R-1: Single Family Residential
Additional Permits Required: (1) Fence
Nature of Project: Replace chain link fence gate with iron gates as per submitted photograph
 Replace chain link fence with wooden privacy fence to match existing as per submitted design

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT
Design Review Guidelines

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
3	Fences, Walls and Gates	Replace chain link gate with iron gates
3	Fences, Walls and Gates	Replace chain link fence with wood privacy fence

STAFF COMMENTS

Based on information contained in the Application, in Staff’s judgement:

- A. The current chain link gate is highly visible from public view.
 - 1. Chain link is not currently an allowed fencing material in historic districts
- B. The replacement iron gate will be highly visible from public view.
 - 1. Iron is an allowable material for fencing in historic districts.
- C. The current chain link fencing is highly visible from public view.
- D. The proposed 6’ wood privacy fence will be highly visible from public view.
 - 1. The proposed 6’ wood privacy fence is an allowed material in historic districts.
 - 2. The proposed 6’ wood privacy fence will match that already present on the property.
 - 3. The chamfer of the slats of the wood privacy fence match the roof pitch of the main house.
- E. The proposed 6’ wood privacy fence will run a distance of 3’ north of the proposed iron gates, then over a space of 4’ step down to a 5’ wood privacy fence. The 5’ fence will run to the north property line.

Staff suggests that the Review Board approve the application as submitted.

PUBLIC TESTIMONY

There was no one else present to speak in favor of or in opposition to the application.

FINDING OF FACT

Dennis Carlisle moved that based on the facts presented in the application and at the public hearing, the Architectural Review Board finds that staff comments A through E, be acceptable as finding of fact. Douglas Kearley seconded the motion, which passed by unanimous vote.

DECISION ON THE APPLICATION

Douglas Kearley moved that the Board granted staff the authority to issue a Certificate of Appropriateness once the Board of Adjustment has ruled on the variance request. Bunky Ralph seconded the motion, which passed by unanimous vote.

Review Board Members voting on this Application:, Nick Holmes, III, Buffy Donlon, Bill Christian, Cindy Klotz, Bunky Ralph, Dennis Carlisle; Jackie McCracken

Certificate Expiration Date: January 28, 2004.

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