

CITY OF MOBILE
ARCHITECTURAL REVIEW BOARD
Minutes of the Meeting
July 23, 2007

CALL TO ORDER

The meeting was called to order at 3:03 p.m. by Vice-Chair Tilmon Brown.

MHDC Staff Aileen de la Torre, called the roll as follows:

Members Present: Robert Brown, Tilmon Brown, Carlos Gant, Harris Oswalt, Craig Roberts, Jim Wagoner, Barja Wilson.

Members Absent: Michael Mayberry, Cameron Pfeiffer, Bunky Ralph.

Staff Members Present: Aileen de la Torre, Anne Crutcher, Devereaux Bemis, John Lawler

<u>In Attendance</u>	<u>Mailing Address/Email Address</u>
Johnna Rogers	250 St. Anthony/ johnna45@mobis.com
Bailey duMont	162 Roberts Street
Tom Stout	215 S. Warren Street
Greg Dreaper	119 N. Julia Street/ gdreaper@hotmail.com
Wendell McGhee	957 Old Shell Road
Seth Moore	555 N. Section Street, Fairhope
Pam Sterrett	8550 Southwood #D, Fairhope
Mona Mathurin	121 N. Julia Street
Maria Goolsby	118 N. Julia Street
John Pyron	128 N. Julia Street
Wayne Goolsby	118 N. Julia Street
Dallas and Kim DeVilbiss	63 Etheridge Street

Jim Wagoner moved to approve the minutes of the last meeting as emailed. The motion was seconded by Robert Brown and unanimously approved.

Robert Brown moved to approve the mid-month Certificates of Appropriateness. The motion was seconded by Harris Oswalt and unanimously approved.

MID-MONTH APPROVALS

- Applicant's Name:** David Trammell
Property Address: 1000 New St. Francis Street
Date of Approval: June 27, 2007
Paint residence in the following color scheme:

 - Body – Cargo Pants, SW7738
 - Trim – Artichoke, SW6179
 - Accents – Reddish, SW6319
- Applicant's Name:** Lanny Russell/Ronald McDonald House
Property Address: 1626 Springhill Avenue
Date of Approval: June 28, 2007
Repaint exterior in the existing color scheme.
- Applicant's Name:** Mack Lewis
Property Address: 1604 Springhill Avenue
Date of Approval: June 28, 2007
Repair Ivan/Katrina damage throughout the exterior using materials that match existing in material, profile and dimension. Repaint exterior in the existing color scheme.

4. **Applicant's Name:** Robin Tankersley
Property Address: 115 North Ann Street
Date of Approval: July 2, 2007
 Repaint exterior as existing, except for shutters which will be painted Bellingrath green. Replace rotten wood on dormers to match existing in profile and dimension.

5. **Applicant's Name:** A1 Roofing
Property Address: 958 Augusta Street
Date of Approval: July 2, 2007
 Install new black 3-tab shingle roof to match existing.

6. **Applicant's Name:** Jamie and Tilmon Brown
Property Address: 13 North Dearborn Street
Date of Approval: July 9, 2007
 Repaint building in existing Sherwin-Williams color scheme:
 - Body – Barcelona Beige, SW 7530
 - Trim – Forestwood, SW 7730
 - Windows – Dover White, SW 6385
 - Shutters & Doors – Sundried Tomato, SW 7585

7. **Applicant's Name:** 350 Corporation
Property Address: 350 Dauphin Street
Date of Approval: July 9, 2007
 Repaint building in the existing color scheme.

8. **Applicant's Name:** Jim Wagoner and Charles Howard
Property Address: 1805 Dauphin Street
Date of Approval: July 11, 2007
 Paint panels of garage doors in gray to match the body of the garage. The door trim will remain white.

NOTICES OF VIOLATION and MUNICIPAL OFFENSE TICKETS

1. No NOVs or MOTs were issued.

OLD BUSINESS

1. **071-07-CA:115-117 North Julia Street**
Applicant: Springhill Avenue Corporation
Request: Construct 8 new townhouses.

DENIED. Certified Record attached.

2. **016-07-CA:256 Roper Street**
Applicant: John D. Baumhauer/Baytown Construction
Request: Allow changes to original plan.

APPROVED. Certified Record attached.

NEW BUSINESS

1. **107-07-CA:264 Marine Street**
Applicant: Douglas Kearley
Request: Multiple renovations.

APPROVED. Certified Record attached.

2. 108-07-CA:1559 Dauphin Street

Applicant: Mark and Denise Burks

Request: Replace the staircase with a wood balcony.

APPROVED WITH CONDITIONS. Certified Record attached.

3. 109-07-CA:1112 Dauphin Street

Applicant: Fred and Barbara South

Request: Install a 6'-0" and 3'-0" wood privacy fence.

APPROVED. Certified Record attached.

4. 110-07-CA:1110 Selma Street

Applicant: Beth Hill

Request: Allow 6'-0" privacy fence to remain.

APPROVED. Certified Record attached.

5. 111-07-CA:250 St. Anthony Street

Applicant: Johnna and Richard Rogers

Request: Install a masonry and iron fence.

APPROVED. Certified Record attached.

6. 112-07-CA:957 Old Shell Road

Applicant: Wendell and Teresa McGhee

Request: Demolish rear garage apartment.

APPROVED. Certified Record attached.

7. 113-07-CA:215 South Warren Street

Applicant: Tom and Beverly Stout

Request: Multiple renovations.

APPROVED. Certified Record attached.

8. 114-07-CA:162 Roberts Street

Applicant: A. Bailey duMont

Request: Replace the steel casement windows with aluminum sash windows.

APPROVED. Certified Record attached.

9. 115-07-CA:115 North Ann Street

Applicant: Robin Tankersley

Request: Install a 6'-0" iron fence and reconfigure the driveway.

APPROVED WITH CONDITIONS. Certified Record attached.

OTHER BUSINESS and ANNOUNCEMENTS

1. Kim and Dallas deVilbiss requested that the Board hear an application to install a storage shed at 63 Etheridge Street. It was explained that the Board could not hear the request since a formal application had not been made to the Board. In addition, it was explained that the procedure regulating Review Board application could not be

circumvented since the issue of public notification is important to the process. The deVilbesses were informed that the next meeting of the Review Board is scheduled for August 13, 2007 and an application must be received prior to July 30th in order to be placed on the agenda for that meeting. Additional work cannot be done on the building since the owner has a stop work order. Following a question by the homeowners, the Board suggested that a tarp could be placed over the building in order to secure it from the elements until such time as the owner has an approval from the Review Board and a City building permit.

There being no further business, the meeting adjourned at 5:00 p.m.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD**

071-07-CA: 115-117 North Julia Street
Applicant: Springhill Avenue Corporation
Received: 05/10/07
Meeting: 05/24/07
Resubmitted: 06/07/07
Meeting: 06/25/07
Resubmitted: 07/09/07
Meeting: 07/23/07

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way
Classification: Non-Contributing
Zoning: B-1
Project: Construct 8 new townhouses.

BUILDING HISTORY

There is currently a vacant lot on these two properties.

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 is currently a vacant lot. Staff has received many calls of concern regarding the proposed construction.
- B. The Guidelines for New Residential and Commercial Construction state “the goal of new construction should be to blend into the historic district but to avoid creating a false sense of history.”
- C. The proposed work includes the following:
 - 1. Construct eight new affordable townhouses – two buildings with four residences each – per the submitted plans.
 - a. The buildings will sit in a line on the lot per the submitted plans and have brick floating slab foundations.
 - b. They will be clad in Hardiplank siding per the submitted plans.
 - c. The front and rear doors will be wood with six decorative panels per the submitted plans.
 - d. The windows will be vinyl-clad wood 1/1 sashes per the submitted plans.
 - e. There will be a stoop with three steps leading to each of the paired front doors and an awning above each per the submitted plans.
 - f. There will be stoop with three steps leading to each rear door per the submitted plans.

- g. Ornamentation will be minimal, consisting of a water table and iron vents at the foundation, brackets at the eaves, wood and window trim and handrails.
 - h. There will be 16 parking spaces on a lot in the center of the property; the lot will be black asphalt or a concrete aggregate if a variance is granted per the submitted plans.
2. Extend the existing privacy fence on the south side per the requirements of Urban Development.
- D. Ms. Pamela Sterrett, Mr. John Dahlen and Mr. Peter Sikorowski met with a Design Review Subcommittee of the Board on 5 July, 2007 in order to discuss the application. The Subcommittee, consisting of Aileen de la Torre, Anne Crutcher, Tilmon Brown and Craig Roberts by proxy, noted the following:
1. The buildings should be fronted and the parking should be placed in the rear of the lot.
 2. The buildings should have higher ceilings and a more appropriate roof pitch.
 3. The amount of ornamentation and architectural detail on the building should be more in line with that of the rest of the neighborhood.

RECOMMENDATION

Ms. Sterrett of Springhill Avenue Corporation recently hired Mr. Peter Sikorowski, a professional architect, to redesign the proposed site plan and buildings in order to better fit the neighborhood.

Staff feels that, based on the submitted plans, the proposed building design is more appropriate, although staff would like to see more detailing on the building in order to break up the large expanses of space on the façades. Staff still has concerns regarding the placement of the buildings on the property and feels that they should be fronted to face the street with the parking in the back. Staff is also concerned with the material of the parking area and feels that light-colored concrete or an aggregate material would be more appropriate, as well as reducing the number of spaces as allowable. Per a phone conversation with Ms. Sterrett, the buildings, including the rear stoops, will be sited to provide a full 10'-0" setback from the north side neighbor. Ms. Sterrett will also be asking for a variance from Urban Development regarding the material of the parking area.

Staff will defer to the Board's decision to determine if the applicant has sufficiently addressed any building design and site concerns. Although the ARB does not deal with zoning and use, staff would like to make the Board aware that the neighborhood is still largely opposed to having such a large number of units on these lots.

PUBLIC TESTIMONY

Pam Sterrett was present to discuss the application. She explained that the revised design represents an attempt to more fully address the neighborhood. The portions of the building that will face Julia Street appear as single family residences. More ornamentation has been added to the building design, with cornice elements to be made of Fypon. A ribbon entrance drive is incorporated in the site plan that alludes to the historic character of the area. Parking will be heavily screened and a picket fence, prevalent in the area, will be included. She stated that parking in the rear would not be possible in part because of site restrictions caused by the tree with large canopy. Roofing materials will be Timberline Black Onyx and the building will be painted yellow with white trim and green accents. Ms. Sterrett stated that the Landscape Ordinance requires a certain percentage of the site to be green space. She reminded the Board that the number of units had been reduced from 10 to 8 and that two parking spaces are required for each unit. The parking surface is currently asphalt, but she will apply for a variance for an aggregate surface.

Staff reminded the Board that it can require specific landscape items over and above the Landscape Ordinance and that a landscape plan should be reviewed by the Board.

Numerous residents of the area adjacent to the proposed project appeared at the meeting. Several spoke in opposition to the development.

Greg Draeper stated that his property is located to the north of the development. Mr. Draeper felt that the building footprint was not acceptable. Rear entrances will be 15 ft. from his master bedroom. He stated that many items such as landscaping, fencing, and paving material were missing from the submission. In addition, the buildings were lacking in details. He continues to believe that the property is more suited to two single-family houses. He asked the Board to consider that the submission is not complete.

Wayne and Maria Goolsby agreed with Mr. Draeper. Car headlights coming into and leaving the development would be a problem for them. Mr. Goolsby continued to feel that the project would exacerbate an already congested street. Mr. and Mrs. Goolsby presented a petition from residents opposed to the project. Mrs. Goolsby pointed out that the project is not compatible with the neighborhood, even to the picket fence which is not prevalent in the area. Staff had no comments from City departments to read into the record.

BOARD DISCUSSION

Board discussion had occurred during the testimony of the applicants and the neighbors.

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 Carlos Gant and unanimously approved.

DECISION ON THE APPLICATION

Robert Brown moved to approve the project as submitted. The motion died for lack of a second. Craig Roberts moved that, based upon the facts found by the Board, that the application impairs the historic integrity of the district according to the Guidelines and that the application be denied. The motion was seconded by Harris Oswald and approved on a vote of 5-2.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD**

016-07-CA: 256 Roper Street
Applicant: John D. Baumhauer/Baytown Construction
Received: 02/01/07 (+45 Days: 03/18/07)
Meeting: 02/26/07
Received: **07/10/07 (+45 Days: 08/24/07)**
Meeting: **07/23/07**

INTRODUCTION TO THE APPLICATION

Historic District: Oakleigh Garden
Classification: Non-Contributing
Zoning: R-1
Project: Allow changes to original plan.

BUILDING HISTORY

According to previous records, this one-story brick duplex was built circa 1960. A complete reconstruction was approved and begun in February 2007 in order to convert it into a two-story single-family residence in a style more appropriate to the district.

STANDARD OF REVIEW

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

STAFF REPORT

- A. The conversion of this duplex into a single-family residence is nearly complete. However, staff received a complaint from an Oakleigh Garden Historic District resident that the building was not being built as approved.
- B. The Design Review Guidelines state that additions “shall be...compatible with the massing, size, scale and architectural features to protect the historic integrity of the property and its environment.”
- C. Mr. Baumhauer seeks to allow the changes from the original plan to remain. The changes to the approved plan are as follows:
 - 1. Leave the original first-floor window configuration on the east façade as-is, introducing one pair of French doors rather than two.
 - 2. Install a square leaded glass window at the stairway rather than a round top wood window.

RECOMMENDATION

Based on the information submitted in the proposal, staff feels that the changes will not impair the historic integrity of the district. The building is non-contributing to the district. The changes, which were necessary due to structural concerns and maintain the original first floor window openings, are minor and retain the look and feel of the original plan.

Staff recommends approving the application.

PUBLIC TESTIMONY

Douglas Kearley was present to discuss the application. He had no additions to the application. There was no one else to speak in favor of or in opposition to the application. Staff had no comments from the public or city departments to read into the record. Staff did, however, state that a neighbor complaint had resulted in this application.

BOARD DISCUSSION

It was noted that the windows were original to the building and were appropriate to the remodeling of the house. It was pointed out that the windows were set back and somewhat obscured in shadow.

FINDING OF FACT

Craig Roberts moved that, based upon the evidence presented in the application and during the public hearing, that the Board finds the facts in the Staff report. The motion was seconded by Jim Wagoner 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 or the district according to the Guidelines and that a Certificate of Appropriateness be issued. The motion was seconded by Craig Roberts and unanimously approved.

Certificate of Appropriateness Expiration Date: 07/24/08.

APPLICATION FOR CERTIFICATE OF APPROPRIATENESS CERTIFIED RECORD

107-07-CA: 264 Marine Street
Applicant: Douglas Kearley
Received: 07/03/07 (+45 Days: 08/17/07)
Meeting: 07/23/07

INTRODUCTION TO THE APPLICATION

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

BUILDING HISTORY

According to previous records, this one-story frame Bungalow was built circa 1929.

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 house rests on a very small lot. There is currently a bedroom within the existing second floor attic space and a small rear porch. The existing front door and sash window in the gable are later alterations. There is no fence around the property.
- B. The Design Review Guidelines state, “[a]ccessory roof elements not original to the structure...shall be located inconspicuously” and, “[w]here rear or side porches are to be enclosed, one recommended method is to preserve the original configuration of columns, handrails and other important architectural features.” The Design Review Guidelines also state, “[Fences] should complement the building and not detract from it. Design, scale, placement and materials should be considered along with their relationship to the Historic District. The height of solid fences in historic districts is generally restricted to six feet...the finished side of the fence should face toward public view.” The Guidelines also call for renovations to be sympathetic to the age and style of the building.
- C. The proposed work includes the following:
 1. Install a pop-up addition on the roof per the submitted plan with materials to match existing.
 2. Enclose the existing rear porch with lattice siding per the submitted plan.
 3. Replace the front door with a salvaged Bungalow-style door.
 4. Replace the window in the gable with a wood window to match the photo in the MHDC files.
 5. Reroof the residence with gray 3-tab shingles.
 6. Repair rotten wood as needed throughout the exterior with materials to match existing.
 7. Repaint.
 8. Install a 6’-0” wood privacy fence (capped) at the west and north boundaries with two 3’-0” gates.

RECOMMENDATION

Based on the information submitted in the proposal, staff feels that the work will not impair the historic integrity of the residence or the district. Though not inconspicuous, pop-ups are a frequent and historic manner of expanding living space into attics in Mobile, and the Board has approved them on a number of occasions. The rear porch enclosure will

preserve the original configuration of the existing architectural features. The fence falls within the standards of the guidelines for fence construction; however, Mr. Kearley will need to clear any possible setback issues with Urban Development before installation. The remaining work consists of typical maintenance and restoration.

Staff recommends approving the application.

PUBLIC TESTIMONY

Douglas Kearley was present to discuss the application. He noted that the privacy fence would be on the west and north sides of the property as indicated on the site plan submitted at the meeting. The fence will be a 6 ft. high fence capped wood privacy fence. It would end at the porch. The applicant stated that a variance will have to be obtained for the fence.

Staff reminded the applicant that the Historic District Overlay may give him relief from the variance process.

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

Staff had no comments from the public or City departments to read into the record.

BOARD DISCUSSION

There was no Board discussion.

FINDING OF FACT

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

DECISION ON THE APPLICATION

Craig Roberts moved that, based upon the facts found by the Board, that the application does not impair the historic integrity of the structure or the district according to the Guidelines. The motion was seconded by Carlos Gant and unanimously approved.

Craig Roberts moved that a Certificate of Appropriateness be issued. The motion was seconded by Jim Wagoner and unanimously approved.

Certificate of Appropriateness Expiration Date: 07/24/08.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD**

108-07-CA: 1559 Dauphin Street
Applicant: Mark and Denise Burks
Received: 07/03/07 (+45 Days: 08/17/07)
Meeting: 07/23/07

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way
Classification: Contributing
Zoning: R-1
Project: Replace the staircase with a wood cantilevered balcony.

BUILDING HISTORY

According to previous records, this two-story frame residence with a circular porch was built circa 1900. The door and staircase at the east elevation was added at a later date.

STANDARD OF REVIEW

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

STAFF REPORT

- A. The east-side stairs leading to the second floor are a non-historic addition to the residence. The existing metal handrails are in poor condition.
- B. Regarding porches, the Design Review Guidelines state, “[p]articular attention should be paid to handrails, lower rails, balusters, decking, posts/columns, proportions and decorative details.” The Guidelines also call for renovations to be sympathetic to the age and style of the building.
- C. The proposed work will replace the existing stairs on the east side of the residence with a new wood cantilevered balcony per the submitted specifications that will match the existing porch elements on the rest of the building.

RECOMMENDATION

Based on the information submitted in the proposal, staff feels that the proposed work will not impair the historic integrity of the building or the district. The existing non-historic stairs are not original to the residence and is in poor condition. The design and materials of the new balcony will match that of the rest of the residence.

Staff recommends approving the application.

PUBLIC TESTIMONY

Neither the applicant nor his representative was present to discuss the application. There was no one else to speak in favor of or in opposition to the application. Staff had no comments from the public or city departments to read into the record.

BOARD DISCUSSION

Staff did remind the Board that it had recently approved a railing for the existing spiral staircase. The Board questioned Staff about the scale of the balcony, whether it was supported or cantilevered and whether the railing would serve as a guardrail. Staff responded that the balcony would be cantilevered and the railing, which was intended to match the height and detailing of the existing porch railing, would serve as a guardrail. The Board was reminded that the height of a historic porch railing would be lower than a code approved guard rail. The applicant will have to check with Urban Development on the railing height that will probably be required to meet current code.

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 Carlos Gant and unanimously approved.

DECISION ON THE APPLICATION

Harris Oswalt moved that, based upon the facts found by the Board, that the application does not impair the historic integrity of the structure or the district according to the Guidelines and that a Certificate of Appropriateness be issued conditioned on the railing meeting current safety code. The motion was seconded by Robert Brown and unanimously approved.

Certificate of Appropriateness Expiration Date: 07/24/08.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD**

109-07-CA: 1112 Dauphin Street
Applicant: Fred and Barbara South
Received: 07/05/07 (+45 Days: 08/19/07)
Meeting: 07/23/07

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way
Classification: Contributing
Zoning: B-1
Project: Install a 6'-0" and 3'-0" wood privacy fence.

BUILDING HISTORY

According to previous records, the Alabama Building and Loan Association built this two-story frame Victorian residence in 1888. The southeast corner of the building originally had a porch, which was enclosed in the 1930s. A round decorative element or window in the front gable was also removed around this time.

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 sits to the west of the parking area for The Bakery restaurant. At one time, shrubs and foliage afforded some protection from activity in the lot; however, they have since been removed. There is currently a wood privacy fence along the east boundary toward the rear of the property.
- B. The Design Review Guidelines state, "[fences] should complement the building and not detract from it. Design, scale, placement and materials should be considered along with their relationship to the Historic District. The height of solid fences in historic districts is generally restricted to six feet...the finished side of the fence should face toward public view."
- C. The proposed work includes the following:
 - 1. Install a 6'-0" wood privacy fence with edge cap and fascia 47'-0" along the east property line from the existing fence to the 25'-0" setback.
 - 2. Install a 3'-0" wood privacy fence with edge cap and fascia 25'-0" along the east property line from the 25'-0" setback to the sidewalk.

RECOMMENDATION

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

Staff recommends approving the application.

PUBLIC TESTIMONY

Neither the applicant nor his representative was present to discuss the application. There was no one else to speak in favor of or in opposition to the application. Staff had no comments from the public or city departments to read into the record.

BOARD DISCUSSION

Staff informed the Board that the fence would be flat at the top with a ridge cap and fascia. It would meet an existing fence on the east property line and continue to 25 ft. from the right of way at which point it would drop to 3 ft. in height.

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 Harris Oswald 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 or the district according to the Guidelines and that a Certificate of Appropriateness be issued. The motion was seconded by Harris Oswald and unanimously approved.

Certificate of Appropriateness Expiration Date: 07/24/08.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD**

110-07-CA: 1110 Selma Street
Applicant: Beth Hill
Received: 07/06/07 (+45 Days: 08/20/07)
Meeting: 07/23/07

INTRODUCTION TO THE APPLICATION

Historic District: Oakleigh Garden
Classification: Contributing
Zoning: R-1
Project: Allow 6'-0" privacy fence to remain.

BUILDING HISTORY

According to previous records, this one-story frame Bungalow was built circa 1924.

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. A 6'-0" wood privacy fence was recently installed along the north and west property lines. However, staff received a complaint from an Oakleigh Garden Historic District resident that the fence was being installed without approval. An NOV was issued on 06-18-07.
- B. The Design Review Guidelines state, "[fences] should complement the building and not detract from it. Design, scale, placement and materials should be considered along with their relationship to the Historic District. The height of solid fences in historic districts is generally restricted to six feet...the finished side of the fence should face toward public view."
- C. Ms. Hill seeks to allow the 6'-0" dog-eared wood privacy fence, which was installed per the submitted plans, to remain.

RECOMMENDATION

Based on the information submitted in the proposal, staff feels that some of the work will impair the historic integrity of the district. The proposed fence falls within the standards of the Design Review Guidelines with the exception of the section of fence installed along the east side of the property, which has the finished side facing in toward the residence.

Staff recommends approving the application pursuant to the applicant reinstalling the section of fence along the east side of the property to have the finished side facing toward public view.

PUBLIC TESTIMONY

Ms. Hill was present to discuss the application. She explained that she had completed the fence on the east property line so that the fence was finished on both sides. When asked if the fence would be painted, she stated that she might stain it in the future. She would obtain Review Board approval to do that work. There was no one else to speak in favor of or in opposition to the application.

BOARD DISCUSSION

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

Craig Roberts asked Staff about the appropriateness of leaving fences natural since many historic fences were painted.

Staff responded that many fences were historically white washed, but the Board has approved both painted and unpainted fences. It is the intent of the guidelines to have the good side of the fence to face the street (e.g. not see the rails).

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 Harris Oswald and unanimously approved.

DECISION ON THE APPLICATION

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

Certificate of Appropriateness Expiration Date: 07/24/08.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD**

111-07-CA: 250 St. Anthony Street
Applicant: Johnna and Richard Rogers
Received: 07/09/07 (+45 Days: 08/23/07)
Meeting: 07/23/07

INTRODUCTION TO THE APPLICATION

Historic District: DeTonti Square
Classification: Contributing
Zoning: R-B
Project: Install a masonry and iron fence.

BUILDING HISTORY

According to previous records, this unusually large, three-story Italianate residence was built circa 1853 and incorporated part of a house that had been built circa 1833. It was at one time the home of J.M. Withers, a mayor of Mobile and the person in charge of Mobile's defenses during the Civil War. It is said that Admiral Franklin Buchanan, commander of the *Merrimac* and the *Tennessee*, planned his strategy for Mobile Bay in this building. It also served as the headquarters for the Mobile County Chapter of the American Red Cross from 1947 to 1970. The building remained in fair condition with only minor repair jobs until 2002, when Mr. & Mrs. Rogers purchased the property and began a complete sympathetic restoration. The Board approved a balcony for the outbuilding on 05-07-07.

STANDARD OF REVIEW

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

STAFF REPORT

- A. The drive to the west of the residence is being converted into a landscaped courtyard. It is currently open to the street, which has caused some security problems.
- B. The Design Review Guidelines state, "[fences] should complement the building and not detract from it. Design, scale, placement and materials should be considered along with their relationship to the Historic District. The height of solid fences in historic districts is generally restricted to six feet...the finished side of the fence should face toward public view."
- C. The proposed work will add a 5'-6" iron and masonry fence with 6'-0" high square masonry posts along the south side of the side courtyard per the submitted specifications. The fence will extend from an existing masonry wall at the west side of the property to the residence. The new ironwork has been selected to complement the existing ironwork on the building.

RECOMMENDATION

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

Staff recommends approving the application.

PUBLIC TESTIMONY

Johnna Rogers was present to discuss the application. Mrs. Rogers explained that the fence should prevent cut-through foot traffic on her property. The fence would be set back from the sidewalk and begin at the front of the dining room wing. It will be block covered in stucco and be painted to match the house. Mrs. Rogers explained that the dimensions on the ironwork might change slightly in order to create a fence that was delicate in design but well proportioned. The Board agreed with her strategy. There was no one else to speak in favor of or in opposition to the application. Staff had no comments from the public or city departments to read into the record.

BOARD DISCUSSION

Mrs. Rogers was complimented by Board members for the restoration work that has been done on the house and for the family's continuing work on this significant historic property.

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 Craig Roberts 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 or the district according to the Guidelines and that a Certificate of Appropriateness be issued. The motion was seconded by Harris Oswalt and unanimously approved.

Certificate of Appropriateness Expiration Date: 07/24/08.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD**

112-07-CA: 957 Old Shell Road
Applicant: Wendell and Teresa McGhee
Received: 07/09/07 (+45 Days: 08/23/07)
Meeting: 07/23/07

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way
Classification: Contributing
Zoning: R-1
Project: Demolish rear garage apartment.

BUILDING HISTORY

This one-story frame Victorian cottage was built circa 1900. Based on available Sanborn maps, the rear two-story frame garage apartment appears to have been built in the 1940s.

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 rear garage apartment at 957 Old Shell Road is in a decrepit state. Mr. McGhee recently inherited the property from his mother, who had lived at this address since the 1960s. He is currently planning a complete renovation of the main 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.
 - 3. Repaint the main residence in the following Olympic Paints color scheme:
 - a. Body – Faint Flicker, D64-1
 - b. Trim – Delicate White, D40-1
 - c. Porch and Accents – Black Magic, D58-6

RECOMMENDATION

This rear garage apartment is a secondary structure that is in a dilapidated condition and a later addition to the property; however, because it is such a large part of the property, staff is treating it as it would the demolition of a main building. Although staff feels that the demolition of this structure should not negatively impact the historic integrity of the district, we will defer to the Board. The remaining work consists of minor maintenance or restoration and staff recommends approval.

PUBLIC TESTIMONY

Mr. McGhee was present to discuss the application. He explained that the garage was leaning to the left and that a good deal of wood siding was missing. He stated that he had no intention of rebuilding the garage. He amended the application to include repair work on the main house to include: repair to columns, wood repair and painting to match existing. He also requested to remove an existing chain link fence and install a 6 ft. wood privacy fence that would run to the front edge of the house behind the porch. Mr. McGhee spoke of adding burglar bars. The Board stated that they should be of a simple design. The Board sought clarification from the applicant on the proposed location of the fence and felt that staff could approve it on a mid-month basis once Mr. McGhee submitted an acceptable site plan. There was no one else to speak in favor of or in opposition to the application. Staff had no comments from the public or city departments to read into the record.

BOARD DISCUSSION

There was no Board discussion.

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 adding “D. A 6 ft. wood privacy fence will be constructed with approval for the fence to be granted by Staff on a mid-month basis following submission of a site plan.” The motion was seconded by Harris Oswalt 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 or the district according to the Guidelines and that a Certificate of Appropriateness be issued conditioned on a site plan for the proposed fence being submitted to Staff. The motion was seconded by Craig Roberts and unanimously approved.

Certificate of Appropriateness Expiration Date: 07/24/08.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD**

113-07-CA: 215 South Warren Street
Applicant: Tom and Beverly Stout
Received: 07/09/07 (+45 Days: 08/23/07)
Meeting: 07/23/07

INTRODUCTION TO THE APPLICATION

Historic District: Church Street East
Classification: Contributing
Zoning: R-1
Project: Multiple renovations.

BUILDING HISTORY

According to previous records, this one-story frame Bungalow was built circa 1919. The rear porch was enclosed within the last two decades.

STANDARD OF REVIEW

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

STAFF REPORT

- A. There is currently a non-historic enclosed rear sunroom overlooking the garden. There residence has three chimneys, two of which are later additions to the residence.
- B. The Design Review Guidelines state, “[t]he type, size and dividing lights of windows and their location and configuration on the building help establish the historic character of a building...use of storm windows is permitted [and] should be as unobtrusive as possible...blinds and shutters should be sized to fit the reveal of the window opening [and] operable.” In addition, the Design Review Guidelines state, “[o]riginal or historic roof forms...should be maintained.” The Guidelines also call for renovations to be sympathetic to the age and style of the building.
- C. The proposed work includes the following:
 - 1. Replace the current windows on the enclosed rear sunroom with operable windows per the submitted specifications.
 - 2. Remove two chimneys and patch the roof to match existing.
 - 3. Install storm windows using approved windows described in the Design Review Guidelines.
 - 4. Replace the current shutters with solid shutters described in the Design Review Guidelines.
 - 5. Repair/replace rotten wood throughout the exterior with material to match existing.
 - 6. Repaint residence in the existing color scheme.

RECOMMENDATION

Based on the information submitted in the proposal, staff feels that the proposed work will not impair the historic integrity of the building or the district. The rear sunroom is a later addition to the residence and the

proposed windows will largely fit within the existing openings. Also, as shown in the photos, the chimneys are non-historic features of the residence. The proposed storm windows and shutters fall within the standards of the guidelines, and the remaining work consists of minor maintenance and restoration.

Staff recommends approving the application.

PUBLIC TESTIMONY

Tom Stout was present to discuss the application. Mr. Stout stated that the chimneys were added when the house was initially restored in the 1980s and that to remove the interior portions of the chimneys, the exterior portions must be removed. While Mr. Stout proposed exterior storm windows, there was discussion regarding the use of interior storm windows. Staff reported that current studies support the use of interior storm windows that eliminate condensation between the storm window and historic window.

There was also discussion regarding the look of the patched roof visible to neighbors that would be created by removal of the chimneys. Mr. Stout stated that since the existing roof was damaged by Hurricanes Ivan and Katrina, a new roof is planned, but not at this time.

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

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

BOARD DISCUSSION

There was discussion regarding whether the use of interior storm windows should be a requirement or recommendation. The Board agreed that it should be a recommendation.

FINDING OF FACT

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

DECISION ON THE APPLICATION

Craig Roberts moved that, based upon the facts found by the Board, that the application does not impair the historic integrity of the structure or the district according to the Guidelines and that a Certificate of Appropriateness be issued with a recommendation that the applicant consider the use of interior storm windows. The motion was seconded by Harris Oswalt and unanimously approved.

Certificate of Appropriateness Expiration Date: 07/24/08.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD**

114-07-CA: 162 Roberts Street
Applicant: A. Bailey duMont
Received: 07/09/07 (+45 Days: 08/23/07)
Meeting: 07/23/07

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way
Classification: Contributing
Zoning: R-1
Project: Replace the steel casement windows with aluminum sash windows.

BUILDING HISTORY

According to previous records, this two-story frame Colonial Revival was built circa 1940.

STANDARD OF REVIEW

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

STAFF REPORT

- A. The residence currently has steel casement windows, which appear to be original to the building.
- B. The Design Review Guidelines state, “[o]riginal 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.”
- C. The proposed work will replace the existing white steel casement windows with white aluminum sash windows.

RECOMMENDATION

Based on the information submitted in the proposal, staff feels that some elements to the proposed work will impair the historic integrity of the building. Staff believes that in order to maintain the look and feel of the original windows, aluminum-clad casement windows with true divided lights would be more appropriate than aluminum sash.

Staff recommends the applicant install aluminum-clad casement windows with true divided lights.

PUBLIC TESTIMONY

Bailey duMont was present to discuss the application. He explained that he had surveyed both his street and neighboring streets for houses similar in style to his own. All of the houses had sash windows rather than casement windows. He explained that his father had decided to install these industrial windows in

his residence since he was a dealer for the windows. He stated that the windows were in poor physical condition. He presented a sample of an aluminum window with true divided lights that he intended to use.

Craig Roberts discussed the need to keep the proportions of the individual window panes historic in character—that is to make them taller than wider or square, but to avoid a horizontal window pane where the width was greater than the height.

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

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

BOARD DISCUSSION

There was no further Board discussion.

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 Robert Brown and unanimously approved.

DECISION ON THE APPLICATION

Harris Oswalt moved that, based upon the facts found by the Board, that the application does not impair the historic integrity of the structure or the district according to the Guidelines and that a Certificate of Appropriateness be issued. The motion was seconded by Robert Brown and passed on a 6-1 vote.

Certificate of Appropriateness Expiration Date: 07/24/08.

APPLICATION FOR CERTIFICATE OF APPROPRIATENESS CERTIFIED RECORD

115-07-CA: 115 North Ann Street
Applicant: Robin Tankersley
Received: 07/13/07 (+45 Days: 08/27/07)
Meeting: 07/23/07

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way
Classification: Contributing
Zoning: R-1
Project: Install a 6'-0" iron fence. Reconfigure the driveway.

BUILDING HISTORY

According to previous records, this frame Creole Cottage was built circa 1850. It was at one time in the possession of the British consul.

STANDARD OF REVIEW

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

STAFF REPORT

- A. There are currently fences along the north and south boundaries of the property that belong to the neighbors.
- B. The Design Review Guidelines state, "[fences] should complement the building and not detract from it. Design, scale, placement and materials should be considered along with their relationship to the Historic District. The height of solid fences in historic districts is generally restricted to six feet...the finished side of the fence should face toward public view." The Guidelines also state that driveways and parking areas should have a "design, location and materials [that are] compatible with the property. The appearance...should be minimized through good site planning and design [and] screened from view by the use of low masonry walls, wood or iron fences or landscaping."
- C. The proposed work includes the following:
 - 1. Install a 6'-0" iron fence along the front of the property per the submitted site plan. The design of the fence will be one of the three designs included with the application.
 - 2. Replace the existing driveway and curb cut at the north side of the property with a new crushed gravel driveway and curb cut at the south side per the submitted site plan.

RECOMMENDATION

Based on the information submitted in the proposal, staff believes that the proposed work will not impair the historic integrity of the building or the district. The proposed fence falls within the standards of the Design Review Guidelines and staff feels that any of the three proposed fence designs is acceptable. The proposed driveway also falls within the standards of the Design Review Guidelines. Ms. Tankersley has already

spoken with Traffic Engineering and Right-of-Way regarding the new curb cut, which will have the same dimension as the existing one. The existing curb cut will be healed once the new one is installed.

Staff recommends approving the application.

PUBLIC TESTIMONY

Neither the applicant nor his representative was present to discuss the application. There was no one else to speak in favor of or in opposition to the application. Staff had no comments from the public or city departments to read into the record.

BOARD DISCUSSION

Staff recommended to the Board that the Board approve either the Windsor Plus or Kensington designs. The crimped ends of the Buckingham option do not have an historic appearance.

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 Craig Roberts and unanimously approved.

DECISION ON THE APPLICATION

Harris Oswalt moved that, based upon the facts found by the Board, that the application does not impair the historic integrity of the structure or the district according to the Guidelines and that a Certificate of Appropriateness be issued conditioned on the applicant using the Windsor Plus or Kensington Design. The motion was seconded by Craig Roberts and unanimously approved.

Certificate of Appropriateness Expiration Date: 07/24/08.