

**ARCHITECTURAL REVIEW BOARD MINUTES**  
**November 5, 2008 – 3:00 P.M.**  
**Pre-Council Chambers, Mobile Government Plaza, 205 Government Street**

**A. CALL TO ORDER – Chair**

The meeting was called to order by the chair Tilmon Brown at 3:07.

The Introductory Statement was read by the staff.

The members present were Tilmon Brown, Tom Karwinski, Harris Oswalt, Bunky Ralph, Craig Roberts, Barja Wilson and Mary Cousar.

Staff present were: Devereaux Bemis, John Lawler, Sandra Franks and Keri Coumanis.

The Minutes of the previous meeting were approved as posted per a motion of Tom Karwinski.

The Mid-Month Requests were approved as submitted per a motion of Tom Karwinski.

**B. MID-MONTH APPROVALS**

**1. Applicant's Name: Barbara Hamilton**

- a. Property Address: 1110 Savannah St
- b. Date of Approval: 10/10/08
- c. Project: Install half-round white gutter at rear eave.

**2. Applicant's Name: Jean Buckner**

- a. Property Address: 1221 Elmira Ave
- b. Date of Approval: 10/10/08
- c. Project: Repaint per existing.

**3. Applicant's Name: John Peebles**

- a. Property Address: 805 Church St.;
- b. Date of Approval: 10/10/08
- c. Project: Paint metal building dark brown. Paint balcony color of existing building.

**4. Applicant's Name: Paul Diez**

- a. Property Address: 265 Dexter Ave
- b. Date of Approval: 10/15/08
- c. Project: Repaint exterior of home per submitted, approved colors.

**5. Applicant's Name: Ronald Hoffman**

- d. Property Address: 406 Conti Street
- e. Date of Approval: 10/16/08
- f. Project: Repair small section of awning/roof over warehouse deck; replace fascia board with identical material in design and profile.

**6. Applicant's Name: Jane Montgomery Hamilton**

- a. Property Address: 8 Oakland Terrace
- b. Date of Approval: 10/16/08

c. Project: Paint per submitted, approved colors.

**7. Applicant's Name: D.W. Gwatkin Construction, Inc.**

- a. Property Address: 1564 Monterey Place
- b. Date of Approval: 10/16/08
- c. Project: Repair porte cochere.

**8. Applicant's Name: Jimmy Stauter**

- a. Property Address: 33 S. Lafayette St
- b. Date of Approval: 10/16/08
- c. Project: Level front porch and shore up, replace rotten siding as necessary, repaint to match.

**9. Applicant's Name: Steven and Jennifer Marine**

- a. Property Address: 1561 Bruister Ave
- b. Date of Approval: 10/17/08
- c. Project: Repaint exterior of home per submitted, approved colors.

**10. Applicant's Name: Pete's Foundation**

- a. Property Address: 10 S Monterey Street
- b. Date of Approval: 10/17/08
- c. Project: Rebuild brick piers to match existing.

**C. APPLICATIONS**

**1. 156-08-CA: 312 McDonald Avenue**

- a. Applicant: William Clarke
- b. Request: Upgrade nonconforming garage.
- c. **Approved. Certified Record Attached.**

**2. 157-08-CA: 1601 Dauphin Street**

- a. Applicant: Master Millworks
- b. Request: Replace existing windows with aluminum clad wood windows.
- c. **Approved. Certified Record Attached.**

**3. 158-08-CA: 16 South Lafayette**

- a. Applicant: Matt and Regina Shipp
- b. Request: Replace front doors.
- c. **Denied for lack of information. Certified Record Attached.**

**4. 159-08-CA: 201 N Jackson Street**

- a. Applicant: Mobile Bar Pilots, LLC.
- b. Request: Fence and wall
- c. **Tabled. Certified Record Attached.**

**5. 160-08-CA: 208 Dauphin Street**

- a. Applicant: Max Morey
- b. Request: Approve changes in constructed design.
- c. **Tabled. Sent to Design Review Committee. Certified Record Attached.**

6. **161-08-CA: 100 Herndon Avenue**
  - a. Applicant: Juanita Owens
  - b. Request: Repairs and Renovation to porches, front and back.
  - c. **Tabled. Certified Record Attached.**
  
7. **162-08-CA: 656 Church Street**
  - a. Applicant: Brian Degrego and Patricia Brown
  - b. Request: Addition to rear of home
  - c. **Tabled. Sent to Design Review Committee. Certified Record Attached.**
  
8. **163-08-CA: 262 S Monterey Street**
  - a. Applicant: Douglas Kearley
  - b. Request: Demolish existing garage; replace with new garage.
  - c. **Approved. Certified Record Attached.**
  
9. **164-08-CA: 1204 Old Shell Road**
  - a. Applicant: Douglas Kearley
  - b. Request: Renovation; demolish later changes to buildings.
  - c. **Approved. Certified Record Attached.**
  
10. **165-08-CA: 1255 Dauphin Street**
  - a. Applicant: ASMS
  - b. Request: Install new fence
  - c. **Approved. Certified Record Attached.**
  
11. **166-08: 301 Government Street**
  - a. Applicant: Holiday Inn
  - b. Request: Install lighting and signage.
  - c. **Approved. Certified Record Attached.**
  
12. **168-08: 1153 Texas Street**
  - a. Applicant: Kathryn C. Butler
  - b. Request: Demolition
  - c. **Approved. Certified Record Attached.**
  
13. **169-08: 1010 Caroline Ave**
  - a. Applicant: Joshua Murray
  - b. Request: Demolition
  - c. **Denied. Certified Record Attached.**

**C. Other Business**

1. Design Review Committees were established for the applicable applicants.
2. The applicant requesting signage for 1616 Government Street was held over until the November 19, 2008 meeting at the applicant's request.

**D. Adjournment:** The meeting adjourned at 4:50 p.m.

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

**156-08-CA:** 312 McDonald Ave  
**Applicant:** William Clarke  
**Received:** 9/29/08  
**Meeting:** 11/05/08

**INTRODUCTION TO THE APPLICATION**

Historic District: Leinkauf  
Classification: Contributing Property  
Zoning: R-1  
Project: Remove vinyl from outbuilding and replace with wood siding.

**BUILDING HISTORY**

The house was built around 1914 for Clarence Dumas.

**STANDARD OF REVIEW**

Section 9 of the Preservation Ordinance states "the Board shall not approve any application proposing a Material Change in Appearance unless it finds the 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 district."

**STAFF REPORT**

- A. This applicant was issued a Notice of Violation for constructing a utility shed in the backyard on June 27. The applicants appeared at the August 20, 2008, meeting where the application was tabled in order to give the applicants more time to prepare plans for replacing the structure.
- B. The Mobile Historic District Guidelines state, in pertinent part:
  - 1. "The appropriateness of accessory structures shall be measured by the guidelines applicable to new construction. The structure should complement the design and scale of the main building."
- C. Applicants wish to:
  - 1. remove the vinyl siding and corrugated roof from the shed;
  - 2. replace the vinyl siding with 1/2" by 6" wood siding;
  - 3. replace roof with three tab shingles;
  - 4. paint per submitted samples.

**STAFF ANALYSIS**

The proposed treatment for this non-conforming accessory structure brings it into compliance with the Mobile Historic District Guidelines. Therefore, Staff recommends approval.

**PUBLIC TESTIMONY**

Mr. William Clarke was present to discuss the application. Mr. Clarke said everything was as written in the staff report and that he did not have anything to add.

## **BOARD DISCUSSION**

The board discussion took place concurrently with the public testimony.

## **FINDING OF FACT**

Tom Karwinski moved that, based upon the evidence presented in the application and during the Board discussion the Board finds the facts in the Staff report as written. The motion was unanimously approved.

## **DECISION ON THE APPLICATION**

Tom Karwinski moved that, based upon the facts found by the Board, the application does not impair the historic integrity of the district or the building and that a Certificate of Appropriateness be issued. The motion was unanimously approved.

Based on the guidelines, the staff analysis and the public testimony we have heard here today your application has been granted a certificate of appropriateness.

**Certificate of Appropriateness Expiration Date: 11/5/08**

**APPLICATION FOR A CERTIFICATE OF APPROPRIATE NESS**  
**CERTIFIED RECORD**

**157-08-CA: 1601 Dauphin Street**  
**Applicant: Master Millworks**  
**Received: 10/16/08**  
**Meeting: 11/05/08**

**INTRODUCTION TO THE APPLICATION**

Historic District: Lower Dauphin Street  
Classification: Non-Contributing Property  
Zoning: R-1  
Project: Window replacement

**BUILDING HISTORY**

This building is a non-contributing property in the Old Dauphin Way district.

**STANDARD OF REVIEW**

Section 9 of the Preservation Ordinance states "the Board shall not approve any application proposing a Material Change in Appearance unless it finds the 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 district"

**STAFF REPORT**

- A. This building is a newer addition to the Old Dauphin Way district and not historic. Currently, the building has a mixture of true-divided-light wood windows and windows with fake muntins. There are apparent signs of rot and deterioration on the windows. The applicants propose wholesale replacement of all windows with aluminum-clad wood windows. The applicants are bringing a sample for the Board to preview.
- B. The Secretary of Interior's Standards require new construction and its components to be compatible with the massing, size, scale, and architectural features of the adjacent historic properties in order to protect the historic integrity of the district.
- C. Applicants intend to:
  - 1. Install double hung, aluminum wood clad windows featuring
    - a. 7/8" simulated divided light muntins
    - b. 6/6 or to match existing lite pattern
    - c. Stone white in color

**STAFF ANALYSIS**

The ARB has determined aluminum wood clad windows are appropriate for new construction in historic districts and do not impair the district. Based on the specifications submitted by the applicants, the proposed window is appropriate for a historic district, therefore Staff recommends approval.

**PUBLIC TESTIMONY**

Anthony Patrick was present to discuss the application. Mr. Patrick pointed out that the staff report said they were installing vinyl windows; however they are in fact installing aluminum windows.

### **BOARD DISCUSSION**

The board discussion took place concurrently with the public testimony. Craig Roberts said that a 5/8" muntin would be more appropriate than a 7/8" muntin. Other board members agreed. The applicant said that they could get windows with 5/8" muntins.

### **FINDING OF FACT**

Craig Roberts moved that, based upon the evidence presented in the application and during the Board discussion, the Board amends fact C(1)(a) in the Staff report from 7/8" to 5/8" and finds others as written. The motion was unanimously approved.

### **DECISION ON THE APPLICATION**

Craig Roberts moved that, based upon the facts as amended by the Board, the application does not impair the historic integrity of the district or the building and that a Certificate of Appropriateness be issued. The motion was unanimously approved.

Based on the guidelines, the staff analysis and the public testimony we have heard here today your application has been granted a certificate of appropriateness.

**Certificate of Appropriateness Expiration Date: 11/5/08**

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

**158-08-CA:** 16 S Lafayette Street  
**Applicant:** Matt and Regina Shipp  
**Received:** 10/17/08  
**Meeting:** 11/05/08

**INTRODUCTION TO THE APPLICATION**

Historic District: Old Dauphin Way  
Classification: Contributing Property  
Zoning: R-1  
Project: Replace original front door with new door.

**BUILDING HISTORY**

This Queen Anne Victorian residence is a contributing structure in the Old Dauphin Way Historic District.

**STANDARD OF REVIEW**

Section 9 of the Preservation Ordinance states "the Board shall not approve any application proposing a Material Change in Appearance unless it finds the 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 district."

**STAFF REPORT**

- A. The applicants would like to replace their existing historic front door with a new door. The existing front door has been shimmed to the point that it no longer meets the doorway at the top and has a series of locks which has impaired its ability to close properly in the middle. The applicants are also considering repairing the door.
- B. The guidelines state, in pertinent part: "Original doors and openings should be retained along with any moldings, transoms or sidelights. Replacements should respect the age and style of the building."
- C. Applicants wish to:
  - 1. remove the original, existing front door and replace with a door similar in style and design.

**STAFF ANALYSIS**

Application incomplete.

**PUBLIC TESTIMONY**

No one appeared to discuss this application.

**BOARD DISCUSSION**

The Board discussed the fact that the application was incomplete.



## **FINDING OF FACT**

There was no finding of fact.

## **DECISION ON THE APPLICATION**

Bunky Ralph moved the application be denied for lack of information. The motion was unanimously approved.

Based on the guidelines and the staff analysis we have heard here today your application has been **DENIED FOR LACK OF INFORMATION.**

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

**159-08-CA:** 201 N Jackson Street  
**Applicant:** Mobile Bar Pilots Association  
**Received:** 10/13/08  
**Meeting:** 11/05/08

**INTRODUCTION TO THE APPLICATION**

Historic District: De Tonti Square  
Classification: Contributing Property  
Zoning: R-1  
Project: Construct fence and wall

**BUILDING HISTORY**

New construction in the De Tonti Square historic district.

**STANDARD OF REVIEW**

Section 9 of the Preservation Ordinance states "the Board shall not approve any application proposing a Material Change in Appearance unless it finds the 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 district"

**STAFF REPORT**

- A. This applicant would like to construct a fence and wall around its newly constructed office building in DeTonti Square.
- B. The Mobile Historic District Guidelines for fences states the following:
  - 1. "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, however, if a commercial property or multi-family housing adjoins the subject property, an eight foot fence may be considered."
  - 2. While the current guidelines do not address the height of picket fences across the front yard, the Board has determined that 3' open fences are appropriate for historic districts.
- C. Applicants intend to:
  - 1. construct a 4' high black aluminum fence
    - a. gate to be installed near property line on St. Anthony
    - b. gate materials to match fence
  - 2. construct five-5' brick columns
    - a. brick to match new building
    - b. columns to be placed per submitted plan
  - 3. construct a 7' solid wall at rear property line
    - a. stucco finished
    - b. neutral color as recommended by MHDC staff
- D. Clarifications
  - 1. top of columns

2. top of stucco wall

## **STAFF ANALYSIS**

Staff recommends the stucco wall not exceed 6ø height limitation. Furthermore, the applicants should check with Urban Development. Solid walls must be setback 25ø from the property line, meaning the northeast corner of the wall must be 25ø from the street. Even though this is a commercial property, it is in a mixed-use neighborhood. Thus, a 6ø wall is more appropriate than a 7ø wall.

## **PUBLIC TESTIMONY**

Patrick Wilson was present to discuss the application. Mr. Wilson clarified the neighboring house will be residential once constructed. Mr. Wilson explained that the masonry used for the columns would match the house and the fence will abut the side of the building on the east property line. Mr. Wilson did not believe they would have enough brick to use for the purposes of capping the stucco wall.

## **BOARD DISCUSSION**

The board discussion took place concurrently with the public testimony. The Board inquired about the design of the columns and the cap for the stucco wall. The Board had questions about the site plan and wanted a more detailed and accurate site plan.

## **FINDING OF FACT**

There was no finding of fact.

## **DECISION ON THE APPLICATION**

Bunky Ralph moved that the application be tabled, the applicant work with the Board and the Staff on the final design, and the application be allowed to proceed to approval on a mid month basis after the details are worked out. The motion was unanimously approved.

Based on the guidelines, the staff analysis and the public testimony we have heard here today your application has been tabled until the above stated details are worked out.

**TABLED.**

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

**160-08-CA:** 208 Dauphin Street  
**Applicant:** JSMM, LLC.  
**Received:** 10/06/08  
**Meeting:** 11/05/08

**INTRODUCTION TO THE APPLICATION**

Historic District: Lower Dauphin Street  
Classification: Contributing Property  
Zoning: B-4  
Project: Façade approval

**BUILDING HISTORY**

This is a new, two-story commercial building where there was a shell of a former historic building which burned.

**STANDARD OF REVIEW**

Section 9 of the Preservation Ordinance states "the Board shall not approve any application proposing a Material Change in Appearance unless it finds the 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 district."

**STAFF REPORT**

- A. The applicants consulted the MHDC, as required, in order to acquire a certificate of occupancy for their new movie theater and loft condos. Staff visited the building and realized the façade deviated from the submitted plan.
- B. The original plan called for the transom (now mezzanine windows) to be directly above the doorways. As illustrated by the attached photos, the transom windows have been placed higher in order to accommodate interior floor plan changes.
- C. A change from the submitted plan requires reappearance before the ARB.
- D. Applicants seek approval to:
  - 1. retain existing façade as built.

**STAFF ANALYSIS**

Staff has consulted with these applicants. The applicants explained that interior floor plan changes to accommodate a mezzanine-level projector room for the theater required the change in the front façade. Staff has taken into consideration that this is a new building with appropriate massing and scale for the district. Though the removal of the transom windows does not accurately reflect the design for many historic storefronts, Staff recommends approval.

**PUBLIC TESTIMONY**

John Switzer was present to discuss the application. Mr. Switzer explained that design of the façade changed to accommodate windows for a mezzanine floor to accommodate the projector room.

## **BOARD DISCUSSION**

The board discussion took place concurrently with the public testimony. The Board explained that the mezzanine windows disturbed the effect of the building as it relates to others because the transom windows no longer aligned with adjacent storefronts. The Board discussed the plainness of the first floor façade as opposed to the second and third floors and what could be done to remedy this problem. The Board suggested a Design Review Committee and the applicant agreed to attend.

## **FINDING OF FACT**

There was no finding of fact.

## **DECISION ON THE APPLICATION**

Bunky Ralph moved that the application be tabled, the applicant work with a Design Review Committee on the final design, and, in the meanwhile, Staff notify Urban Development of an extension for their temporary Certificate of Occupancy. The motion was unanimously approved.

Based on the guidelines, the staff analysis and the public testimony we have heard here today your application has been **TABLED and REFERRED TO a DESIGN REVIEW COMMITTEE.**

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

**161-08-CA:** 100 Michael Donald Avenue  
**Applicant:** Juanita Owens  
**Received:** 10/10/08  
**Meeting:** 11/05/08

**INTRODUCTION TO THE APPLICATION**

Historic District: Old Dauphin Way  
Classification: Contributing Property  
Zoning: R-1  
Project: Repair 2<sup>nd</sup> story porch railing; install new back porch and steps; approve changes to rear of house.

**BUILDING HISTORY**

This two-story house with a hip roof and exposed rafters was once a 1-1/2 story gabled, Victorian, similar to others in the neighborhood.

**STANDARD OF REVIEW**

Section 9 of the Preservation Ordinance states "the Board shall not approve any application proposing a Material Change in Appearance unless it finds the 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 district."

**STAFF REPORT**

- A. The applicant has a current COA to do in-kind repairs. Staff has been working with the applicant; however, the applicant had already installed the windows and siding the back of the home before applying for the COA. Staff advised the applicants to refrain from making any more significant changes to the exterior of the home and to apply for a COA. The applicants would like to retain the changes made to the back of the house as well receive approval for a new back door landing, repairs to the 2<sup>nd</sup> story porch and repainting. Per Urban Development, the rear porch was enclosed when the applicants acquired the property. The applicants did wholesale replacement of the rear siding.
- B. The Mobile Historic Guidelines, state, in pertinent part:
  - 1. "A roof is one of the most dominant features of a building. Original or historic roof forms, as well as the original pitch of the roof should be maintained. Materials should be appropriate to the form and pitch and color. Accessory roof elements not original to the structure, such as vents, skylights, satellite dishes, etc. shall be located inconspicuously."
  - 2. "The type, size and dividing lights of windows and their location and configuration (rhythm) on the building help establish the historic character of a building. Original window openings should be retained as well as original window sashes and glazing."
  - 3. "The porch is an important regional characteristic of Mobile architecture. Historic porches should be maintained and repaired to reflect their period. Particular attention should be paid to handrails, lower rails, balusters, decking, posts/ columns, proportions and decorative details. The balustrade of the stairs should match the design and materials of the porch."
- C. The Secretary of the Interior Standards state:

1. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

D. Applicants intend to:

1. Retain two non-conforming new windows and skylight placed in rear of home;
2. Reroof with brown, 3-tab shingles;
3. Repair 2<sup>nd</sup> story porch identical to existing;
4. Replace back door landing and steps;
5. Paint the home per submitted colors.

## SAFF ANALYSIS

Staff recommends approval for:

- the 2<sup>nd</sup> story porch, as long as Urban Development approves the work;
- the reroofing work;
- the skylight.

Staff does not recommend approval for the windows. The windows chosen by the applicants do not conform to the Architectural Review Board Guidelines. One of the non-conforming windows is a 2/2, tan vinyl window and the other window is a rectangular window with a single pane of decorative glass. Staff recommends replacing the two non-conforming windows with either 3/1 or 2/2 windows to match the historic windows on the rear of the home.

The applicant intends to supply Staff with a plan for the back door landing and steps. In discussion with the applicant, it appears the applicant intends to construct something similar to the existing landing. Staff will continue to work with the applicants to acquire an appropriate design for the landing.

The applicants will be bringing paint samples to the ARB meeting.

## PUBLIC TESTIMONY

There was no one present to discuss the application.

## BOARD DISCUSSION

Staff informed the Board that they have been working with these applicants and would like the applicants to be present for the meeting. Staff requested the application be tabled. The Board checked with the attorney who determined tabling would not be a problem.

## FINDING OF FACT

There was no finding of fact.

## DECISION ON THE APPLICATION

Bunky Ralph moved that the application be tabled until the November 19, 2008, meeting. The motion was unanimously approved. Based on the guidelines, the staff analysis and the public testimony we have heard here today your application has been **TABLED UNTIL THE NOVEMBER 19, 2008, ARB MEETING at 3:00 p.m.**

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

**162-08-CA:** 656 Church Street  
**Applicant:** Brian DeGrego and Patricia Brown  
**Received:** 10/16/08  
**Meeting:** 11/05/08

**INTRODUCTION TO THE APPLICATION**

Historic District: Church Street East  
Classification: Contributing Property  
Zoning: R-1  
Project: Conceptual approval for addition and garage.

**BUILDING HISTORY**

This four room shotgun house was constructed around 1900. It was saved from demolition by the Mobile Revolving Fund.

**STANDARD OF REVIEW**

Section 9 of the Preservation Ordinance states "the Board shall not approve any application proposing a Material Change in Appearance unless it finds the 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 district."

**STAFF REPORT**

- A. The applicants are here for conceptual approval to construct an attached garage and addition to their home.
- B. The Mobile Historic District Guidelines state, in pertinent part:
  - 1. "The appropriateness of accessory structures shall be measured by the guidelines applicable to new construction. The structure should complement the design and scale of the main building."
- C. The Secretary of the Interior standards state:
  - 1. "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.
  - 2. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
  - 3. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired."
- D. Applicants wish to:
  - 1. construct an attached garage featuring
    - a. 1-1/2 stories and
    - b. cantilevered balcony
  - 2. construct an addition



E. Clarifications

**STAFF ANALYSIS**

Staff recommends the Board entertains a Design Review Committee for these applicants.

**PUBLIC TESTIMONY**

Brian DeGrego and Patricia Brown were present to discuss the application. The applicants explained they wanted to add approximately 22ø onto the back of their home and then an addition to the west. The applicants would like space for a larger master bathroom and work shop garage. The addition would add approximately 800 sq. ft. to an 800 sq. ft. home.

**BOARD DISCUSSION**

The board discussion took place concurrently with the public testimony. The Board determined they need more information and accurate drawings.

**FINDING OF FACT**

There was no finding of fact.

**DECISION ON THE APPLICATION**

Bunky Ralph moved that the application be sent to a Design Review Committee. The motion was unanimously approved. Based on the guidelines, the staff analysis and the public testimony we have heard here today your application has been **TABLED and REFERRED TO a DESIGN REVIEW COMMITTEE.**

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

**163-08-CA:** 262 S Monterey Street  
**Applicant:** Douglas Kearley  
**Received:** 10/17/08  
**Meeting:** 11/05/08

**INTRODUCTION TO THE APPLICATION**

Historic District: Leinkauf  
Classification: Contributing Property  
Zoning: R-1  
Project: Demolish existing garage; construct new accessory structure

**BUILDING HISTORY**

This is a shingled bungalow constructed around 1910 in the Leinkauf district.

**STANDARD OF REVIEW**

Section 9 of the Preservation Ordinance states "the Board shall not approve any application proposing a Material Change in Appearance unless it finds the 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 district."

**STAFF REPORT**

- A. This applicant would like to demolish an existing one-story accessory structure and construct a new structure per the submitted plan.
- B. The Mobile Historic District Guidelines state, in pertinent part:
  - 1. "The appropriateness of accessory structures shall be measured by the guidelines applicable to new construction. The structure should complement the design and scale of the main building."
- C. Applicants wish to:
  - 1. demolish the existing one-story accessory structure
    - a. features lapped siding;
    - b. a structure in the exist same location appears on the 1924 Sanborn map;
    - c. deteriorated.
  - 2. construct a one-story accessory structure
    - a. Hardie shingles laced at corners to match those on the house;
    - b. Aluminum wood clad, double-paned windows with simulated muntins in patterns to match existing on house;
    - c. Exposed rafter tails to match those on the house;
    - d. Hipped roofline similar to house;
    - e. Painted concrete foundation.

**STAFF ANALYSIS**

The proposed design complies with the guidelines. This accessory structure reflects the main building in both form and details. Furthermore, the Board has determined new materials are appropriate for new buildings. Therefore, Staff recommends approval.

## **PUBLIC TESTIMONY**

Douglas Kearley was present to discuss the application.

## **BOARD DISCUSSION**

The board discussion took place concurrently with the public testimony. Tom Karwinski questioned why the building was being built so close to the property line. Mr. Kearley explained that they wanted to use the existing footprint.

## **FINDING OF FACT**

Bunky Ralph moved that, based upon the evidence presented in the application and during the Board discussion, the Board finds fact in the Staff report as written. The motion was unanimously approved.

## **DECISION ON THE APPLICATION**

Bunky Ralph moved that, based upon the facts as presented, the application does not impair the historic integrity of the district or the building and that a Certificate of Appropriateness be issued. The motion was approved. One opposed.

Based on the guidelines, the staff analysis and the public testimony we have heard here today your application has been granted a certificate of appropriateness.

**Certificate of Appropriateness Expiration Date: 11/5/08**

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

**164-08-CA: 1204 Old Shell Road**  
**Applicant: Douglas Kearley**  
**Received: 10/1708**  
**Meeting: 11/05/08**

**INTRODUCTION TO THE APPLICATION**

Historic District: Old Dauphin Way  
Classification: Contributing Property  
Zoning: R-1  
Project: Restoration

**BUILDING HISTORY**

According to MHDC-conducted research, this 1-1/2 story center hall was constructed in the mid-1820s. The house definitively appears on the 1829 tax rolls, listing Madame Pollard as its owner. However, Madame Pollard purchased this property from Joshua Kennedy in 1826, when Kennedy was subdividing a large tract of land. Therefore, the house may be as early as 1826.

The front bay window appears on the 1904 Sanborn. Since the changes to the front façade and the roof are Victorian in nature, the house was most likely renovated in the late 1880s or 1890s. The north façade has also undergone several changes through the years including porch enclosures and shed room additions. The current configuration of the north façade, as well as the outbuilding, most likely dates to the 1910s or 1920s.

**STANDARD OF REVIEW**

Section 9 of the Preservation Ordinance states "the Board shall not approve any application proposing a Material Change in Appearance unless it finds the 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 district."

**STAFF REPORT**

- A. This applicant would like to restore the existing building to its Federal period, circa 1820s appearance. Because this is a restoration, not a rehabilitation, the National Park Services restoration standards are applicable.
  - 1. **Restoration** is defined "as the act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a restoration project."
- B. The National Park Service has determined restoration may be considered as a treatment. Restoration as a treatment is proper "when:
  - 1. the property's design, architectural, or historical significance during a particular period of time outweighs the potential loss of extant materials, features, spaces, and finishes that characterize other historical periods;

2. when there is substantial physical and documentary evidence for the work;
  3. and when contemporary alterations and additions are not planned,
  4. Prior to undertaking work, a particular period of time, i.e., the restoration period, should be selected and justified, and a documentation plan for Restoration developed.ö
- C. The National Park Service Standards for Restoration state, in pertinent part, the following:
1. öA property will be used as it was historically or be given a new use which reflects the property's restoration period.
  2. Materials and features from the restoration period will be retained and preserved. The removal of materials or alteration of features, spaces, and spatial relationships that characterize the period will not be undertaken.
  3. Each property will be recognized as a physical record of its time, place, and use. Work needed to stabilize, consolidate and conserve materials and features from the restoration period will be physically and visually compatible, identifiable upon close inspection, and properly documented for future research.
  4. Materials, features, spaces, and finishes that characterize other historical periods will be documented prior to their alteration or removal.
  5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize the restoration period will be preserved.
  6. Deteriorated features from the restoration period will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials.
  7. Replacement of missing features from the restoration period will be substantiated by documentary and physical evidence. A false sense of history will not be created by adding conjectural features, features from other properties, or by combining features that never existed together historically. . .
  8. Designs that were never executed historically will not be constructed.ö
- D. Per submitted plans, applicants intend to:
1. uncover the original roof structure
    - a. by removing the two-front facing gables from the south/front façade
    - b. revealing the double-pitch roof retained beneath the existing roof structure on the front façade
    - c. revealing the original dormer structure retained beneath the southeast dormer on the front façade
      1. original trim and pilaster details exist and will be copied for the dormer replacement elsewhere on the building
    - d. remove eave overhand on rear double hip roof
    - e. replace both north façade dormers by replicating details from southeast dormer
    - f. reroof with öroyal pineö shingles
  2. replace the original front porch fenestration
    - a. by removing Victorian era bay window
    - b. replacing front siding to match existing
    - c. installing two 6/6 windows west of entryway
      1. original; currently located on north facade
  3. remove existing porch details
    - a. replace with wood handrail based on existing evidence
    - b. install 6 turned round Tuscan columns
    - c. install handrail and new front porch steps
  4. remove infill and shed additions on north façade
    - a. restore back porch to mirror front porch
    - b. chamfered posts to be installed
    - c. glassed-in with fixed wood shutters

- d. double door installed
- 5. Additional details
  - a. Add operable shutters
  - b. repoint piers, matching mortar

## **STAFF ANALYSIS**

As the applicants have demonstrated and Staff has ascertained, a "restoration" rather than "rehabilitation" approach to this project is necessary. In keeping with the restoration approach, this project calls for the removal of later additions to a building which have gained historic significance in their own right. Staff recommends approval for this demolition work and the replication of earlier features on the building for the following reasons: one, given its age and rarity, the 1820s appearance of the house is more historically valuable than its late-nineteenth century appearance. In order to recall its 1820s appearance, the late-nineteenth century changes (additional roof, front-facing gables and bay window) must be removed. Second, there is enough physical evidence to justify the building's return to its 1820s appearance, as well as the replication of any details lost from this period. For instance, since the existing dormer can be used as model for the replacement of the three missing dormers, the applicants will not be guessing as they seek to recreate these dormers. Furthermore, the original voids for the dormers can be found at all four points in the attic, thus there is no conjecture as to the original location of the dormers. Likewise, the original double pitch roof is intact (wood shingles and all) just beneath the later roof on the front façade. Finally, the original front porch 6/6 windows are currently located at the back of the house where they were reused when the porch was infilled; thus, the recreation of the porch fenestration will be accurate as well.

Staff has determined the proposed treatment to both the front and back porches is appropriate; however, Staff would like to recommend the applicants consult with the state's senior architectural historian, Robert Gamble, before committing to the proposed front porch columns and balustrade.

## **PUBLIC TESTIMONY**

Douglas Kearley was present to discuss the application. Mr. Kearley explained the basic form of this house is from the Federal period and it is most likely one of the oldest houses in Mobile. Mr. Kearley explained that given its age and significance, restoring it to its original configuration was a worthwhile project.

## **BOARD DISCUSSION**

The board discussion took place concurrently with the public testimony. A discussion was held on the Victorian changes to the home versus its original appearance. Mr. Roberts questioned whether this house was being restored to be used as a residence and opined that it might be suited better as a museum, given its age. Staff suggested interior easements be donated to the MHDC. Tom Karwinski questioned the advisability of removing the Victorian features. It was pointed that enough of the original house remained to restore it accurately. Only the columns and balustrade would be recreated by using historic photos of similar buildings as a guide.

## **FINDING OF FACT**

Bunky Ralph moved that, based upon the evidence presented in the application and during the Board discussion, the Board finds fact in the Staff report as written. The motion was unanimously approved.

## **DECISION ON THE APPLICATION**

Bunky Ralph moved that, based upon the facts as presented, the application does not impair the historic integrity of the district or the building and that a Certificate of Appropriateness be issued provided that the applicants meet with Robert Gamble from the Alabama Historical Commission. The motion was unanimously approved.

Based on the guidelines, the staff analysis and the public testimony we have heard here today your application has been granted a certificate of appropriateness.

**Certificate of Appropriateness Expiration Date: 11/5/08**

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

**165-08-CA: 1255 Dauphin Street**  
**Applicant: Alabama School of Math and Science (ASMS)**  
**Received: 10/20/08**  
**Meeting: 11/05/08**

**INTRODUCTION TO THE APPLICATION**

Historic District: Old Dauphin Way  
Classification: Contributing Property  
Zoning: R-1  
Project: Fence replacement

**Mary Cousar recused herself.**

**BUILDING HISTORY**

Not applicable.

**STANDARD OF REVIEW**

Section 9 of the Preservation Ordinance states "the Board shall not approve any application proposing a Material Change in Appearance unless it finds the 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 district."

**STAFF REPORT**

- A. The MHDC has received numerous 311 calls regarding the work taking place in the ASMS parking lot. The ASMS parking lot is bordered by Caroline Avenue, South Georgia Avenue and South Ann Street in the Old Dauphin Way District. The lot comprises almost an entire city block. Recently, ASMS repaved the lot and removed an existing chain link fence. ASMS now seeks approval to install a green, vinyl chain link fence on a portion of the lot.
- B. The Mobile Historic District Guidelines state, in pertinent part:
  - 1. Chain link fences are inappropriate for historic districts.
  - 2. "Modern paving materials are acceptable in the historic districts. However, it is important that the design, location and materials be compatible with the property.
  - 3. The appearance of parking areas should be minimized through good site planning and design.
  - 4. Parking areas should be screened from view by the use of low masonry walls, wood or iron fences or landscaping.
  - 5. Ordinances relating to parking and landscaping will be enforced in reviewing requests for parking lots."
- C. Applicants intend to:
  - 1. repave existing asphalt parking lot with asphalt;
  - 2. construct a green vinyl chain link fence, per submitted plan (old fence has previously been demolished);
  - 3. plant crepe myrtles, per submitted plan.

**STAFF ANALYSIS**



The ASMS is in the process of raising funds for an iron fence to surround their parking lot, identical to the one which encircles the actual school. However, until such time, ASMS needs a gated area where the students can leave their cars parked during the week. The proposed chain link fence will serve that purpose. Finally, the proposed chain link fence encompasses less area than the earlier chain link fence. See submitted plans.

For these reasons, Staff recommends the fence should be approved on a temporary basis and that the fence be allowed to exist for the next year. At the end of a year, Staff recommends the Board require the ASMS to return before the Review Board to give an update on their progress for the iron fence.

Urban Development does not require a permit for repaving. Furthermore, because this was an existing lot, the ASMS is not required, under our present guidelines, to landscape. However, ASMS intends to landscape with crepe myrtles at various points around the lot. See submitted plans.

### **PUBLIC TESTIMONY**

Ann Bedsole and Bebe Lindsey were present to discuss the application. Ms. Lindsey explained that they would be using a 6' green vinyl fence to enclose a smaller area of the parking lot for the purposes of securing their students cars. The applicants explained the ASMS was raising money for a permanent iron fence. The Board questioned whether they could not use another, currently fenced area for parking. The applicants stated there was not enough room to use that area and the cars could not remain on the athletic field, where they currently are being parked. Tom Karwinski questioned the location of a fence pole and its placement in the right of the way. The applicants explained that this situation had been remedied. Tom Karwinski presented another version of the site plan and questioned the number of curb cuts. The applicants explained that there would only be one curb cut on Ann and one on Caroline.

### **BOARD DISCUSSION**

The board discussion took place concurrently with the public testimony.

### **FINDING OF FACT**

Bunky Ralph moved that, based upon the evidence presented in the application and during the Board discussion, the Board finds fact in the Staff report, amending fact C(2) to state that the fence would be 6'. The motion was unanimously approved.

### **DECISION ON THE APPLICATION**

Bunky Ralph moved that, based upon the facts as presented, the application does not impair the historic integrity of the district or the building and that a Certificate of Appropriateness be issued for a temporary fence provided that the applicants return to the ARB within a year with final plans for the fence and landscaping. The motion was approved. One opposed.

Based on the guidelines, the staff analysis and the public testimony we have heard here today your application has been granted a temporary certificate of appropriateness.

**Certificate of Appropriateness Expiration Date: 11/5/08**

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

**166-08-CA: 301 Government Street**  
**Applicant: Maura Garino for Holiday Inn**  
**Received: 10/16/08**  
**Meeting: 11/05/08**

**INTRODUCTION TO THE APPLICATION**

Historic District: Church Street East  
Classification: Non-Contributing Property  
Zoning: B-4  
Project: Lighting and Signage

**BUILDING HISTORY**

According to previous records, this 16-story masonry building was built as a Sheraton in 1975. It now houses a Holiday Inn.

**STANDARD OF REVIEW**

Section 9 of the Preservation Ordinance states "the Board shall not approve any application proposing a Material Change in Appearance unless it finds the 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 district."

**STAFF REPORT**

- A. This contemporary building in the Church Street East district is now the Holiday Inn and has been undergoing an exterior renovation these last few months, including new windows and fresh paint. As part of the exterior renovation, the Holiday Inn would like to install new lighting and signage.
- B. The Mobile Historic District Guidelines read, in pertinent part:
  - 1. "Lighting can be an important element in the historic districts. Therefore, where lighting impacts the exterior appearance of a building or of the district in which the building is located, it shall be reviewed for appropriateness as any other element."
- C. The Sign Design Guidelines provide for the following:
  - 1. For buildings without a recognizable style, the sign shall adopt the decorative features of the building, utilizing the same materials and colors.
  - 2. The total maximum allowable sign area for all signs is one and one half square feet per linear front foot of the principal building, not to exceed 64 square feet.
  - 3. Internally lit signs are prohibited.
  - 4. Lighted signs shall use focused, low intensity illumination.
- D. Applicants intend to:
  - 1. Install lighting
    - a. 2- 70 watt down lights on the columns at the drive through entrance
    - b. 4 ó 150 watt up lights at various points on the building
      - 1. see submitted plan
    - c. Green in color
  - 2. Install signage
    - a. Materials for all signs below are:

1. letters have translucent white faces, day and night
  2. trimcap and returns are green
  3. trademark symbol is flat cut out aluminum painted with film decoration
- b. Two internally illuminated signs at roofline
    1. 23ø long
    2. 4ø tall
    3. white script
    4. 95 square feet total
  - c. one internally illuminated sign on south side of canopy
    1. 12ø-83/4ø long
    2. 3ø tall
    3. 28 square feet total
    4. Monogram square added
      - a. Monogram face is printed to 3M Panagraphics III flexible face
  - d. one internally illuminated sign above west entry way
    1. 11ø-11ø long
    2. 2ø tall
    3. 24 square feet total
    4. no monogram square
  - e. one internally illuminated sign above north entry way
    1. 11ø-11ø long
    2. 2ø tall
    3. 24 square feet total
    4. no monogram square

## STAFF ANALYSIS

Staff is concerned about the proposed lighting plan. The color of the lights, green, as chosen by the Holiday Inn, is problematic. Though the building has existing up lights, the proposed color of these (4)-150 watt lights call attention to a non-contributing building within the Church Street East Historic District. Furthermore, the building is situated across the street from a National Historic Landmark. While Staff understands the nature of the proposed lighting is part of a remarketing plan for Holiday Inns nationwide, the lighting would promote rather than downplay this building and as such would serve to further impair the visual character of the historic district. In conclusion, though the color of the lighting is not appropriate for this building, the decrease in lighting is recommended. Thus, Staff recommends approval provided the lighting is not green.

The proposed signage replaces existing signage, which does not conform to our design guidelines. The existing signage on the building was permitted as a result of a variance granted by the Board of Adjustment in November, 2006. The variance is good only for the existing signage. Thus, any replacement signage must conform to the sign guidelines in order to be approved by the Architectural Review Board.

According to the sign guidelines, internally-lit signs are not allowed in the historic districts. Thus, these signs are not appropriate. Furthermore, the total maximum square footage allowed is 64 square feet. The five signs proposed for this building exceed that allowance. However, Staff realizes this building, which encompasses almost an entire city block, may require additional signage.

Because the square footage exceeds the total allowed by city ordinance, the Board cannot approve the submitted signage. Also, as stated the internally lit plastic signs violate the Board guidelines; **therefore,**

Staff recommends the application be denied, but that a letter of support be written to allow the excess square footage and reverse channel sign in place of the design submitted.

### **PUBLIC TESTIMONY**

Maura Garino was present to discuss the application. Ms. Garino explained that the new lighting was part of a nation wide remarketing plan by the Holiday Inn. Furthermore, Ms. Garino explained that the new lights were less wattage than the existing lights. Staff explained that Ms. Garino has changed her signage plans and intends to install reverse channel signage.

### **BOARD DISCUSSION**

The board discussion took place concurrently with the public testimony.

### **FINDING OF FACT**

Bunky Ralph moved that, based upon the evidence presented in the application and during the Board discussion, the Board finds fact in the Staff, amending facts D(2)(b)-(e) to read "reverse channel" rather than "internally illuminated." The motion was unanimously approved.

### **DECISION ON THE APPLICATION**

Bunky Ralph moved that, based upon the facts as amended, the application does not impair the historic integrity of the district or the building and that a Certificate of Appropriateness be issued. The motion was unanimously approved.

Based on the guidelines, the staff analysis and the public testimony we have heard here today your application has been granted a certificate of appropriateness.

**Certificate of Appropriateness Expiration Date: 11/5/08**

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

**144-08-CA:** 1153 Texas Street  
**Applicant:** Katheryn C. Butler  
**Received:** 10/02/08  
**Meeting:** 11/05/08

**INTRODUCTION TO THE APPLICATION**

Historic District: Oakleigh Garden  
Classification: Non-contributing Property  
Zoning: R-1  
Project: Demolition.

**BUILDING HISTORY**

This cottage is a non-contributing residence in the Oakleigh Garden District. The building is not historically significant and in a deteriorated state of repair.

**STANDARD OF REVIEW**

Section 9 of the Preservation Ordinance states "the Board shall not approve any application proposing a Material Change in Appearance unless it finds the 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 district."

**STAFF REPORT**

- A. Because of the blighted state of the building, this property is currently being cited by Urban Development. The applicants have proposed demolition, rather than repair, to bring the property in compliance with the environmental/nuisance ordinance. The applicants inherited the property.
- B. In regards to demolition, the Mobile Historic District Guidelines read as follows: "Proposed demolition of a building must be brought before the Board for consideration. The Board may deny a demolition request if the building's loss will impair the historic integrity of the district."
- C. The applicants have requested permission to:
  - a. Demolish the building.

**STAFF RECOMMENDATION**

As demonstrated by the pictures, this building is in disrepair and lacks historical significance. Furthermore, the building is not incorporated into a historically significant streetscape. There is a vacant masonry store to its east and a vacant lot to its west. The department of Urban Development has been working with the owners for some time now in order to alleviate the nuisance this property works on the neighborhood.

Because the building is non-contributing and not historically significant, the standard of review, as set out by the Mobile City Code, see § 44-79, need not be followed.

Given the deteriorated state of the building and its lack of historical significance, Staff recommends approval of the demolition request.

## **PUBLIC TESTIMONY**

Francis Garcia was present to discuss the application. Ms. Garcia explained that once the house was demolished they intended to landscape and maintain the lot.

## **BOARD DISCUSSION**

The board discussion took place concurrently with the public testimony. A discussion was held on the Victorian changes to the home versus its original appearance. Mr. Roberts questioned whether this house was being restored to be used as a residence and opined that it might be suited better as a museum, given its age. Staff suggested interior easements be donated the MHDC.

## **FINDING OF FACT**

Craig Roberts moved that, based upon the evidence presented in the application and during the Board discussion, the Board finds fact in the Staff report as written. The motion was unanimously approved.

## **DECISION ON THE APPLICATION**

Craig Roberts moved that, based upon the facts as presented, the application does not impair the historic integrity of the district or the building and that a Certificate of Appropriateness be issued. The motion was unanimously approved.

Based on the guidelines, the staff analysis and the public testimony we have heard here today your application has been granted a certificate of appropriateness.

**Certificate of Appropriateness Expiration Date: 11/5/08**

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

**144-08-CA:** 1010 Caroline Ave.  
**Applicant:** Joshua Murray  
**Received:** 09/10/08  
**Meeting:** 11/05/08

**INTRODUCTION TO THE APPLICATION**

Historic District: Old Dauphin Way Historic District  
Classification: Contributing Property  
Zoning: R-1  
Project: Demolition.

**Devereaux Bemis recused himself.**

**BUILDING HISTORY**

This shotgun row house is contributing residence in the Old Dauphin Way Historic District.

**STANDARD OF REVIEW**

Section 9 of the Preservation Ordinance states "the Board shall not approve any application proposing a Material Change in Appearance unless it finds the 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 district"

**STAFF REPORT**

- A. This property appeared on the October 1, 2008 ARB agenda. The application was tabled at that time in order to give the property owners more time to work with the Mobile Revolving Fund in order to find a buyer for the property. The application was reset for the November 5, 2008 agenda.
- B. This property is currently being cited by urban development given the deteriorated state of the property and the applicants have proposed demolition, rather than repair, to bring the property in compliance with the environmental/nuisance ordinance.
  - 1. **EXISTING CONDITIONS:** Currently, the front façade and front two rooms of the house are intact. The third room and back porch have fallen in and since been partially removed. The rear wall of the house is non-existent, nor has it been re-enclosed; thus, the house remains open to the weather. The roof has deteriorated. There are visible rotten boards and sills; however, the porch remains intact and the front room appears sturdy and plumb. There are interior beadboard walls and ceilings throughout. See attached photos.
- C. In regards to demolition, the Guidelines read as follows: "Proposed demolition of a building must be brought before the Board for consideration. The Board may deny a demolition request if the building's loss will impair the historic integrity of the district." However, our ordinance mirrors the Mobile City Code, see §44-79, which sets forth the following standard of review and required findings for the demolition of historic structures:
  - 1. *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:

- a. The historic or architectural significance of the structure;
    1. The significance of this property lies not in the building itself, but in the historic streetscape formed by the inclusion of the building on the street. 1010 Caroline is the fourth house in a row of five shotgun homes which sit very close to the street and close to one another (there is approximately 3ø or less between the houses). While the details among the houses may vary, the basic form, shape and size are identical. See attached photos. Furthermore, these homes are representative of worker housing in the late 1890s ó early 1900s. Most likely constructed around 1905-07, title chains from nearby properties reveal that the homes were owned or rented by members of the working class, in one instance a welder and a laundress.
  - b. The importance of the structure to the integrity of the historic district, the immediate vicinity, an area, or relationship to other structures;
    1. Again, the significance of this property can be found in its contribution to the streetscape. The five identical cottages in a row present a streetscape unique to the Old Dauphin Way district and found only along Caroline Ave. There are a cluster of similar houses in the 1060 block of Caroline and again in the 1100 block Caroline. At one time, an almost identical streetscape existed directly across the street; however, there is now a vacant lot between 1005 and 1009 Caroline Ave and 1009 and 1013 Caroline Ave. The demolition of 1010 Caroline Ave would create just such another gap in the streetscape and impair the historic integrity of this block.
  - c. The difficulty or the impossibility of reproducing the structure because of its design, texture, material, detail or unique location;
    1. Though the building itself would be only moderately difficult to replicate (though the cost of the materials will most likely prove to be cost prohibitive), today's building codes would not allow this structure to be reconstructed at this 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. This building, along with its neighbors, is unique in that they present an image of a working class Mobile neighborhood at the turn of the century. The simplicity of the structure, along with its modest scale and size, stands in stark contrast to the more elaborate homes which line both Dauphin Street (one block to the north) and Government Street (one block to the south).
  - 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. The applicants propose to landscape the site once the building is demolished. While the landscaping plans are attractive, traditionally there would not have been open space between these houses.
2. *Content of applications.* All applications to demolish or remove a structure in a historic district shall contain the following minimum information:
    - a. The date the owner acquired the property, purchase price, and condition on date of acquisition;



1. The applicants acquired the property in 2006 for \$12,000. At that time, the rear wall of the property had already collapsed.
  - b. The number and types of adaptive uses of the property considered by the owner;
    1. The applicants proposed renovating the property as a rental house; however, feel that the cost to repair (approximately 12k) exceeds the value of the home.
  - c. Whether the property has been listed for sale, prices asked and offers received, if any;
    1. The applicants indicated they had listed the house for \$20,000, \$15,000 and \$13,000; however, had not received any offers.
  - d. 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;
    1. Not applicable.
  - e. Replacement construction plans for the property in question and amounts expended upon such plans, and the dates of such expenditures;
    1. Plans were submitted but estimates were not.
  - f. 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
    1. Not submitted.
  - g. Such other information as may reasonably be required by the board.
3. *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.ö
- D. The applicants propose the following:
1. Complete demolition of the structure
  2. Removal of the debris
  3. Installation of landscaping and a brick patio in the vacant space.

## **STAFF RECOMMENDATION**

The Mobile Revolving Fund is facilitating an offer for this home; however, no resolution has been reached between the potential purchasers and the owners. At this juncture, given the applicant's pending appearance in Environmental Court, Staff recommends the Board makes a decision on the application.

Given the findings enumerated above, and the buildings contribution to the streetscape, Staff recommends denial of the demolition permit.

## **PUBLIC TESTIMONY**

Corrina Murray was present to discuss the application. Ms. Murray stated that they were working with a prospective buyer for the home, but at this point were also considering securing the building and using it as storage.

## **BOARD DISCUSSION**

The board discussion took place concurrently with the public testimony. The Board discussed the Mobile Revolving Fund's involvement and how they do not want to buy the building but are trying to facilitate its purchase to someone who will fix it up.

## **FINDING OF FACT**

Bunky Ralph moved that, based upon the evidence presented in the application and during the Board discussion, the Board finds fact in the Staff report as written. The motion was unanimously approved.

#### **DECISION ON THE APPLICATION**

Bunky Ralph moved that, based upon the facts as presented, the application does impair the historic integrity of the district and that it be denied. The motion was unanimously approved.

Based on the guidelines, the staff analysis and the public testimony we have heard here today your application has been **DENIED**.