

**CITY OF MOBILE**  
**ARCHITECTURAL REVIEW BOARD**  
**Minutes of the Meeting**  
February 9, 2004

**CALL TO ORDER**

Acting Chair, Bunky Ralph, called the meeting to order at 3:02 p.m.

Ed Hooker, MHDC Architectural Engineer, called the roll as follows:

Members Present: Bunky Ralph, Tilmon Brown, Lynda Burkett, Joe Sackett, David Tharp, Harris Oswald constituting a quorum.

Members Absent: Douglas Kearley, Michael Mayberry, Cindy Klotz, Robert Brown.

Staff Present: Ed Hooker, Anne Crutcher, Devereaux Bemis, Wanda Cochran.

<u>In Attendance</u>	<u>Address</u>	<u>Item Number</u>
Pete Vallas	108 Lanier Ave. Mobile 36607	045-03/04-CA

**APPROVAL OF THE MINUTES:**

Lynda Burkett moved to approve the minutes of the January 26, 2004 meeting as mailed. The motion was seconded by David Tharp and passed unanimously.

**APPROVAL OF THE MID-MONTH CERTIFICATES OF APPROPRIATENESS:**

David Tharp moved to approve the mid-month Certificates of Appropriateness. The motion was seconded by Lynda Burkett and passed unanimously.

**MID MONTH APPROVALS:**

1. Applicant's Name: Grover Durrant  
Property Address: 259 S. Georgia Avenue  
Date of Approval: January 13, 2004 asc  
Work Approved: Repair rotten wood as necessary with new wood to match existing in profile and dimension. Paint new materials to match existing color scheme.
2. Applicant's Name: Charles Martin  
Property Address: 1011 Selma Street  
Date of Approval: January 13, 2004 asc  
Work Approved: Replace rotten wood as necessary with new wood matching existing in profile and dimension. Remove front metal awning. Paint house. (Paint colors to be submitted later.)
3. Applicant's Name: Thomas Roofing  
Property Address: 206 Government Street  
Date of Approval: January 13, 2004 asc  
Work Approved: Repair flat roof as necessary.

4. Applicant's Name: Steve Miller  
Property Address: 209 S. Georgia Avenue  
Date of Approval: January 13, 2004 asc  
Work Approved: Replace rotten wood as necessary to match existing in profile and dimension. Repaint house in the existing color scheme.
5. Applicant's Name: Fauver House Movers for Elizabeth Smith  
Property Address: 202 Roper Street  
Date of Approval: January 13, 2004 weh  
Work Approved: Level foundation from under the house. No work will be visible from exterior view.
6. Applicant's Name: Hicks Stewart LLC  
Property Address: 1206 Dauphin Street  
Date of Approval: January 21, 2004 ascFebruary 13, 2004  
Work Approved: Replace rotten wood with new to match existing in profile and dimension. Repaint house in the following Sherwin Williams color scheme:  
Body: Veranda SW2057  
Trim: Casa Blanca SW 2060  
Shutters and porch: Rookwood Shutter Green SW2809
7. Applicant's Name: Delta Builders, Inc.  
Property Address: 120 Espejo  
Date of Approval: February 13, 2004 asc  
Work Approved: Replace rotten wood with new wood to match existing in profile and dimension. Paint new materials to match existing color scheme.
8. Applicant's Name: Loretta Sanders  
Property Address: 1000 Selma Street  
Date of Approval: January 22, 2004 weh  
Work Approved: Repair or replace damaged wood siding with materials matching existing in profile and dimension. Repaint to match existing. Re-roof brick shed at rear of property.
9. Applicant's Name: Bettye Jackson  
Property Address: 50 LeMoyne Place  
Date of Approval: January 22, 2004 asc  
Work Approved: Repair to rotten wood as necessary with new wood to match existing in profile and dimension; paint in the following Behr colors: 370E-1, Country Dairy; trim-white; deck and steps-color to match existing color.

10. Applicant's Name: Margaret Donald/Contractors of Today  
Property Address: 1560 Luling Street  
Date of Approval: January 23, 2004 weh  
Work Approved: Repair or replace rotten wood with new materials matching existing in profile and dimension. Paint new materials to match existing color scheme.
11. Applicant's Name: Marion Hartley/Contractors of Today  
Property Address: 206 Roper Street  
Date of Approval: January 23, 3004 weh  
Work Approved: Repair or replace rotten wood with new materials matching existing in profile and dimension. Paint new materials to match existing color scheme.
12. Applicant's Name: Kim Muse  
Property Address: 101 S. Lafayette  
Date of Approval: January 23, 2004 weh  
Work Approved: Repaint house in the following BLP color scheme:  
Body: Dauphin Street Light Gold  
Trim: DeTonti Square Off White  
Accent (steps and foundation infill): Savannah Street Dark Brown
13. Applicant's Name: Betty Shinn  
Property Address: 36 McPhillips  
Date of Approval: January 23, 2004 asc  
Work Approved: Repaint house in existing color scheme.
14. Applicant's Name: Todd Henson  
Property Address: 211 Dexter  
Date of Approval: January 26, 2004 weh  
Work Approved: Repaint house in the following Olympic color scheme:  
Body: Pollen  
Trim: White  
Porch floor and rails: Bellingrath green  
Porch Ceiling: Robin's egg blue
15. Applicant's Name: Lee Hale  
Property Address: 501 Church Street  
Date of Approval: January 26, 2004 jdb  
Work Approved: Replace rotten wood as necessary with new matching existing in profile and dimension. Repaint house as necessary in the existing color scheme.

### **OLD BUSINESS:**

1. 017-02/03-CA Retirement Systems of Alabama/Smith Dalia Architects  
Property Address: 8 North Royal Street  
Nature of Request: Request to install storefronts, roof top terrace and extend the balcony per the submitted drawings.

APPLICATION WITHDRAWN by Dan Koch on February 6, 2004.

### **NEW BUSINESS:**

1. **043-03/04-CA** 1417 Brown Street  
Applicant: Larry McKinstry  
Nature of Project: Install 3' wood balustraded fence as per submitted drawing.

Approved conditional upon the fence design being in keeping with the Design Review Guidelines.

2. **044-03/04-CA** 303 Rapier Avenue  
Applicant: Oakleigh Venture Revolving Fund/Douglas Kearley, Architect  
Nature of Project: Install 6' wood privacy fence as per submitted drawing.

APPLICATION WITHDRAWN by Douglas Kearley on February 3, 2004.

3. **045-03/04-CA** 108 Levert Avenue  
Applicant: Tim and Donna Goodwin/ Pete J. Vallas, Architect  
Nature of Project: Construct side and rear addition as per submitted plans.

Approved with the conditions that the addition be more to the rear of the structure, that the existing historic brick not be painted, and that a new submittal be made.

### **OTHER BUSINESS AND ANNOUNCEMENTS**

1. Laura Clarke and Margaret Pappas of the Urban Development Department discussed overlay zoning that is proposed for the historic districts. This will, hopefully, eliminate the need for many variances required in these areas. Information on the proposed overlay as well as a copy of the ordinance were handed out to Review Board members.

On March 25, 2004, there will be a Coastal Smart Growth Conference. The conference fee is \$25.

2. Ed Hooker announced that the previously scheduled Design Committee meeting dealing with 1500 Government Street had been cancelled. The applicants will present a complete design package to the ARB in March.
3. Wanda Cochran explained Board responsibilities under the Alabama Ethics Law. Board members must send a letter to the Ethics Commission when they have appeared before a sister board such as the Planning Commission or Board of Adjustment. MHDC will prepare a form letter for this purpose. In terms of the ARB, a Board member must recuse himself or herself if they have a financial interest—personal, family or business--in a case being heard by the Board.

New copies of the proposed Board rules and regulations will be sent to Board members.

There being no further business, David Tharp moved to adjourn the meeting at 4:50 p.m. The motion was seconded by Harris Oswalt and approved unanimously.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS  
CERTIFIED RECORD**

**043-03/04 – CA**            1417 Brown Street  
**Applicant:**                Larry McKinstry  
**Received:**                1/16/04                      **Meeting Date (s):**  
**Submission Date + 45 Days:**    3/01/04                      1) 2/9/04                      2)                                      3)

**INTRODUCTION TO THE APPLICATION**

**Historic District:**        Old Dauphin Way Historic District  
**Classification:**        Contributing  
**Zoning:**                    R-1 Single Family Residential  
**Additional Permits Required:** (1) Fence  
**Nature of Project:**        Install 3’ wood balustraded fence as per submitted drawing.

Wood fence to run across front property line at sidewalk, turn and die into the east and west corners of the residence as demarcated on site plan.

**APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT**  
*Design Review Guidelines for Mobile’s Historic Districts*

<b><u>Sections</u></b>	<b><u>Topic</u></b>	<b><u>Description of Work</u></b>
3	Fences, Walls and Gates	Install wood balustraded fence

**STANDARD OF REVIEW**

Section 9, STANDARD OF REVIEW, 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 Guidelines state that “These 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 limited to six feet…”
  - 1. The main structure is a one story frame residence with late Victorian detailing.
  - 2. The proposed fence material replicates a late Victorian porch balustrade.

Staff recommends approval of the application as submitted.

### **PUBLIC TESTIMONY**

The applicant did not appear before the Board.  
There was no one present in the audience to speak in favor of or in opposition to the application.

### **BOARD DISCUSSION**

Lynda Burkett asked whether there was any precedent in the historic districts for using a porch railing design as a fence. There was discussion regarding the fences at adjacent properties. Ed Hooker responded that there was no precedent for this fence design and that adjacent properties had no front yard fences.

### **FINDING OF FACTS**

Lynda Burkett moved that the Board adopt as factual finding the facts contained in the staff report and added an additional fact that there is no historic precedent for using balustrade material as fencing. The motion was seconded by Tilmon Brown and passed unanimously.

### **DECISION ON THE APPLICATION**

Lynda Burkett moved to approve the installation and location of the fence on condition that the design of the fence be in keeping with fences illustrated in the Design Review Guidelines and that staff be able to approve on a mid-month basis. Tilmon Brown seconded the motion. Harris Oswalt amended the motion by requesting that the fence be painted. The motion passed. Voting yes—Joe Sackett, Lynda Burkett, Bunky Ralph and Harris Oswalt. Voting no—Tilmon Brown and David Tharp.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS  
CERTIFIED RECORD**

**045-03/04 – CA**            108 Levert Avenue  
**Applicant:**                Tim & Donna Goodwin/ Pete J. Vallas, Architect  
**Received:**                 1/16/04                        **Meeting Date (s):**  
**Submission Date + 45 Days:**    3/01/04                        1) 2/9/04                    2)                                3)

**INTRODUCTION TO THE APPLICATION**

**Historic District:**        Ashland Place Historic District  
**Classification:**         Contributing  
**Zoning:**                    R-1 Single Family Residential  
**Additional Permits Required:** (4) Building, Mechanical, Electrical, Plumbing  
**Nature of Project:**        Construct side and rear addition measuring 32’ wide by the depth of the house,  
as per submitted plans.

Addition to be placed to the right/south of the existing structure.

The proposed work includes the addition of a master bedroom and bath wing to the south of the existing kitchen and the addition of a porch along the entire south side of the existing house. All exterior work will match existing roof pitch and eave details. The entire house is to be re-roofed, existing and new areas, with asphalt shingles to match existing. All new exterior walls to be brick to match existing as close as possible with accents of stained cedar shingles. Due to the difficulty in matching the existing brickwork and mortar, more so in color than texture, the owner also requests permission to paint all existing and new brick work.

**Additional Information:** The ca. 1927 Noble House is a one story brick residence constructed in the English Tudor Revival style. The textured brick of mottled yellow and brown earth-tones reinforces the Tudoresque style.

Staff met with the architect prior to this submission. Among the items discussed were placing the addition behind the south end gable in order to maintain the original appearance of the front façade. The architect expressed the owner’s concern about optimizing the side/rear yard open space.

**APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT**  
**Design Review Guidelines for Mobile’s Historic Districts**

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



3	Doors and Doorways
3	Windows
3	Roof

### STANDARD OF REVIEW

Section 9, STANDARD OF REVIEW, 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...”

#### GENERAL

- A. Item 9, The Secretary of The Interior’s Standards for Rehabilitation, states that “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.
1. The existing residence contains approximately 2100 sf.
  2. The proposed addition contains approximately 693 sf, an increase to the existing structure of approximately 33%.
  3. The porch addition adds an additional 572 sf., a total increase to the existing structure of approximately 60%.
  4. The width of the existing historic front façade measures 36’-6”.
  5. The width of the proposed front addition measures 32’-3 ½”, an increase of approximately 88%.
- B. Item 10, The Secretary of The Interior’s Standards for Rehabilitation, states that “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.
1. The addition begins at the southwest corner and protrudes out from the existing front of the historic residence a distance of 1’-6”. A single bay with cross gable roof, and covered in cedar-shake shingles measures 14’-7” wide.
  2. The addition then steps back in line with the existing front of the main residence and runs a distance of approximately 14’-2” before stepping back a distance of 3’ to accommodate a 3’6” x 8’-5” garden tub bay.
  3. The porch addition, and access onto the porch from the proposed great room will displace 4 original windows and their masonry openings.
  4. The rear addition will displace 4 original windows and their masonry openings, and one exterior door.
- C. If approved as submitted, the changes and alterations to the structure would render the structure non-contributing and no longer historic when the Ashland Place Historic District is resurveyed.

## STAFF REPORT

- A. Piers, Foundations and Foundation Infill: The Guidelines state that “foundation screening should be recessed from the front of the foundation piers.”
1. The existing foundation is solid brick with foundation vents.
  2. The proposed addition is brick matching existing.
- B. Exterior Materials:
1. The Guidelines state that “ Replacement...must match the original in profile and dimension and material.”
    - a. The existing exterior sheathing is brick veneer.
    - b. The proposed exterior sheathing for the addition is cedar shake shingles and brick veneer.
  2. The Guidelines state that “Painting of unpainted brick is inappropriate in some cases”
    - a. The existing textured brick of mottled yellow and brown earth-tones reinforces the Tudoresque style.
    - b. The applicants are proposing to paint the new and existing brick.
- C. Doors and Doorways:  
The Guidelines state that “ Original doors and door openings should be retained along with any mouldings, sidelights and transoms.”
1. There are no exterior doors on the south elevation.
  2. There is one exterior door on the east elevation that will be removed due to the addition.
  3. Six pairs of 15 light wood French doors are proposed for the addition
  4. One single 15 light wood French door is proposed for the rear kitchen addition.
  5. The proposed wood French doors will remove approximately 75% of the existing south elevation.
- D. Windows:
1. The Guidelines state that “Original window openings should be retained as well as original window sashes and glazing.”
    - a. Along with the proposed side porch addition will be the removal of approximately four original windows, and the alteration of four original window openings. These include:  
two pair of 6-over-6 sash, one small 6-over-6 sash, four 2 light-over-5 light casement windows
    - b. The proposed rear addition will require the removal of approximately five original windows and the alteration of five original window openings. These include:  
3 pair of 2 light-over-5 light casement windows and one small 6-over-6 wood sash.
    - c. Where possible, existing historic windows should be reused.
  2. The Guidelines state that “The size and placement of new windows for additions or alterations should be compatible with the general character of the building.”
    - a. Windows in the historic residence are single, double and triple wood 6 -over-6 double hung, and wood casement.
    - b. Proposed windows in the addition are paired wood double hung 6-over-6, and single casement two rows of four panes.
- E. Roofs:  
The Guidelines state that “...historic roof forms, as well as the original pitch of the roof, should be maintained.”

1. The predominant roof form is end gable with decorative cross gable over front door.
2. The roof for the proposed addition continues the line of the existing end gable, with a cross gable over the new master bedroom.

Staff recommends denial of the application as submitted due to the fact that the proposed changes would impair the historic integrity of the structure and the Ashland Place Historic District.

Staff further recommends the following:

That the addition be located at the rear of the residence, creating a wing off the kitchen; a stucco-covered masonry wall across the front from the screened porch to the property line would screen the side yard and create a private courtyard-type setting, per the owner's intention.

That the addition be stucco-covered masonry painted to coordinate with the existing historic brick.

That the south elevation should remain intact with only one opening altered to allow the installation of a pair of wood French doors

That the existing historic brick not be painted.

### **PUBLIC TESTIMONY**

Pete Vallas was present to answer any questions. He stated that the owners were willing to work with the Board. He explained that the request to paint the brick stemmed from the difficulty in matching the old to new brick. This would be a problem since the house is not in good condition and lintels must be rebuilt. He further stated that placing the addition more to the rear would create a large front side yard; there would be no private back yard. The plan as submitted makes use of existing unused space.

Tilmon Brown offered that removing the brick from the existing south elevation would allow for enough old brick to complete the front wall. He also commented that changing multi-lighted sash windows to diamond windows might be a consideration.

David Tharp commented that a change of material and the introduction of a gable larger than the original on the façade emphasized the importance of the master suite.

Mr. Vallas responded that the original gable portion has more architectural detail.

David Tharp also questioned the survey status of the house if this addition were to be constructed.

Devereaux Bemis commented that a resurvey of the district occurs every 10-15 years and will happen within the next several years. The doubling of the façade and loss of the original south elevation will adversely impact the historic structure and the structure will be removed from the district's contributing building list.

There was no additional testimony by the public or city departments in favor of or in opposition to the application.

### **BOARD DISCUSSION**

The Board considered that its mission is to maintain the status of contributing buildings in the historic district. It is true that the historic districts are suffering from success. People want to live in the districts and there is pressure to make large additions to accommodate growing families. These large additions are usually, however, to the rear.

### **FINDING OF FACT**

In numerous motions, General facts A and B and facts A, B, C, D and E in the staff report were unanimously approved.

### **DECISION ON THE APPLICATION**

Lynda Burkett moved to issue a COA with the condition that old brick would be used on the front and 6/6 light wood windows would be changed to diamond shaped windows. The motion died for lack of a second.

David Tharp moved to deny the application. The motion was seconded by Joe Sackett and unanimously approved.

Following the decision, Pete Vallas asked that a more positive decision be rendered in order that his client would be more inclined to examine other solutions.

Lynda Burkett moved to reopen the case. The motion was seconded by Harris Oswalt and passed.

Tilmon Brown moved to uphold its original decision. The motion was seconded by Joe Sackett. The motion failed.

Harris Oswalt moved to approve with conditions to include: placing the addition more to the rear of the existing building; leaving the historic brick unpainted; and making a new submission to the Board. The motion was seconded by Lynda Burkett and passed unanimously.