

**CITY OF MOBILE**  
**ARCHITECTURAL REVIEW BOARD**  
Minutes of the Meeting  
April 12, 2004

**Call to Order**

The meeting was called to order by Acting Chair, Bunky Ralph, at 3:04 p.m.

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

Members Present: Lynda Burkett, Douglas Kearley, David Tharp, Bunky Ralph, Harris Oswalt, Joe Sackett, Tilmon Brown

Members Absent: 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>
N.H. Holmes, III	257 N. Conception St.	701 Government Street
N.H. Holmes, Jr.	257 N. Conception St.	701 Government Street
Edward Cordell		1757-59 Old Shell Rd.
Arthur Smith		1757-59 Old Shell Rd.
Chip Brown		1757-59 Old Shell Rd.
Linda Snapp		1500 Government Street
Terry Plauche	P.O. Box 81182 36689	1500 Government Street
Mary Laughlin		701 Government Street
Robert Hyde		701 Government Street
Amber Guy		701 Government Street
Spencer Watts		701 Government Street
T.E. Latham		1500 Government Street
Francis Johnson	26 McPhillips Ave.	26 McPhillips Avenue

**APPROVAL OF THE MINUTES**

Lynda Burkett moved to approve the minutes of the March 19, 2004 meeting. The motion was seconded by Harris Oswalt and unanimously approved.

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

Douglas Kearley moved to approve the mid-month CoAs. Lynda Burkett seconded the motion which passed unanimously.

**MID MONTH APPROVALS**

1. Applicant's Name: O. C. Wiggins  
Property Address: 1212 Selma Street  
Date of Approval: 3/12/04 asc  
Work Approved: Install new modified bitumen roof on porch.

2. Applicant's Name: Cathedral / Ollinger /Mostellar Construction  
Property Address: 8 S. Claiborne Street  
Date of Approval: 3/12/04 asc  
Work Approved: Construct concrete pad and brick row lock under cast iron fence.
  
3. Applicant's Name: Helen Buttram  
Property Address: 315 S. Monterey Street  
Date of Approval: 3/12/04 asc  
(Renewal of expired CoA.)  
Work Approved: Install approximately 40 running feet of 6 ft. high lattice fencing along north property line. Fence will meet existing 6 ft. high masonry wall at rear of lot.
  
4. Applicant's Name: Brian & Terry Hartzell  
Property Address: 24 Blacklawn Street  
Date of Approval: April 16, 2004 jdb  
Work Approved: Replace termite damaged rotten wood on front porch columns and as necessary with new materials to match existing in profile and dimension and materials. Replace rotten door with new door to match existing in profile and dimension. Paint all new materials to match existing color scheme. Repair sidewalk with concrete to match existing in profile and dimension. Remove rotten carpet from front porch floor and steps. Paint to match existing color scheme.
  
5. Applicant's Name: Bert Noojin/John Reynolds  
Property Address: 222 S. Dearborn Street  
Date of Approval: 3/12/04 asc  
Work Approved: Repair fire damage to rear of building. The rear including porch will be reproduced to match the original design. All materials to match original in profile and dimension.  
Paint exterior to match existing color scheme.
  
6. Applicant's Name: Lana Kershner  
Property Address: 264 Roper Street  
Date of Approval: 3/15/04 asc  
Work Approved: Re-roof house with three tab shingles, charcoal grey/black in color.
  
7. Applicant's Name: Bettie B. Champion  
Property Address: 116 S. Georgia Avenue  
Date of Approval: 3/15/04 weh  
Work Approved: Install cream colored storm windows as per submitted plans.
  
8. Applicant's Name: F. L. DuValle  
Property Address: 204 Government Street  
Date of Approval: 3/15/04 weh

- Work Approved: Remove and replace two ground level windows to match existing in profile and dimension. Install iron security shields on four ground level windows to match existing.
9. Applicant's Name: Bill Hines  
Property Address: 211 Rapier  
Date of Approval: 3/16/04 weh  
Work Approved: Re-roof house with Timberline shingles weathered wood in color to match existing.
10. Applicant's Name: Terry Parker  
Property Address: 1322 Chamberlain  
Date of Approval: 3/16/04 asc  
Work Approved: Replace rotten wood as necessary with new materials matching existing in profile and dimension. Repaint house in the following Sherwin Williams color scheme:  
Body: Polished Mahogany  
Trim: Roycroft Vellum  
Accents, deck and shutters: Quartersawn Oak, or Craftsman Brown
11. Applicant's Name: Susan Rhodes / Pete's Home Improvements  
Property Address: 22 South Ann Street  
Date of Approval: 3/18/04 weh  
Work Approved: Level foundation by replacing rotten wood and repairing brick piers. Any new materials to match existing in profile and dimension.
12. Applicant's Name: Albert Stafford  
Property Address: 107 Macy Place  
Date of Approval: 3/18/04 asc  
Work Approved: Install new screen in front porch and do touch up painting to match existing color scheme.
13. Applicant's Name: M & A Stamp and Sign Company  
Property Address: 501 Church Street  
Date of Approval: 3/18/04 weh  
Work Approved: Replacement sign to match existing in size, color and shape.
14. Applicant's Name: Nick and Sue Simpson  
Property Address: 200 S. Georgia  
Date of Approval: 3/18/04 weh  
Work Approved: Replace rotten wood with new matching existing in profile and dimension. Repaint in existing color scheme. Re-roof front porch with materials to match existing in color and profile.

15. Applicant's Name: Jack Zieman  
Property Address: 701 St. Michael  
Date of Approval: 3/18/04 jss  
Work Approved: Remove debris inside and around property.
16. Applicant's Name: John Lemonte / A I Roofing and Construction  
Property Address: 59 S. Julia  
Date of Approval: 3/19/04 weh  
Work Approved: Re-roof with three tab fiberglass shingles, grey to match garage roof. Re-paint with existing color scheme.
17. Applicant's Name: Matthew Warren  
Property Address: 26 S. Monterey Street  
Date of Approval: 3/22/04 asc  
Work Approved: Wood repair as necessary with new wood to match existing in dimension and profile;  
Paint exterior in the following BLP colors:  
Body-Conti Street Gray Green  
Trim- white  
Porch deck-black.
18. Applicant's Name: The Salvation Army/ Holmes & Holmes, Architects  
Property Address: 1009 Dauphin Street  
Date of Approval: 3/19/04 weh  
Work Approved: Cut out existing deteriorated spalled brick and replace with new brick matching existing in profile and dimension. Repoint areas of brick and cast stone as necessary.
19. Applicant's Name: Walker Investments  
Property Address: 470-476 Dauphin Street  
Date of Approval: 3/24/04 weh  
Work Approved: Repair/replace existing deteriorated materials matching existing in profile and dimension. Prime new wood.
20. Applicant's Name: Robert Swartz  
Property Address: 13 North Reed Avenue  
Date of Approval: 3/29/04 asc  
Work Approved: Replace rotten wood as necessary to match existing in profile and dimension. Repaint in existing color scheme.

**OLD BUSINESS:**

1. **051-03/04-CA:** 26 McPhillips Avenue  
Applicant: Francis Johnson  
Nature of Project: Cover & screen existing deck as per submitted plans. Install galvalume metal roof on entire house.

TABLED from March 8, 2004 meeting.

**APPROVED.** Certified Record attached.

2. **033-03/04-CA** 1500 Government Street  
Applicant: Saad-Vallas, Realtors/Clark Geer Latham, Architects, Dan Elcan, Developer  
Nature of Project: Construct multi-tenant shopping center as per submitted plans. Relocate 2 existing structures as per submitted plans. Follow-up from approval with conditions by ARB 3/8/04.

**APPROVED.** Certified Record attached.

**NEW BUSINESS:**

1. **054-03/04-CA** 500 Canal Street  
Applicant: Freddie & Virginia Sigler  
Nature of Request: Construct 6' stucco-covered masonry fence along east and west property lines as per submitted plan.  
Construct 6' wood shadow box fence along north property line as per submitted plan.

**APPROVED.** Certified Record attached.

2. **055-03/04/CA** 1751-1759 Old Shell Road  
Applicant: Cornell Family Properties  
Nature of Request: Demolish/remove two historic properties to install parking for adjacent commercial development.

**DENIED.** Certified Record attached.

3. **056-03/04/CA** 1702 Government Street  
Applicant: Sai Wo Au and Sin Ming Au  
Nature of Request: Install 3' wood picket fence from sidewalk back to tie into existing stone wall as per submitted site plan.

**APPROVED.** Certified Record attached.

4. **057-03/04-CA** 955 Church Street  
Applicant: Bill May/ Douglas Kearley Architect  
Nature of Request: Construct 10' x 24' Orangerie with hardiplank lap siding or board & batten siding and copper standing seam roof and wood windows with multi-divided lights, as per submitted plans.

**APPROVED.** Certified Record attached.

5. **058-03/04-CA** 753 Government Street  
Applicant: City of Mobile/Mobile Public Library  
Nature of Request: Install new bronze storefront system into existing structure as per submitted plans. Remove existing orange clay tile and replace with new stucco finish.

**APPROVED.** Certified Record attached.

6. **059-03/04-CA** 701 Government Street  
Applicant: Mobile Public Library/Holmes & Holmes, Architects  
Nature of Request: Construct rear addition as per submitted plans.

**APPROVED.** Certified Record attached.

### **Other Business and Announcements:**

1. NAPC Conference, July 15-18 – Indianapolis, Indiana  
Conference Hotel: Crowne Plaza at Union Station  
Ed Hooker reported that June 1<sup>st</sup> is the deadline for Review Board members to commit to attending the NAPC Conference. Wanda Cochran encouraged all new ARB members to attend.
2. Introduction of a Resolution to require development within the Historic Districts to plant one tree with a 3” caliper for every extra parking space over the minimum required by zoning.  
Devereaux Bemis suggested the Board adopt written landscaping guidelines for use in commercial applications, such as parking lots. Board members can discuss this issue at the next meeting.  
Wanda Cochran suggested that staff investigate the way in which other cities such as Charleston and Savannah handle parking lots and landscaping requirements. Any amendments to the guidelines will have to be advertised for public comment prior to adoption.
3. Discussion of the appropriateness of woven wire fencing.  
While it is an early 20<sup>th</sup> century fencing type, its application was more common in rural settings. There were questions regarding the character of posts that would be used.
4. Discussion of new material, Tendura, to use as a replacement porch material.  
Although the product is made in a tongue and groove application, without further information, the product should be reserved for new construction rather than existing historic buildings.

5. Zoning overlay district.

Board members asked Wanda Cochran about the status of the overlay district. She reported that it is on the May 6<sup>th</sup> Planning Commission agenda. Commercial realtors, led by Lee Metzger, are in opposition to the commercial application of the overlay. They do not oppose the overlay in residential situations. There is an amendment which will look at a 300 ft. rather than 150 ft. view shed to determine appropriate setbacks, which may actually improve the ordinance.

There being no further business, the meeting was adjourned at 4:00 p.m.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS  
CERTIFIED RECORD**

051-03/04 – CA            26 McPhillips Avenue  
**Applicant:**            Francis Johnson  
**Received:**            3/29/04                    **Meeting Date (s):**  
**Submission Date + 45 Days:** 5/12/04    1) 3/22/04    2) 4/12/04            3)

**INTRODUCTION TO THE APPLICATION**

**Historic District:**        Old Dauphin Way Historic District  
**Classification:**        Contributing  
**Zoning:**                    R-1, Single Family Residential

**Additional Permits Required:** (4) Building, Mechanical, Electrical, Plumbing

**Nature of Project:**        Construct screened wall structure and roof structure over existing wood deck as per submitted plans.  
The existing deck measures 12’ x 16’. The proposed addition contains a 12’ x 6’ enclosed storage room and a 12’ x 10’ screened in porch. Existing rear door to open into storage area. New six panel wood door to open from storage area to screened porch. Removal of existing triple steel casement window and single three-over-one double hung wood window.

The following is a list of proposed building materials:

- a. foundation – existing wood deck
- b. façade – wood lap siding at chair-rail height, paneled screen above
- c. doors – wood six panel

**Additional Information:**

This application included additional work items that were approved by Staff on a mid-month basis:

- Removal of vinyl siding
- Repair or replacement of rotten wood
- Painting
- Construction of MHDC stock plan garage

This application was TABLED at the March 22, 2004 meeting of the ARB to allow the applicant the opportunity to be present to answer questions of the Board. Copies of the Certified Record and correspondence to the applicant are attached, along with revised drawings.

**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	Additions	Construct addition over existing deck

*Guidelines for New Commercial and Residential Construction in Mobile’s Historic Districts*

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
3,II	Massing and Scale	Construct addition over existing deck
3,III	Façade Elements	
3,IV	Materials and Ornamentation	
3, IV, A	Appropriate Materials for New Residential Construction	

**STANDARD OF REVIEW**

Section 9, STANDARD OF REVIEW, of the Historic Preservation Ordinance states that “In the case of a proposed addition, that such addition will not, in itself, or by reason of its location on the site, materially impair the architectural or historical value of the buildings on adjacent sites or in the immediate vicinity and that such building will not be injurious to the general visual character of the Historic District in which it is to be located.”

**STAFF REPORT**

**3,II**

**I. Massing and Scale:**

- A. The guidelines state that new construction should consider roof shapes, pitches and complexity
  - 1. The roof of the main structure is cross gable with jerkinheads.
  - 2. The proposed roof design is a shed roof extension of the main roof.

**3, III**

**II. Façade Elements:**

The guidelines state that new construction should reflect the use of façade elements of nearby historic buildings.

- A. The existing 1 story wood frame structure is a frame bungalow.
- B. The proposed addition is proposed to be lap-sided with screened areas.

**3, IV**

**III. Materials and Ornamentation:**

- A. The guidelines provide a list of appropriate materials for compatible new construction.
  - 1. The main structure on site is one story wood frame with lap siding (under existing vinyl siding, which is being removed)
  - 2. The proposed addition is wood lap siding with screen panels.

Staff recommends approval as submitted.

### **PUBLIC TESTIMONY**

The applicant was present to explain that the rear shed roof would begin higher up on the main roof so that an 8 ft. wall height would be achieved on the addition. He discussed that the low pitch of the roof precluded the use of shingles, and that that was the determining factor in his request to install a uniform galvalume roof on the building. In addition he wanted the additional insulating factor that a metal roof would provide. The entire addition will not be visible from the street.

### **BOARD DISCUSSION**

Board members felt that many houses in the district had metal roofs and that it would be acceptable on this bungalow.

### **FINDING OF FACTS AND DECISION ON THE APPLICATION**

Douglas Kearley found the facts in the staff report and moved to issue a CoA. The motion was seconded by Lynda Burkett and approved unanimously.

Certificate of Appropriateness Expires on 4/12/05.



The Nuttal Oaks specified for the interior parking are specified for 1" – 1 ¼" caliper. Southern Live Oaks proposed along Etheridge Street at the location of the moved historic residences are specified for a 1" – 1 ¼" caliper.

**3. The outparcel to be sodded -**

The revised landscaping plan calls for the site to be seeded & mulched after the removal of the asphalt.

**4. Submission of a Revised Landscape Plan –**

**Lighting Plan –**

11 pole lights in parking lot, bronze in color – cut sheet provided  
Exterior building lighting cut sheets also provided

**Dumpster Design –**

The proposed Dumpster Enclosure measures 56' wide x 11'-4" deep, and is enclosed by a 6'-4" high split faced concrete block wall with a 2" concrete cap. The front elevation is broken into 5 bays with double gates mounted on 6" diameter galvanized posts. Gates proposed to be constructed of 2" x 6" wood.

**5. Storefronts to be dark bronze with clear glazing and reintroduction of the bulkhead –**

Material & color information for the storefront systems were not specified. However, during the Public Testimony portion of the March 8, 2004 meeting, the architects noted that the storefronts would be dark bronze with clear glazing.

The bulkhead is expressed in the most recent elevations. Bulkhead materials include split faced concrete block and face brick.

**6. Straight cornice line between the pediments or match other two pediments –**

Revised drawings reflect a straight parapet between the two gables.

**7. Storefront and canopy be extended 2 structural bays on the Catherine Street elevation –** instead of following the Board's condition, the revised drawings reflect the addition of another bank of triple windows in the second structural bay. Please refer to elevations.

**8. Two story house have a front yard setback of 35' –**

The most current drawings reflect a front yard setback of 35'.

**9. Fencing design for north property line –**

Proposed fencing design for the north property line is an 8' wood dog-eared privacy fence, constructed of 5/8"x 6" pressure treated pine mounted on 4"x4" posts spaced 8' apart.

**10. Wall design along Etheridge Street –**

Proposed 6' wall is constructed of 8" thick split faced concrete block with a 2" concrete cap. 12" pilasters spaced every 20'.

Proposed 3' wall is constructed of 8" thick split faced concrete block with a 2" concrete cap. 12" pilasters spaced every 20'.

**11. A "For Construction" set of plans –**

The plans submitted are marked "Released for Construction – March 25, 2004"

The Title Page is stamped by the Civil, Structural and Electrical Engineers, and the Architect of Record.

### **PUBLIC TESTIMONY**

Devereaux Bemis proposed a compromise that modified the revised landscaping plan currently before the Board. While perimeter trees were 3" caliper, interior trees were to be 1 ½" caliper. He proposed that all exterior perimeter trees on the Shoppes of Midtown site as well as interior locations where the planting islands were largest be 3", with the remaining trees being 1 ½" nuttall oaks. Frontage trees on the two Etheridge Street lots would also be 3" caliper.

The applicants agreed to this compromise.

Terry Plauche explained that nuttall oaks would grow to approximately 60 ft. and be 8 in. in diameter. He also explained that Note 11 on the landscaping plan specifies that all trees on the site will be protected. In addition, grass is not shown on the outparcel on this plan since grassing of the outparcel will be handled under the engineering component of the project.

Lynda Burkett asked about the Catherine Street elevation that showed several windows but no storefront or canopy. Linda Snapp replied that a canopy in this location would not be helpful to pedestrians and small windows were preferred to a full storefront.

There was no one to speak in opposition to the project.

### **BOARD DISCUSSION**

There was no additional Board discussion.

### **FINDING OF FACTS AND DECISION ON THE APPLICATION**

Lynda Burkett moved to issue a CoA conditional upon changes in the caliper of trees agreed to at the meeting. The motion was seconded by Bunky Ralph and unanimously approved.

Certificate of Appropriateness Expires on 4/12/05.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS  
CERTIFIED RECORD**

**054-03/04 – CA**            500 Canal Street  
**Applicant:**            Freddie & Virginia Sigler  
**Received:**            3/29/04                    **Meeting Date (s):**  
**Submission Date + 45 Days:** 5/12/04            1) 4/12/04            2)                            3)

**INTRODUCTION TO THE APPLICATION**

**Historic District:**       Church Street East Historic District  
**Classification:**       Non- Contributing (new construction)  
**Zoning:**                R-B, Residential Business  
**Additional Permits Required:** (1) Fence  
**Nature of Project:**    Construct 6’ high wood shadowbox along north property line as per submitted plan.  
                                  Construct 6’ high stucco-covered- masonry with brick pier wall along east property line  
                                  as per submitted 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 & Gates	Construct wood fence Construct masonry 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 “The appropriateness of accessory structures shall be measured by the guidelines applicable to new construction. The structure should compliment the design and scale of the main building.”
1. The main structure is a two story masonry veneer structure.
  2. The proposed fencing on the north property line is a 6’ high wood shadowbox.
  3. The proposed wall for the east property line is a 6’ high stucco-covered masonry fence with brick piers.

Staff recommends approval of the application as submitted.

**PUBLIC TESTIMONY**

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

**BOARD DISCUSSION**

Douglas Kearley questioned the setbacks. Ed Hooker explained that setbacks are 0ft. or 5 ft. in R-B districts. No variance will be required to set fence and wall at sidewalk.

**FINDING OF FACTS AND DECISION ON THE APPLICATION**

Douglas Kearley moved to find the facts in the staff report and to issue a Certificate of Appropriateness. The motion was seconded by Lynda Burkett and passed unanimously.

Certificate of Appropriateness Expiration Date: 4/12/05

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS  
CERTIFIED RECORD**

055-03/04 – CA            1751-1759 Old Shell Road  
**Applicant:**                Cornell Family Properties/Arthur Smith Real Estate  
**Received:**                3/29/04                            **Meeting Date (s):**  
**Submission Date + 45 Days:** 5/12/04                            1) 4/12/04    2)                            3)

**INTRODUCTION TO THE APPLICATION**

**Historic District:**        Old Dauphin Way Historic District  
**Classification:**        Contributing  
**Zoning:**                    B-2, Neighborhood Business  
**Additional Permits Required:** (4) Building, Mechanical, Electrical, Plumbing

**Additional Information:** The City of Mobile Planning Commission approved the re-subdivision of this property

**Nature of Project:**        Demolish two existing historic residential structures in order to increase parking to meet City of Mobile Parking Requirements to accommodate new 6,000 sf restaurant in the rear of the existing structure located at 1751 Old Shell Road, corner of Old Shell and Semmes Avenue.

**STANDARD OF REVIEW**

**APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT**  
*Mobile City Ordinance – Chapter 44 – “Historic Preservation”*

<b><u>Sections</u></b>	<b><u>Topic</u></b>	<b><u>Description of Work</u></b>
10	Demolition/Relocation	Demolish 2 historic structures

Section 10, DEMOLITION/RELOCATION (pp. 19-21), states the following: *“The Board shall not grant Certificates of Appropriateness for the demolition or relocation of any property within a historic district unless the Board finds that the removal or relocation of such building will not be detrimental to the historical or architectural character of the district...”*

**STAFF REPORT**

- A. Based on the Ordinance, the Facts are as follows:
1. Historic or Architectural Significance:
    - a. 1757 Old Shell Road is a one story frame vernacular structure, constructed ca. 1910.
    - b. 1757 Old Shell Road is a contributing structure within the Old Dauphin Way Historic District.
    - c. 1759 Old Shell Road is a one story frame vernacular structure, constructed ca. 1910.
    - d. 1759 Old Shell Road is a contributing structure within the Old Dauphin Way Historic District.

- e. 1757 and 1759 were 2 of the 4 earliest residences to be constructed on this site. 1761-1771 were built after 1925 according to the 1925 Sanborn Map.

2. Importance to the Integrity of the District:

- a. 1757 Old Shell Road is 1 of 8 existing residential structures in a row between Semmes Avenue and Kenneth Avenue.
- b. 1759 Old Shell Road is 1 of 8 existing residential structures in a row between Semmes Avenue and Kenneth Avenue.

3. Ability to Reproduce Historic Structures:

- a. The type and quality of the materials used in the construction of both 1757 and 1759 Old Shell Road are no longer readily available.
- b. In the event that reconstruction was attempted, the cost to reproduce 1757 and 1759 Old Shell Road would be prohibitively expensive.

4. Ensemble of Historic Buildings Creating a Neighborhood:

- a. The subject area along Old Shell Road was once an intact, thriving neighborhood complete with both parochial and public educational facilities (Old Shell Road School, St. Mary's and McGill-Toolen) Nixon's Pharmacy, Weinaker's Service Station (now Twigs Flower shop), a corner grocery store (site of The Market at Old Shell), and numerous stores on the northwest corner of Kenneth and Louiselle (formerly Indiana Avenue).

5A. Proposed Redevelopment Plans for the Site:

- a. Information presented by the applicant suggests that negotiations are ongoing to place a Brennan's Restaurant in the rear portion of the existing structure located at 1751 Old Shell Road, at the Corner of Old Shell and Kenneth.

(1). Proposed Replacement Plans:

- (a) Information provided by the applicant proposes to remove 2 historic residential structures and redevelop the site for parking.
- (b) Currently there are approximately 30 existing parking spaces
- (c) Based on current zoning and use codes, 61 parking spaces are required. With the additional 3 handicapped spaces, 64 spaces are proposed.
- (d) The removal of 2 historic residential structures and the reconfiguration of traffic circulation within the confines of the existing parking lot will create 37 new spaces, and eliminate 6 existing spaces, for a total of 31 new parking spaces.
- b. A letter from a representative of Brennan's Restaurant was provided by the applicant.
- c. The letter provided by the Brennans is not definite in its intent to locate at this site.

5B. Effect of Proposed Project on the Old Dauphin Way Historic District:

- a. The removal of 1757 and 1759 Old Shell Road would expand the size the current existing parking lot.
- b. The removal of 1757 and 1759 Old Shell Road would further degrade the streetscape along this relatively intact section of Old Shell Road.
- c. The removal of 1757 and 1759 Old Shell Road would adversely affect the architectural, cultural, historical, social, aesthetic and environmental character of not only this section of Old Shell Road but also the Old Dauphin Way Historic District.

- d. The 25% decrease of residential unites in this area of Old Shell Road will result in the loss of critical mass, leading to future abandonment and the loss of residential character.

B. Content of Application:

1. Property information:

- a. 1757 Old Shell Road was acquired by the applicant in August 2000 for \$62,500.
- b. The applicant states that the property is in Good/Fair condition.
- c. 1759 Old Shell Road was acquired by the applicant in January 2004 for \$72,000.
- d. The applicant states that the property is in Good/Fair condition.
- e. Both residences appear to be occupied.

2. Alternatives Considered:

- a. The applicants stated that there have been no alternatives considered to the demolition/removal of 1757 and 1759 Old Shell Road.
- b. Information presented in the application suggests that both 1757 and 1759 Old Shell Road were purchased for speculative demolition.

3. Sale of Property by Current Owners:

- a. Information presented in the application notes that 1757 and 1759 Old Shell Road have not been listed for sale.
- b. Information presented by the applicant suggests that both 1757 and 1759 Old Shell Road have no intention of listing the properties for sale.

4. Financial Proof:

- a. A letter of financial support from Regions Bank was provided by the applicant (copy attached.)
- b. The letter provided by Regions Bank lists no specific support for the subject project.

### **STAFF RECOMMENDATION**

In considering the application, staff noted the letter from the Brennan's Restaurant is both vague and non-committal. In addition, should a restaurant make a commitment, staff would recommend that the property owners pursue the following alternatives:

- (1) Seek an off-site parking variance (identical to the one just approved by the Board of Zoning Adjustment for the law offices of Moore & Wolfe on Dauphin Street)
- (2) Pursue concept of on-street parking on Semmes Avenue (identical to the parking situation at Guidos and La Pizzeria)
- (3) Seek a variance to allow reduction in required number of parking places.
- (4) Explore agreement with Mobile School Board to use open space across Old Shell Road as overflow parking.
- (5) Leave existing historic buildings onsite and expand parking behind.

Finally, since the buildings are contributing structures within the Old Dauphin Way Historic District, as both individual properties and part of the ensemble along Old Shell Road, staff recommends denial of the application.

## **PUBLIC TESTIMONY**

Arthur Smith explained that Cornell Family Properties had acquired the two houses on Old Shell Road and that they are currently zoned B-2.

Chip Brown, a resident of Gilbert Street, spoke in opposition to the application. While he appreciated what the owner had done to improve the Regan Building, Old Shell Road was losing its residential component. Should the business fail, the houses will be gone and the community will be left with a parking lot. He requested that the Board deny the application in order to save the residential character of Old Shell Road.

Mr. Cornell explained that he had tried to find someone interested in relocating the houses and had even offered them to the City, but had no response. He expressed his frustration in not being able to find anyone willing to move them.

Lynda Burkett asked about the formula for parking that was used to determine the required spaces. She expressed that preserving the adjacent residential neighborhood would encourage people to walk to the proposed restaurant. The owner expressed that 1 for every 1,000 square feet was used to calculate the required number of parking spaces.

## **BOARD DISCUSSION**

There was no Board discussion.

## **FINDING OF FACTS**

David Tharp moved to find the facts in the staff report. The motion was seconded by Lynda Burkett and approved.

## **DECISION ON THE APPLICATION**

Douglas Kearley moved to approve the application with the five conditions enumerated in the staff report. The motion died for lack of a second.

Tilmon Brown moved to deny the application. The motion was seconded by Lynda Burkett and approved.

David Tharp moved that the owner consider the 5 recommendations in the staff report:

- (1) Seek an off-site parking variance (identical to the one just approved by the Board of Zoning Adjustment for the law offices of Moore & Wolfe on Dauphin Street)
- (2) Pursue concept of on-street parking on Semmes Avenue (identical to the parking situation at Guidos and La Pizzeria)
- (3) Seek a variance to allow reduction in required number of parking places.
- (4) Explore agreement with Mobile School Board to use open space across Old Shell Road as overflow parking.
- (5) Leave existing historic buildings onsite and expand parking behind.

The motion was seconded by Douglas Kearley and approved.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS  
CERTIFIED RECORD**

056-03/04 – CA            1702 Government Street  
**Applicant:**            Sai Wo Au & Sin Ming Au  
**Received:**            3/29/04                    **Meeting Date (s):**  
**Submission Date + 45 Days:** 5/12/04            1) 4/12/04            2)                    3)

**INTRODUCTION TO THE APPLICATION**

**Historic District:**        Old Dauphin Way Historic District  
**Classification:**        Non - Contributing  
**Zoning:**                B-1, Buffer Business  
**Additional Permits Required:** (1) Fence  
**Nature of Project:**        Construct 3’ wood picket fence as per submitted site plan.

**APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT**

<b><u>Sections</u></b>	<b><u>Topic</u></b>	<b><u>Description of Work</u></b>
3	Fences, Walls & Gates	Install 3’ 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 “The appropriateness of accessory structures shall be measured by the guidelines applicable to new construction. The structure should compliment the design and scale of the main building.”
1. The main structure is a one story concrete block with glass storefront strip center.
  2. The proposed fencing is 3’ wood picket.

Staff recommends approval of the application as submitted.

**PUBLIC TESTIMONY**

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

**BOARD DISCUSSION**

David Tharp requested clarification on the placement of the picket fence. Ed Hooker explained that the fence was to be constructed to eliminate cut through foot traffic and would be only 6-8 ft. in length.

**FINDING OF FACTS AND DECISION ON THE APPLICATION**

Douglas Kearley moved to find the facts in the staff report and to issue a Certificate of Appropriateness. The motion was seconded by David Tharp and approved.

Certificate of Appropriateness Expiration Date: 4/12/05

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS  
CERTIFIED RECORD**

057-03/04 – CA            955 Church Street  
**Applicant:**            Bill May, Owner/Douglas Kearley, Architect  
**Received:**            3/29/04                    **Meeting Date (s):**  
**Submission Date + 45 Days:** 5/12/04            1) 4/12/04            2)                    3)

**INTRODUCTION TO THE APPLICATION**

**Historic District:**        Oakleigh Garden Historic District  
**Classification:**        Contributing  
**Zoning:**                R-1 Single Family Residential  
**Additional Permits Required:** (1) Fence  
**Conflicts of Interest:** Douglas Kearley recused himself from discussion on the application.  
**Nature of Project:**        Construct orangerie measuring 10’ x 24’ as per submitted drawings.

Building to be constructed of wood frame, concrete slab foundation, with either hardiboard lap siding or reverse wood board and batten siding. Roof to be end gable with copper roofing. Small front porch with pedimented roof supported by 6”x 6”wood columns.  
Building to be located at the rear of the existing residence, facing east.

**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	Accessory Structures	Construct outbuilding

**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 “The appropriateness of accessory structures shall be measured by the guidelines applicable to new construction. The structure should compliment the design and scale of the main building.”
1. The main structure is a ca. 1887 one story frame Victorian cottage constructed on brick piers with lap siding, 5 bay front porch with sawcut architectural detail, and a monolithic hipped roof.
  2. The proposed storage building is proposed to be either hardiplank lap siding or reverse board and batten with an end gable copper roof.

Staff recommends approval of the application as submitted.

**PUBLIC TESTIMONY**

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

Board members Sackett and Burkett questioned the proposed location of the outbuilding and its setback. Ed Hooker explained that the building would be located behind the house and not visible from the street. In addition, its proposed location met setback requirements.

### **BOARD DISCUSSION**

There was no Board discussion.

### **FINDING OF FACTS AND DECISION ON THE APPLICATION**

Lynda Burkett moved to find the facts in the staff report and to issue a Certificate of Appropriateness. The motion was seconded by David Tharp and approved.

Certificate of Appropriateness Expiration Date: 4/12/05



**PUBLIC TESTIMONY**

No public testimony was offered in favor of or in opposition to the application.

**BOARD DISCUSSION**

There was no Board discussion

**FINDING OF FACTS AND DECISION ON THE APPLICATION**

Douglas Kearley moved to find the facts in the staff report and to issue a Certificate of Appropriateness. The motion was seconded by Lynda Burkett and approved.

Certificate of Appropriateness Expiration Date: 4/12/05

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS  
CERTIFIED RECORD**

**059-03/04 – CA**            701 Government Street  
**Applicant:**            City of Mobile, Mobile Public Library/ Holmes & Holmes, Architects  
**Received:**            3/29/04                            **Meeting Date (s):**  
**Submission Date + 45 Days:** 5/12/04                            1) 4/12/04    2)                            3)

**INTRODUCTION TO THE APPLICATION**

**Historic District:**       Church Street East Historic District  
**Classification:**       Contributing

**Additional Permits Required:** (4) Building, Mechanical, Electrical, Plumbing

**Additional Information:** The ARB reviewed preliminary plans for an addition to the main branch of the Mobile Public Library in 2000.

**Conflicts of Interest:** Douglas Kearley recused himself from discussion on the application.

**Nature of Project:**    Construct rear addition at the southeast corner of the existing historic building as per submitted plans.

- a. foundation – solid, stucco-covered masonry
- b. façade – pre-cast concrete panels
- c. doors – anodized bronze aluminum storefront with clear glass
- d. windows – aluminum casement with clear glass

**STANDARD OF REVIEW**

Section 9, STANDARD OF REVIEW, of the Historic Preservation Ordinance states that “ In the case of a proposed addition, that such addition will not, in itself, or by reason of its location on the site, materially impair the architectural or historical value of the buildings on adjacent sites or in the immediate vicinity and that such addition will not be injurious to the general visual character of the Historic District in which it is to be located.”

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

<b><u>Sections</u></b>	<b><u>Topic</u></b>	<b><u>Description of Work</u></b>
3	Design Standards for New Construction	Construct addition to main library
3,I	Placement and Orientation	
3,II	Massing and Scale	
3,IV	Materials and Ornamentation	
3, IV, A	Appropriate Materials for New Commercial Construction	

## STAFF REPORT

- A. In Staff's judgment, the proposed addition to the existing ca. 1926 Main Branch of the Mobile Public Library, designed by Mobile architect George Rogers, will not impair the architectural integrity of the structure or the Church Street East Historic District.

### 3,I

#### **I. Placement and Orientation:**

- A. The guidelines state that new construction should be placed on the lot so that setback and spacing approximate those of nearby historic buildings.
1. The proposed addition is located at the southeast corner of the existing building.
  2. A Cooling Tower is to be located across Scott Street behind the Jr. Miss headquarters.

### 3,II

#### **II. Massing and Scale:**

- A. The guidelines state that additions should reference the massing of forms of nearby historic buildings.
1. The proposed addition repeats the massing of the historic library building.
- B. The guidelines state that new buildings should have foundations similar in height to those of nearby historic buildings.
1. The proposed addition repeats the foundation treatment, including the water table, of the historic library building.
- C. The guidelines state that additions should consider roof shapes, pitches and complexity similar to or compatible with those of adjacent historic buildings.
1. The proposed addition repeats the design of the existing moulded parapet in profile and dimension.

### 3, IV

#### **III. Materials and Ornamentation:**

- A. The guidelines provide a list of appropriate materials for compatible new construction.
1. The proposed façade materials are compatible with the existing historic structure.
  2. The architect has stated that the expansion joints and patterning shown on the plan will not be as visible and as numerous in the completed project.

Staff recommends approval as submitted.

## PUBLIC TESTIMONY

A question was asked regarding the setback of the addition from Washington Street. Nicholas Holmes, III responded that the setback was determined by the setback of the existing building. The landscaping plan would come at a later time as well as specifics on the exterior color and texture.

There was no additional testimony in favor of or in opposition to the application.

**BOARD DISCUSSION**

There was no Board discussion on the application.

**FINDING OF FACTS**

Lynda Burkett moved to find the facts in the staff report. The motion was seconded by David Tharp and approved.

**DECISION ON THE APPLICATION**

David Tharp moved to issue a Certificate of Appropriateness. The motion was seconded by Harris Oswalt and approved.

Certificate of Appropriateness Expiration Date: 4/12/05