

CITY OF MOBILE
ARCHITECTURAL REVIEW BOARD
Minutes of the Meeting
May 9, 2005

CALL TO ORDER

The meeting was called to order at 3:00 p.m. by Chair, Cindy Klotz.

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

Members Present: Lynda Burkett, Michael Mayberry, David Tharp, Bunky Ralph, Harris Oswald, Cindy Klotz, Tilmon Brown, alternate Jim Wagoner, and alternate Andrew Martin.

Members Absent: Douglas Kearley, Robert Brown, Joe Sackett, Cameron Pfeiffer.

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

<u>In Attendance</u>	<u>Mailing Address</u>	<u>Item Number</u>
Thomas and Eleesha Neese	4135 Hollysprings, 36693	047-04/05-CA
David M. Tacon	1412 Church St.	045-04/05-CA
Doug Anderson	P.O. Box 16406	036-04/04-CA
Curtis Strange	256 Stocking St.	047-04/05-CA
George Ralph	254 Stocking St.	047-04/05-CA
Linda Snapp	30900 Wellington Ct.	036-04/05-CA
David Y. Maness	22 S. Ann St.	046-04/05-CA
D.C. Smith	302 Congress St.	048-04/05-CA
Barre C. Dumas	P.O. Box 870 36601	047-04/05-CA

A motion to approve the minutes as posted on the web site was made by Bunky Ralph. The motion was seconded by David Tharp and approved.

A motion to approve the mid-month Certificates of Appropriateness was made by David Tharp. The motion was seconded by Harris Oswald and approved.

MID MONTH APPROVALS

1. Applicant's Name: Jerry Foy
Property Address: 105 Espejo Street
Date of Approval: 4/13/05 weh
Work Approved: Remove existing deteriorated picket fence from front property line. Construct new wood fence recessed back to the line of the corner house facing Brown Street as per submitted site plan.
2. Applicant's Name: Rhett Barry
Property Address: 1557 Luling Street
Date of Approval: 4/14/05 weh
Work Approved: Construct wood deck as per submitted design using MHDC stock rail design number 1.
3. Applicant's Name: Wrico Signs
Property Address: 1358 Dauphin Street
Date of Approval: 4/14/05 weh
Work Approved: Change out sign face as per submitted design.

4. Applicant's Name: Cecelia Murphy
Property Address: 1112 Selma Street
Date of Approval: 4/15/05 asc
Work Approved: Repaint house in existing color scheme.
5. Applicant's Name: Florita Williams
Property Address: 930 Conti Street
Date of Approval: 4/15/05 weh
Work Approved: Repair or replace rotten wood as necessary with materials matching existing in profile and dimension. Repaint to match existing.
6. Applicant's Name: Steve May
Property Address: 932 Conti Street
Date of Approval: 4/15/05 weh
Work Approved: Repair or replace rotten wood as necessary with materials matching existing in profile and dimension. Repaint to match existing. Install MHDC stock rail design 2 on front porch.
7. Applicant's Name: Manuel C. Souto and Jeanne Souto
Property Address: 110 Espejo
Date of Approval: 4/15/05 jss
Work Approved: Re-roof house with 3 tab fiberglass shingles, black in color. Replace rotten wood as necessary with new materials to match existing in profile and dimension. Repaint house in the existing color scheme.
8. Applicant's Name: Kathie Lee Gifford
Property Address: 156 Roberts Street
Date of Approval: 4/15/05 weh
Work Approved: Construct storage shed measuring 12x14 as per mhdc stock plans. Siding to be board & batten, painted to match garage.
9. Applicant's Name: Skip Shirah
Property Address: 204 Dexter Street
Date of Approval: 4/20/05 weh
Work Approved: Remove porch infill and restore porch to original configuration. Demolish deteriorated outbuilding.
10. Applicant's Name: Steve Guerin
Property Address: 210 Rapier Avenue
Date of Approval: 4/20/05 weh
Work Approved: Remove deteriorated picket fence and replace with new wood picket fence, painted Bellingrath Green.
11. Applicant's Name: Mobile County Commission
Property Address: 304 Government Street
Date of Approval: 4/20/05 weh
Work Approved: Install building signage as per submitted design.

12. Applicant's Name: Royer Downing/Gwatkin Construction
Property Address: 16-22 S. Conception Street
Date of Approval: 4/20/05 asc
Work Approved: Repair second story windows as necessary to prevent water infiltration; paint window trim white.
13. Applicant's Name: Penny Howell (agent for contractor)
Property Address: 100 Bradford Avenue
Date of Approval: 4/22/05 asc
Work Approved: Install new shingle roof on rear porch of residence; shingles to be charcoal to match existing.
14. Applicant's Name: Leland Moore/A-1 Roofing
Property Address: 12 N. Reed Avenue
Date of Approval: 4/22/05 asc
Work Approved: Re-roof flat section to match existing.

OLD BUSINESS:

1. **086-03/04 – CA**
Applicant: 6-8 St. Joseph Street
The Cybil Smith Trust, Ann Bedsole, Owner
Douglas Kearley, Architect
Nature of Request: Alter previously-approved design for construction of new office building.

APPROVED. Certified Record attached.

NEW BUSINESS:

1. **036/04-05/CA**
Applicant: 1510 Government Street
Saad Vallas, Developers, Owner/ Clark Geer & Latham,
Architects & Engineers.
Nature of Request: Construction of a new commercial shopping center with adjacent parking.

APPROVED WITH CONDITIONS. Certified Record attached.

2. **045/04-05/CA**
Applicant: 163 South Dearborn Street
David M. Tacon
Nature of Request: Demolish existing structure and construct new residence on lot as per submitted plans.

APPROVED. Certified Record attached.

3. **046/04-05/CA**
Applicant: 22 South Ann Street
Susan K. Rhodes
Nature of Request: Construct “L”-shaped drive as per submitted site plan.
Construct garage/workshop as per submitted plans. Install fencing around property as per submitted plans.

TABLED. Certified Record attached.

- 4. 047/04-05/CA**
Applicant: 264 Stocking Street
Neese Properties, LLC represented by Nathan Friedlander,
Attorney
Nature of Request: Demolish fire-damaged building.

TABLED. Certified Record attached.

- 5. 048/04-05/CA**
Applicant: 302 Congress Street
D.C. Smith
Nature of Request: Construct raised breezeway between main house and
second level of garage as per submitted plans.

DENIED. Certified Record attached.

- 6. 049/04-05/CA**
Applicant: 205 Marine Street
Oakleigh Venture Revolving Fund
Nature of Request: Construct residence as per submitted plans.

APPROVED Certified Record attached.

- 7. 050/04-05/CA**
Applicant: 8 South Joachim Street
Center for the Living Arts/Saenger Theater
Nature of Request: Construct canopy along Joachim and Conti Street
sidewalks as per submitted plans.

APPROVED. Certified Record attached.

- 8. 051-04/05 – CA**
Applicant: 1004 Elmira Street Street
City of Mobile – Urban Development Department
Nature of Request: Demolish vacant historic structure.

DENIED Certified Record attached.

MISCELLANEOUS BUSINESS;

- 1.** Staff reported that Mrs. McCafferty at 214 Lanier Avenue had submitted an elevation for the garage alteration discussed at the last meeting. Staff requested that the Board allow a mid-month approval of the request. The Board unanimously agreed to the request.

There being no further business, the meeting adjourned at 5:18 p.m.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD**

086-03/04 – CA 8 St. Joseph Street
Applicant: Douglas Kearley, Architect/ The Cybil Smith Trust, Ann Bedsole, Owner
Received: 4/25/05 **Meeting Date (s):**
Submission Date + 45 Days: 6/9/05 1) 5/9/05 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: Lower Dauphin Street Commercial Historic District
Classification: Non-Contributing (vacant lot/new construction)
Additional Permits Required: (4) Building, Mechanical, Electrical, Plumbing
Nature of Project: Construct new 2 ½ story brick veneer structure.

History of the Project: This project was originally approved in August of 2004. The revised drawings reflect a change from a Charleston Side House to a Charleston Meeting House. All porches have been removed to utilize interior space. The foundation has been lowered, and the elevations have been redesigned.

Element 2: Construction of a new Charleston Meeting House

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

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
3	Design Standards for New Construction	Construct new office
3,I	Placement and Orientation	
3,II	Massing and Scale	
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 new building, that such building 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,I

- I. **Placement and Orientation:** The guidelines state that new construction should be placed on the lot so that setback and spacing approximate those of nearby historic buildings.
- A. Setbacks in the Lower Dauphin Street Commercial Historic District range from buildings constructed at the sidewalk to buildings with a 5’ setback.
 - B. This is a lot in the middle of the block, facing Bienville Square.
 - C. A multi story high-rise with parking deck at the ground level to the north occupies the southeast corner of the lot and has a zero lot line setback.
 - D. The structure to the south, the Franklin Fire Station, faces St. Joseph Street and has a zero lot line front setback

E. The proposed front setback for this building is 4' - 8" from the sidewalk/property line; the proposed north side setback for this building is 0'.

3,II

II. **Massing and Scale:**

- A. The guidelines state that new construction should reference the massing of forms of nearby historic buildings.
 - 1. Buildings ranging in height from 2 stories to multi-story high-rises are common throughout the Lower Dauphin Street Commercial Historic District.
 - 2. The proposed building is a 2-story structure featuring brick veneer exterior.
- B. The guidelines state that new buildings should have foundations similar in height to those of nearby historic buildings.
 - 1. Historic buildings in the Lower Dauphin Street Commercial Historic District are typically commercial in nature and have entrances at grade.
 - 2. The proposed foundation is a concrete slab, at a height 1' -6" above grade.
- C. The guidelines state that new construction should consider roof shapes, pitches and complexity similar to or compatible with those of adjacent historic buildings.
 - 1. A variety of roof shapes exist in the Lower Dauphin Street Commercial Historic District, but the most common are flat/sloping roofs concealed by commercial parapets.
 - 2. The proposed roof shape is front gable with tripartite window.

3, III

III. **Façade Elements:**

- A. The guidelines state that new construction should reflect the use of façade elements of nearby historic buildings.
 - 1. Proposed doors are wood six panel topped with a six light transom.
 - 2. Proposed brick detailing includes a projecting running bond course and a projecting running bond and saw tooth brick course at the cornice line.

3, IV

IV. **Materials and Ornamentation:**

- A. The guidelines provide a list of appropriate materials for compatible new construction.
- B. The guidelines state that the degree of ornamentation used in new construction should be compatible with the degree of ornamentation found upon nearby historic buildings. Profiles and dimensions should be consistent with examples in the district.
 - 1. The proposed design utilizes a single entry door and double-hung nine-over-nine and six-over-six windows.
 - 2. The Board encourages use of modern materials and design methods in new construction.

Staff recommends approval of the application as submitted.

PUBLIC TESTIMONY

There was no one present to speak in favor of or in opposition to the application. Staff had no comments from the public or city departments to read into the record. Board members questioned whether the wall at the street was still part of the project. Staff responded that there is an 18 in. knee wall with grass to the building in addition to the previously approved wall at the sidewalk.

BOARD DISCUSSION

There was no Board discussion.

FINDING OF FACT

David Tharp moved that, based upon the evidence that has been presented in the application and during the public hearing, that the Board find the facts outlined in the staff report. The motion was seconded by Lynda Burkett and approved.

DECISION ON THE APPLICATION

David Tharp moved that based upon the facts found by the Board that the application does not impair the historic integrity of the district according to the Guidelines and that a Certificate of Appropriateness be issued. The motion was seconded by Harris Oswald and approved on a vote of 5 to 1.

Certificate of Appropriateness Expiration Date: 05/09/06.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD**

036-04/05-CA 1510 Government Street
Applicant: Saad Vallas, Developers, Owner/ Clark Geer & Latham,
 Architects & Engineers.
Received: 3/18/05 Meeting Dates:
Submission Date + 45 Days: **5/01/05** 1) **5/9/05** 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way Historic District
Classification: Non-Contributing (new construction)
Zoning: LB-2, Limited Business
Conflicts on Interest: Tilmon Brown reported that he had previous business with the applicant,
 but that it would not influence his decision on the application.
Nature of Project: Construction of a new commercial shopping center with adjacent
 parking.

The building site is located on the north side of Government Street between Etheridge and Catherine Streets.

The proposed building measures approximately 50' wide by approximately 120' long.

The building faces south towards Government Street, and the front building line is located at a distance of 73' from the sidewalk. Two sides of the proposed one-story building are concrete block. The south and east walls are proposed to be constructed with a brick water table upon which rests a metal storefront system. Foundation is slab-on-grade. The ground plan is rectangular in design. The overall wall height is 20' – 8" to the top of the parapet, with areas at the corners, the entrance, and over the drive thru windows raised to 21'-8". The glazing system is bronze anodized aluminum with clear insulated glass. A flat roof will be hidden behind the parapet wall.

The following are proposed building materials:

- a. foundation – concrete slab-on-grade
- b. façade – brick veneer over concrete block
- c. doors – clear glass in bronze anodized frames
- d. windows – clear glass in bronze anodized frames
- e. awnings – terra cotta barrel tile (matching that on the Shoppes of Midtown)
- f. roof – flat concealed behind a parapet

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

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
3	Design Standards for New Construction	Construct new retail center
3,I	Placement and Orientation	
3,II	Massing and Scale	
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 new building, that such building 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,I

- I. Placement and Orientation:** The guidelines state that new construction should be placed on the lot so that setback and spacing approximate those of nearby historic buildings.
- A. Setbacks in the Old Dauphin Way Historic District range from buildings constructed at the sidewalk to buildings such as the Shoppes of Midtown with a large setback.
 - B. The proposed setback is approximately 73’ with two rows of parking toward Government Street.

3,II

II. Massing and Scale:

- A. The guidelines state that new construction should reference the massing of forms of nearby historic buildings.
 1. There are multiple examples of small scale commercial structures in the Historic Districts.
 2. The proposed building is a 1 story concrete block and brick veneer structure.
 3. Concrete block is not an approved material according to the Guidelines.
- B. The guidelines state that new buildings should have foundations similar in height to those of nearby historic buildings.
 1. There are no other historic commercial buildings within this block.
 2. Adjacent commercial buildings have a slab-on-grade foundation.
 3. The proposed foundation is concrete slab-on-grade.
- C. The guidelines state that new construction should consider roof shapes, pitches and complexity similar to or compatible with those of adjacent historic buildings.
 1. A variety of commercial roof shapes exist in the Old Dauphin Way Historic District, but the most common are flat roofs behind a parapet.

3, III

III. Façade Elements:

- A. The guidelines state that new construction should reflect the use of façade elements of nearby historic buildings.
 1. The use of clear glass in bronze anodized frames is a common design element found in new construction throughout the Historic Districts and will match those of the Shoppes of Midtown.
 2. The use of a brick veneer water table and a header band below the parapet add interest to the shoppes.

3, IV

IV. Materials and Ornamentation:

- A. The guidelines provide a list of appropriate materials for compatible new construction.
 1. There are a number of commercial brick veneer structures in the Old Dauphin Way Historic District.

B. The guidelines state that the degree of ornamentation used in new construction should be compatible with the degree of ornamentation found in the design of nearby historic buildings. Profiles and dimensions should be consistent with examples in the district.

1. The Board encourages use of modern materials and design methods in new construction.

Staff recommends approval of the application with the following conditions:

1. That the west and north elevations be stuccoed, since concrete block is not allowed by the Guidelines.
2. Add visual elements to break up massing of the west and north elevations compatible with what is called for on the south and east elevations.
3. Require that all trees currently noted as 3" – 3 ½" be changed to 4" trees to fall under the Tree Ordinance for maintenance purposes.

PUBLIC TESTIMONY

Attorney Doug Anderson appeared on behalf of the applicants. He explained his position that he should not be before the Board since the lot is a separate lot of record from the adjacent shopping center, there is a shared driveway with the shopping center but no shared parking, and that a PUD was done administratively by the staff of Urban Development.

Both the chair and Wanda Cochran commented that this was not the forum for his assertion that the Review Board should not be reviewing the application.

Not wishing to withdraw the application, Mr. Anderson allowed the Board to proceed with discussion of the application.

Mr. Anderson stated that his clients did not agree with any of the conditions itemized by staff. Stuccoing two elevations of the building would cost his clients an additional \$25,000.

A Board member noted that economic hardship was not a reason for opposing the conditions. Linda Snapp, project architect, pointed out that both the north and west elevations were fire rated walls and could not have window openings. Pilasters defining bays were suggested as an alternative to the long expanses of blank wall.

Questions arose regarding the parking. Although Mr. Anderson stated that 28 parking spaces are required by the tenant, the 10 parking spaces sited close to Government Street were thought by the Board to be too close to Government Street and exceeded the City's recommended minimum amount. In addition, more parking than necessary had been previously approved for the shopping center to use as overflow for this out parcel.

A row of crepe myrtles is proposed to be planted on the west elevation.

Linda Snapp reported that a land disturbance permit has been issued for the building site and that the landscape plan had been approved by Urban Forestry.

Bunky Ralph asked for clarification regarding a monument sign indicated on the site plan. Mr. Anderson responded that signage was not part of this application.

David Martin asked if there would be trees at the corner of the building in the green area. Mr. Anderson responded that shrubbery would be placed in this location.

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

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

BOARD DISCUSSION

David Tharp commented that in the original application for the shopping center 72 parking spaces above the required number were presented to the Board as representing overflow parking for the out parcel. This parcel has 10 additional spaces.

The Board sought clarification regarding 4” caliper trees. Staff explained that this condition applied to heritage trees only. Andrew Martin did not see the need to impose this condition on the project.

FINDING OF FACT

Board members voted on conditions they wished to include in an approval:

1. Tilmon Brown moved that the west and north elevations be stuccoed or have split face block. The motion was seconded by Lynda Burkett and approved.
2. Lynda Burkett moved that the massing of the west and north elevations be broken up visually by adding an element such as pilasters. The motion was seconded by David Tharp and approved.
3. David Tharp moved that all heritage trees be 4 inches in caliper to fall under the Tree Ordinance for maintenance purposes. The motion was seconded by Lynda Burkett and approved with Andrew Martin voting in opposition.
4. David Tharp moved that the 10 parking places to the Government Street side of the building must be eliminated and the area landscaped. The motion was seconded by Lynda Burkett and approved with Tilmon Brown and Harris Oswalt voting in opposition.

Harris Oswalt moved to find the facts in the staff report along with the conditions voted on by the membership. The motion was seconded by David Tharp and approved.

DECISION ON THE APPLICATION

David Tharp moved that based upon the facts found by the Board that the application DOES impair the adjacent historic district. The motion was seconded by Bunky Ralph and approved.

David Tharp moved to issue a Certificate of Appropriateness with the following conditions: 1) that the north and west elevations be stuccoed or be split face concrete block; that elements such as pilasters be used to break up the massing of the north and west elevation; that all heritage trees be 4 inch caliper; and that the 10 parking spaces on the side of the building toward Government Street be removed and the area landscaped. The motion was seconded by Lynda Burkett and approved.

Certificate of Appropriateness Expiration Date: 05/09/06.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD**

045-04/05-CA 163 South Dearborn Street
Applicant: David Tacon, Owner/ Douglas Kearley, Architect
Received: 3/18/05 Meeting Dates:
Submission Date + 45 Days: **5/01/05** 1) **5/9/05** 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: Church Street East Historic District
Classification: Non-Contributing (new construction)
Zoning: R-1, Single Family Residential

History of the Project:

The existing building was constructed ca. 1910, and is listed as a contributing structure in the Church Street East Historic District. However, due to demolition by neglect by the former and present owners, the house is in a high state of deterioration. Interior photos included in this application show the level of deterioration.

In 2000, the Board granted Concept Approval to the applicant to make alterations and additions to the structure to improve its appearance and increase interior space.

In 2002, the ARB staff received a request to demolish the existing structure, however, the applicant did not supply the necessary information required for demolition such as current photographs or proposed plans for the site.

The house has been cited on numerous occasions by Urban Development for violation of the Minimum Maintenance Ordinance.

Nature of Project: Demolish deteriorated structure and construct new structure as per submitted plans.

The building site is located on the east side of South Dearborn Street between Church and Monroe Streets.

The proposed building measures approximately 34' wide by approximately 62' long.

The building faces west towards South Dearborn Street, and the front building line is located at a distance of 8' from the sidewalk. Foundation is a floating concrete slab. The ground plan is rectangular in design. The overall wall height is 36' – 6" to the top of the parapet. The windows are proposed to be wood six-over-six. Doors are proposed to be four panel wood and multi-light. A side gable roof will have parapet walls rising on the north and south elevations.

The following are proposed building materials:

- a. foundation – floating slab
- b. façade – brick veneer over wood studs
- c. doors – four panel wood and multi-light wood
- d. windows – six-over-six wood
- f. roof – side gable with end parapets

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

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
3	Design Standards for New Construction	Construct new residence
3,I	Placement and Orientation	
3,II	Massing and Scale	
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 new building, that such building 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,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. Setbacks in the Church Street East Historic District range from buildings constructed at the sidewalk to buildings with 0-10' setbacks.
 - 2. The proposed setback is approximately 8'.

3,II

Massing and Scale:

- A. The guidelines state that new construction should reference the massing of forms of nearby historic buildings.
 - 1. There are multiple examples of small scale commercial structures in the Historic Districts.
 - 2. The proposed building is a two story wood frame and brick veneer structure.
- B. The guidelines state that new buildings should have foundations similar in height to those of nearby historic buildings.
 - 1. Adjacent residential buildings, both frame and brick veneer, have a pier foundations.
 - 2. The proposed foundation is a floating slab with a water table.
- C. The guidelines state that new construction should consider roof shapes, pitches and complexity similar to or compatible with those of adjacent historic buildings.
 - 1. A variety of residential roof shapes exist in the Church Street East Historic District.

3, III

Façade Elements:

- A. The guidelines state that new construction should reflect the use of façade elements of nearby historic buildings.
 - 1. The use of six-over-six wood windows and four panel wood doors is compatible with similar adjacent historic structures.

2. The use of a brick veneer water table, brick lintels, and corbelling at the roof line add interest to the residence.

3. Porches are a regional characteristic found on almost every residence in the Church Street East Historic District.
 - a. All surrounding historic structures have front porches.
 - b. Porches are character defining features of the residences on South Dearborn Street.
 - c. In order to be compatible, a porch should be an integral part of the building and the streetscape.
 - d. The proposed new construction does not have a front porch but does include a recessed side courtyard.

3, IV

Materials and Ornamentation:

- A. The guidelines provide a list of appropriate materials for compatible new construction.
 1. There are a number of residential brick veneer structures in the Church Street East Historic District.
- B. The guidelines state that the degree of ornamentation used in new construction should be compatible with the degree of ornamentation found in the design of nearby historic buildings. Profiles and dimensions should be consistent with examples in the district.
 1. The Board encourages use of modern materials and design methods in new construction.

Staff recommends approval of the application as submitted with the following condition:

1. In order to be compatible with the neighborhood, a front porch should be added to the proposed plans.

PUBLIC TESTIMONY

David Tacon was present to discuss his application. When asked about the staff report, he said that he would like to build the house without a porch as shown in the drawings. He presented photos of both new and old houses in downtown neighborhoods that had no porch. Staff responded that most of the houses in the Church Street East District have a porch. David Tharp proposed that a house could be constructed in the district that was compatible that did not have a porch. He felt this fact should be omitted.

Mr. Tacon reported owning the house since 1999 receiving approval to repair the structure and construct an addition. Once he began working on it, he realized that it was in much worse condition than he had originally thought. He reported that the house is sited near the sidewalk and that the new house will have the same setback.

There was no one else present to speak in favor of or in opposition to the application. Staff had no comments from the public or city departments to read into the record.

BOARD DISCUSSION

There was no additional Board discussion.

FINDING OF FACT

Harris Oswalt moved that based upon the evidence that has been presented in the application and during the public hearing that the Board finds the facts in the staff report with the exception of A3c. The motion was seconded by Tilmon Brown and approved.

DECISION ON THE APPLICATION

David Tharp moved that based upon the facts found by the Board that the application DOES NOT impair the historic integrity of the district according to the Guidelines and that a Certificate of Appropriateness be issued. The motion was seconded by Lynda Burkett and passed, with 3 voting against and 4 voting for the motion.

Certificate of Appropriateness Expiration Date: 05/09/06.

Staff defers to the Board for a recommendation.

Item 2 – Construct a garage/workshop.

- A. The proposed construction is in compliance with Section 3 of the Design Review Guidelines.
1. The main structure is a two story Antebellum residence with wood lap siding and a two story 5 bay front porch, and a monolithic hipped roof.
 2. The proposed garage measures 20' x 40' with an attached 20' x 20' workshop.
 3. The proposed garage is a 1 ½ story building.
 4. Proposed materials include:
 - a. foundation: slab on grade
 - b. siding: wood lap siding to match house, painted to match
 - c. roof: asphalt shingle, 7 and 12 pitch hipped to match house
 - d. windows: fixed louvered blinds on all elevations
 - e. doors: 2 garage doors, 9' wide x 12' high
1 pair of wood French doors onto deck upstairs on west elevation
2 single wood nine light half glass doors

Staff recommends approval of the garage design as submitted.

Item 3 – Install perimeter fence.

- A. The proposed construction is in compliance with Section 3 of the Design Review Guidelines.
1. The main structure is a two story Antebellum residence with wood lap siding and a two story 5 bay front porch, and a monolithic hipped roof.
 2. The proposed fence is to be located at the rear of the yard and constructed of iron panels between 7' tall capped brick piers spaced 12' apart.

Staff recommends approval of the fence as submitted.

PUBLIC TESTIMONY

David Maness appeared on behalf of the applicant. He began by asking the Board several questions relative to his fence in particular the 7 ft. height of the piers described in the staff report. After some discussion, he changed his application requesting an 8 ft. rather than 6 ft. fence. He also changed its design, although he submitted no revised drawings. Bunky Ralph had questions concerning the proposed driveway and whether it had been approved by Traffic Engineering. The applicant responded that Traffic had not looked at the plan.

DECISION ON THE APPLICATION

It was the finding of the Board that the application was not clear or detailed enough to review. It directed staff to work with the applicant to refine his application prior to returning to the Board.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD**

047-04/05 – CA 264 Stocking Street
Applicant: Neese Properties, LLC represented by Nathan Freidlander, Attorney
Received: 4/25/04 **Meeting Date (s):**
Submission Date + 45 Days: 6/9/05 1) 5/9/05 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: Leinkauf Historic District
Classification: Contributing
Zoning: R-1, Single Family Residential
Nature of the Project: Demolish existing fire-damaged historic residential structure. Grass vacant lot once structure is removed.

STAFF REPORT

Section 10 of the Preservation Ordinance prohibits the demolition or relocation of “any property within a historic district unless the Board finds that the removal or relocation of such buildings will not be detrimental to the historical and architectural character of the district...” In making this determination, the Board must examine a number of factors set out in the ordinance, each of which is discussed below:

- A. Historic or Architectural Significance
 - 1. The Leinkauf Historic District was created in 1986.
 - 2. 264 Stocking Street is a two story frame vernacular structure, constructed ca. 1905 by the Mobile Improvement and Building Company.
 - 3. The property in question was part of the Tuttle Addition of 1896.
 - 4. 264 Stocking Street is a contributing structure within the Leinkauf Historic District.
 - 5. The architect/builder for this structure was W.W. Thompson.
 - 6. The first residents of 264 Stocking Street were the J.W.H. Handley Family.
 - 7. J.W. Homer Handley was manager of the Marine Oil Company and later president of the Palm Oil Company.

- B. Importance to the Integrity of the District
 - 1. The Leinkauf Historic District represents early 20th Century suburban expansion in Mobile to the west and south. This area is typical of Mobile’s housing boom west of downtown between 1900 and 1940 which was first settled as upper class suburbia and later infilled by working class residents as city limits extended westward. Regional architectural characteristics, style and building material blend the various subdivisions together to form a homogenous district. Everett, Stocking and Dexter Streets, the earliest north-south streets in the district, were constructed perpendicular to Government Street prior to 1856.
 - 2. 264 Stocking Street was one of four residences, including 256, 262, and 266, that was built as speculative development by the Mobile Improvement and Building Company.

- C. Ability to Reproduce Historic Structures
 - 1. The type and quality of the materials used in the construction of 264 Stocking are no longer readily available.
 - 2. The structure dates from the first quarter of the 20th century, before the introduction of nominal dimension lumber. Components include old growth pine structural members and siding, historic

windows, doors and interior decoration, etc. Replacement material would have to be garnered from salvage yards or specially milled.

3. In the event that reconstruction was attempted, the cost to reproduce 264 Stocking Street would be prohibitively expensive.

D. Ensemble of Historic Buildings Creating a Neighborhood

1. The subject area along Stocking Street is an intact, thriving neighborhood complete with both commercial and public educational facilities (small offices and Leinkauf Elementary School), and adjacent to LaPizzeria restaurant.

E. Proposed Redevelopment Plans for the Site

1. The application states that the site will be cleared and/or landscaped. A one bedroom cottage is located at the rear of the property and will remain as a rental property.

F. Effect of Proposed Project on the Leinkauf Historic District

1. The removal of 264 Stocking Street would degrade the streetscape along this relatively intact section of Stocking Street .
2. The removal of 264 Stocking Street would adversely affect the architectural, cultural, historical, social, aesthetic and environmental character, of not only this section of Stocking Street, but also the Leinkauf Historic District.

G. Content of Application

1. Property information:

- a. 264 Stocking Street was acquired by the applicant in 1975 for \$10,000.
- b. The applicant states that the property is in poor condition due to fire and water damage.
- c. An engineering and insurance report is attached.

2. Alternatives Considered

- a. The applicants state that no alternatives have been considered due to the “extensive fire damage and amount of insurance.”

3. Sale of Property by Current Owners

- a. Information presented in the application notes that 264 Stocking Street has not been listed for sale, nor does the applicant intend to list the property for sale.

4. Financial Proof

- a. Information from the GAB Robbins Insurance Company states that the total amount received in insurance for the loss was \$92,000.
- b. The actual cash value of the property is listed as \$99,095.
- c. The whole loss and damage is listed as \$118,154.86.

H. Other:

1. While the roof appears to have sustained considerable damage, and has been open to the elements, upon inspection by staff, the structure appears to be salvageable.

Staff recommends denial of the request to demolish.

PUBLIC TESTIMONY

Attorney Barry Dumas was present to represent the applicant. He explained that the portion of the staff report that talked about the whole loss and damage was incorrect, that in fact, it is closer to

\$153,000. He also explained that the fire had damaged the roof to the point that a tarp could not be placed over the roof. Restoration of the structure was not economically feasible. Attorney Wanda Cochran questioned whether the Neeses had attempted to sell the property and suggested that the application be TABLED for two weeks. During this time, staff would work with the owners to see if a solution could be found other than demolition.

DECISION ON THE APPLICATION

Tilmon Brown moved that the application be tabled to allow staff time to work with the owners. The motion was seconded by Lynda Burkett and approved.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD**

048-04/05-CA 302 Congress Street
Applicant: D.C. Smith
Received: 4/25/05 **Meeting Date (s):**
Submission Date + 45 Days: 6/9/05 1) 5/9/05 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: DeTonti Square Historic District
Classification: Contributing
Zoning: R-B, Residential Business
Nature of Project: Construct a connector at the second floor level between main house and garage as per submitted plans.

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

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
3	Accessory Structures	Construct Connector

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 proposed construction is not in compliance with Section 3 of the Design Review Guidelines.
1. The existing structure is a ca. 1867 one and one-half story masonry and frame residence.
 2. The existing garage (under construction) is a two story side gable frame and stucco structure.
 3. The proposed walkway is a wood frame with wood siding structure.
 4. There is no historic precedent for a second story bridge from a single story home to a two story outbuilding.
 5. Suspended walkways are more in keeping with northern metropolitan areas rather than the southern region.
 6. Suspended walkways are more commercial in nature than residential in character and therefore should be discouraged.
 7. Guest cottages were historically not connected to the main house. The Waring Texas house on Government at Claiborne is one example of a detached guest house.

Staff recommends denial of the application as submitted.

PUBLIC TESTIMONY

D.C. Smith was present to discuss his application. He corrected A.3. in the staff report, stating that the proposed walkway would be wood frame covered in stucco to match the main house.

He explained that the area under the second floor walkway will eventually have a courtyard with a fountain. He stated that two businesses are operating at 302 Congress—one concerned with grant writing, the other a post production business.

Board members asked about the site coverage in an RB zone. Mr. Smith had not checked on site coverage issues. It is recommended that he contact Urban Development with specific measurements of his lot, existing improvements and the connector in order that his site coverage calculations can be made.

While Board members cautioned Mr. Smith that garages were not historically joined by connectors to the main house, Mr. Smith countered that guest house were historically connected.

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

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

BOARD DISCUSSION

There was no additional Board discussion.

FINDING OF FACT

Tilmon Brown moved that, based upon the evidence that has been presented in the application and during the public hearing, that the Board finds the facts in the staff report with a correction to A.3. The proposed walkway is wood frame with stucco finish, adding fact 8. The building is a contributing structure in the historic district and 9. Zoning is R-B. The motion was seconded by Harris Oswald and approved.

DECISION ON THE APPLICATION

Bunky Ralph moved that, based upon the facts found by the Board, that the proposed work DOES impair the structure and the historic district. The motion was seconded by Harris Oswald and approved.

David Tharp moved to deny the application based on the finding of impairment. The motion was seconded by Bunky Ralph and unanimously approved.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD**

049-04/05-CA 205 Marine Street
Applicant: Oakleigh Venture Revolving Fund/ Douglas Kearley, Architect
Received: 4/2505 Meeting Dates:
Submission Date + 45 Days: **6/9/05** 1) **5/9/05** 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: Oakleigh Garden Historic District
Classification: Non-Contributing (new construction)
Zoning: R-1, Single Family Residential
Nature of Project: Construct new one and one-half story Greek Revival cottage as per submitted plans.

The building site is located on the east side of Marine Street between Palmetto and Savannah Streets.

The proposed building measures approximately 40’ wide by approximately 59’ long.

It faces west towards Marine Street, and the front building line is located at a distance of 25’ from the sidewalk. Foundation is a floating concrete slab. The overall height is approximately 27’. The windows are proposed to be wood six-over-six. Doors are proposed to be four panel wood and multi-light. The main front of the house has a hipped roof; the rear has an end gable roof, and the ell portion has an end gable roof.

The following are proposed building materials:

- a. foundation – floating slab
- b. façade – brick veneer over wood studs
- c. doors – four panel wood and multi-light wood
- d. windows –six-over-six wood
- e. roof – front hip and side & rear gables

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

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
3	Design Standards for New Construction	Construct new residence
3,I	Placement and Orientation	
3,II	Massing and Scale	
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 new building, that such building 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,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. Setbacks in the Oakleigh Garden Historic District range from buildings constructed near the sidewalk to buildings with 25’ setbacks.
 - 2. The proposed setback is approximately 25’.

3,II

Massing and Scale

- B. The guidelines state that new construction should reference the massing of forms of nearby historic buildings.
 - 1. There are multiple examples of Greek Revival cottages in the Historic Districts.
 - 2. The proposed structure is wood frame with hardiplank siding.
- C. The guidelines state that new buildings should have foundations similar in height to those of nearby historic buildings.
 - 1. Adjacent residential buildings, both frame and brick veneer, have pier foundations.
 - 2. The proposed foundation is a floating slab with false piers and lattice infill.
- D. The guidelines state that new construction should consider roof shapes, pitches and complexity similar to or compatible with those of adjacent historic buildings.
 - 1. A variety of residential roof shapes exist in the Oakleigh Garden Historic District.

3, III

Façade Elements

- A. The guidelines state that new construction should reflect the use of façade elements of nearby historic buildings.
 - 1. The use of six-over-six wood windows and four panel wood doors is compatible with similar adjacent historic structures.
 - 2. The use of a brick veneer water table, brick lintels, and corbelling at the roof line add interest to the residence.
 - 3. Porches are a regional characteristic found on almost every residence in the Oakleigh Garden Historic District.
 - a. All surrounding historic structures have front porches.
 - b. Porches are character defining features of the residences on South Dearborn Street.
 - c. In order to be compatible, a porch should be an integral part of the building and the streetscape.
 - d. The proposed new construction has a main front porch and a porch across the wing further back from the sidewalk.

3, IV

Materials and Ornamentation

- A. The guidelines provide a list of appropriate materials for compatible new construction.
 - 1. There are a number of residential brick veneer structures in the Oakleigh Garden Historic District.
- B. The guidelines state that the degree of ornamentation used in new construction should be compatible with the degree of ornamentation found in the design of nearby historic buildings. Profiles and dimensions should be consistent with examples in the district.
 - 1. The Board encourages use of modern materials and design methods in new construction.

Staff recommends approval of the application as submitted.

PUBLIC TESTIMONY

There was no one present to speak in favor of or in opposition to the application. Staff had no comments from the public or city departments to read into the record.

BOARD DISCUSSION

There was no Board discussion.

FINDING OF FACT

David Tharp moved that, based upon the evidence that has been presented in the application and during the public hearing, that the Board finds the facts in the staff report. The motion was seconded by Harris Oswald and approved.

DECISION ON THE APPLICATION

David Tharp moved that, based upon the facts found by the Board that the application DOES NOT impair the historic integrity of the district according to the Guidelines and that a Certificate of Appropriateness be issued.

Certificate of Appropriateness Expiration Date: 05/09/06.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD**

050-04/05-CA 6 South Joachim Street
Applicant: Center for the Living Arts/ Saenger Theater
Received: 4/29/05 Meeting Dates:
Submission Date + 45 Days: **6/13/05** 1) **5/9/05** 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: Lower Dauphin Street Commercial Historic District
Classification: Non-Contributing (new construction)
Zoning: B-4, General Business
Nature of Project: Construct new canopy and install marquis signage.

APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

Lower Dauphin Street Commercial Historic District Design Guidelines
 Sign Design Guidelines for Mobile’s Historic Districts

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
3 A, C	balconies, canopies & awnings signage	construct new canopy install marquis signage

STANDARD OF REVIEW

Section 9, STANDARD OF REVIEW, of the Historic Preservation Ordinance states that “ In the case of a proposed new building, that such building 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

1. Canopy
 - A. The Guidelines state that “many historic buildings had canopies or awnings...When period photographs or research show that this is the case, this type of canopy should be reinstalled.”
 - B. The proposed work is in compliance with the Lower Dauphin Street Commercial Historic District Guidelines.
 1. The Saenger Theater did have a decorative canopy at the time of its construction.
 2. The proposed canopy recreates the historic canopy from historic photographs.

2. Signage
 - A. Mounting and Placement:
 1. The Sign Design Guidelines state that “Signs shall be mounted or erected so they do not obscure the architectural features or openings of a building.”
 2. The historic photograph provided by the applicant showing the historic canopy is evidence that originally there was never a sign in the niche.
 3. The original signage for the theater was inscribed into the decorative face of the building at the top of the niche.
 4. A photograph from ca. 1953 shows a later marquis sign perpendicular to the niche, obscuring the architectural detail of the niche.
 5. The proposed sign location is above the arcade entry in a highly detailed and architecturally significant niche.
 6. Placement of the sign to the left of the niche in a blank space on the building’s façade would be preferable to the proposed location.

B. Size:

1. The Sign Design Guidelines state that “The size of a sign shall be in proportion to the building and the neighboring structures and signs.
2. The proposed double-sided sign measures 4’ – 3” wide, 17’-8” tall and 2’ thick.
3. The Sign Design Guidelines state that “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.
4. The total proposed square footage is approximately 151 square feet.

Staff recommends approval of the canopy design as presented.

Staff recommends denial of the sign design as submitted based on the fact that the size of the sign exceeds the maximum signage amount allowed by law. Staff recommends that the sign be reduced in size and placed in a different location on the façade.

PUBLIC TESTIMONY

Carlos Parkman, President of the Center of the Living Arts was present to present the application. She distributed color renderings to demonstrate how the sign would appear on the building and that it was proportional to the theatre. She stated that the submitted sign did not exist on the Mobile Saenger, but that it is typical of Saenger signs of the period. No photos exist of the original Saenger sign. A photo exists from 1953, at which time the original sign had already been removed. Ms. Parkman explained that the traditional location for Saenger signs was over the theatre entrance placed in front of a highly decorated niche. It is the desire of the Center to recreate this condition at the Mobile Saenger. She also explained that the proposed sign has chasing lights

Ms. Parkman also discussed that there may not be enough funds to recreate the entire canopy. In that case, only a section by the entrance will be finished.

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

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

BOARD DISCUSSION

There was no Board discussion.

FINDING OF FACT

Harris Oswalt moved that, based upon the evidence that has been presented in the application and during the public hearing, that the Board finds the facts in the staff report. The motion was seconded by David Tharp and approved. Harris Oswalt moved to find additional facts: 1) the sign has chasing lights; 2) the sign is typical of Saenger Theatres of the period; 3) that the sign is in scale with the building. The motion was seconded by Tilmon Brown and approved.

DECISION ON THE APPLICATION

David Tharp moved that, based upon the facts found by the Board that the application DOES NOT impair the historic integrity of the structure or the district according to the Guidelines and that a Certificate of Appropriateness be issued based upon a sign variance being obtained. The motion was seconded by Harris Oswalt and approved.

Certificate of Appropriateness Expiration Date: 05/09/06.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD**

051-04/05 – CA 1004 Elmira Street
Applicant: City of Mobile – Urban Development Department
Received: 5/02/05 **Meeting Date (s):**
Submission Date + 45 Days: 6/16/05 1) 5/9/05 2) 3)

INTRODUCTION TO THE APPLICATION

Historic District: Oakleigh Garden Historic District
Classification: Contributing
Zoning: R-1, Single Family Residential
Nature of the Project: Demolish existing vacant historic residential structure. Grass vacant lot once structure is removed.

STAFF REPORT

Section 10 of the Preservation Ordinance prohibits the demolition or relocation of “ any property within a historic district unless the Board finds that the removal or relocation of such buildings will not be detrimental to the historical and architectural character of the district...” In making this determination, the Board must examine a number of factors set out in the ordinance, each of which is discussed below:

- A. Historic or Architectural Significance
 - 1. The Oakleigh Garden Historic District was created in 1986.
 - 2. 1104 Elmira Street is a one story four room shotgun structure.
- B. Importance to the Integrity of the District
 - 1. 1004 Elmira Street is one of a series of shotguns along the street.
- C. Ability to Reproduce Historic Structures
 - 1. The type and quality of the materials used in the construction of 1004 Elmira Street are no longer readily available.
 - 2. The structure dates from the last quarter of the 19th century, before the introduction of nominal dimension lumber. Components include old growth pine structural members and siding, historic windows, doors and interior decoration, etc. Replacement material would have to be garnered from salvage yards or specially milled.
 - 3. In the event that reconstruction was attempted, the cost to reproduce 1004 Elmira Street would be prohibitively expensive.
- D. Ensemble of Historic Buildings Creating a Neighborhood
 - 1. The subject area along Elmira Street is an intact, thriving neighborhood.
- E. Proposed Redevelopment Plans for the Site
 - 1. The application states that the site will be cleared and/or landscaped.
- F. Effect of Proposed Project on the Leinkauf Historic District
 - 1. The removal of 1004 Elmira Street would degrade the streetscape along this relatively intact section of Elmira Street.

2. The removal of 1004 Elmira Street would adversely affect the architectural, cultural, historical, social, aesthetic and environmental character, of not only this section of Elmira Street, but also the Oakleigh Garden Historic District.

G. Content of Application

1. Property information:
 - a. As this is a city-cited property, there is no property information other than the fact that the owner is either deceased or unable to be located.
2. Alternatives Considered
 - a. The Notice of Violation from the city states either “demolish or repair”.
3. Sale of Property by Current Owners
 - a. Information presented in the application notes that 1004 Elmira Street has not been listed for sale.
4. Financial Proof
 - a. No financial information was provided.

H. Other:

- a. While the structure is not cosmetically pleasing, it does appear to be structurally sound and could be saved.

Staff recommends denial of the request to demolish.

PUBLIC TESTIMONY

There was no one to speak in favor of or in opposition to the application. Staff had no comments from the public or city departments to read into the record. Staff explained that the owner is deceased with no heirs. The structure appears sound and the building could be rehabilitated. Staff explained that the City could do the repairs and file a lien on the property. Or an individual could purchase the property and complete the repairs. Should anyone come forward to claim ownership within two years, the purchaser would have to be reimbursed for the purchase price and repairs.

BOARD DISCUSSION

There was no additional Board discussion.

FINDING OF FACT

David Tharp moved that, based upon the evidence that has been presented in the application and during the public hearing, that the Board finds the facts in the staff report. The motion was seconded by Lynda Burkett and approved.

DECISION ON THE APPLICATION

Bunky Ralph moved that, based upon the facts found by the Board, that the application DOES impair the historic structure and the district according to the Guidelines and that a Certificate of Appropriateness should be denied. The motion was seconded by David Tharp. The motion carried.