

**CITY OF MOBILE**  
**ARCHITECTURAL REVIEW BOARD**

Minutes of the Meeting  
June 13, 2005

**CALL TO ORDER**

The meeting was called to order at 3:00 p.m. by Chair, Cindy Klotz at 3:00 p.m.  
Ed Hooker, MHDC Architectural Engineer, called the roll as follows:

**Members Present:** Douglas Kearley, Michael Mayberry, David Tharp, Bunky Ralph,  
Cindy Klotz, Joe Sackett, Tilmon Brown.

**Members Absent:** Lynda Burkett, Harris Oswalt, Robert Brown. 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>
Lucy Barr	109 Levert	059-04/05-CA
Susan Rhodes & David Maness	22 S. Ann Street	046-04/05-CA
Harry Stewart	12 LeBaron Avenue	061-04/05-CA
Bill Partridge	P.O. Box 160009 36616	057-04/05-CA

A motion was made by Michael Mayberry to approve the minutes of the last meeting as emailed and posted on the City's web site. The motion was seconded by David Tharp and approved.

A motion was made by Bunky Ralph and seconded by Joe Sackett to approve the mid-month Certificates of Appropriateness. The motion passed unanimously.

**MID-MONTH APPROVALS**

1. Applicant's Name: Popeye's/ Southeastern Contractors Inc.  
Property Address: 750 Government Street  
Date of Approval: 5/11/05 jss  
Work Approved: Replace rotten wood as necessary with new to match existing in material, profile and dimension. Repair windows to match existing material, profile and dimension. Replace broken glass as necessary. Paint new materials in existing color scheme.
2. Applicant's Name: Amanda Tolar and William Bloch  
Property Address: 253 North Jackson Street  
Date of Approval: 5/11/05 weh  
Work Approved: Re-roof with materials matching existing in profile and dimension. Repaint stucco beige in color/ Repaint mail doors. Repair courtyard gate as necessary.
3. Applicant's Name: Ella Everett  
Property Address: 355 South Ann Street  
Date of Approval: 5/12/05 asc

- Work Approved: Repair storm damaged roof with materials matching existing in profile, dimension and color.
4. Applicant's Name: Tierce Construction  
 Property Address: 12 North Lafayette  
 Date of Approval: 5/03/05 weh  
 Work Approved: Remove porch infill. Restore porch door based on historic photographs. Restore porch rail using MHDC stock design and historic photographs.
  5. Applicant's Name: Kim Roberts  
 Property Address: 103 South Catherine Street  
 Date of Approval: 5/16/05 weh  
 Work Approved: Install 30' of wood privacy fence to match existing and close in rear yard. Install matching wood gate across drive. Install matching gate between houses, recessed approximately 2' from the edge of the residence.
  6. Applicant's Name: A-Z Maintenance and Repair  
 Property Address: 1205 Elmira Street  
 Date of Approval: 5/18/05 asc  
 Work Approved: Re-roof house with 3-tab fiberglass shingles, black in color.
  7. Applicant's Name: Miller, Hamilton, Snider and Odom  
 Property Address: 254 State Street  
 Date of Approval: 5/18/05 jdb  
 Work Approved: Repair roof balustrade to match existing in profile, material and dimension, Repaint new materials to match existing color scheme.
  8. Applicant's Name: M and B Roofing Company  
 Property Address: 1162 Elmira Street  
 Date of Approval: 5/23/05 asc  
 Work Approved: Re-roof building with 3 tab fiberglass, black or charcoal gray in color.
  9. Applicant's Name: Moore & Wolfe Owners, G & L Demolition Contractors  
 Property Address: 7 North Georgia Avenue  
 Date of Approval: 5/23/05 weh  
 Work Approved: Demolish non-historic deteriorated concrete block garage.

10. Applicant's Name: Derrick Juzang  
Property Address: 954 Church Street  
Date of Approval: 5/23/05 asc  
Work Approved: Repair to rotten wood as necessary with new wood to match existing in profile and dimension. Repaint house in current color scheme.
11. Applicant's Name: Robert Greer  
Property Address: 950 Elmira Street  
Date of Approval: 5/23/05 asc  
Work Approved: Re-roof house with 3 tab shingles charcoal in color.
12. Applicant's Name: Remittal Properties/ Kelvin Latimer  
Property Address: 1002 Selma Street  
Date of Approval: 5/23/05 jdb  
Work Approved: Replace rotten wood as necessary with new materials to match existing in profile, dimension and material. Repaint house in the following Glidden paint scheme:  
Body: Granite Gray (gray tone)  
Trim, accent and chimney: Snowfield (light gray)
13. Applicant's Name: Kenbow Roofing Company  
Property Address: 309 Monterey  
Date of Approval: 5/24/05 weh  
Work Approved: Re-roof building with 3 tab fiberglass shingles, black 3in color.
14. Applicant's Name: Bratt Rainey  
Property Address: 8 South Reed Avenue  
Date of Approval: 5/25/05 asc  
Work Approved: Re-roof front and rear building with 3 tab fiberglass shingles, black or charcoal in color.
15. Applicant's Name: Teresa Cook  
Property Address: 18 Macy Place  
Date of Approval: 5/26/05 jdb  
Work Approved: Replace rotten wood as necessary on front porch to match existing in profile, material and dimension. Repaint new material in existing color scheme.
16. Applicant's Name: Caroline Coker  
Property Address: 16 Semmes Avenue  
Date of Approval: 5/26/05 asc

- Work Approved: Replace rotten wood as necessary with materials to match existing in profile, material and dimension. Repaint house in the existing color scheme (exception: change porch ceiling to Robin's Egg Blue)
17. Applicant's Name: Graham Roofing  
Property Address: 959 Church Street  
Date of Approval: 5/27/05 weh  
Work Approved: Re-roof building with 3 tab fiberglass shingles, black in color.
18. Applicant's Name: Lacy Jones  
Property Address: 77 South Lafayette Street  
Date of Approval: 5/27/05 weh  
Work Approved: Replace rotten wood as necessary with materials matching existing in profile and dimension. Repaint house in the following Sherwin Williams color scheme:  
Body – Colonial Revival Tan  
Trim – Classical White  
Accent – Colonial Revival Stone
19. Applicant's Name: Dennis Carlisle  
Property Address: 10 McPhillips Avenue  
Date of Approval: 5/31/05 asc  
Work Approved: Wood repair as necessary with new wood to match existing in dimension and profile. Paint exterior in the existing color scheme.
20. Applicant's Name: John Sims  
Property Address: 80 South Lafayette Street  
Date of Approval: 6/1/05 - kfm  
Work Approved: Re-roof building with 3 tab fiberglass shingles, charcoal in color.

**OLD BUSINESS:**

1. **046/04-05/CA** 22 South Ann Street  
**Applicant:** Susan K. Rhodes and David Maness  
**Nature of Request:** Install driveway in front of 22 S. Ann, construct garage/workshop as per submitted plans. Install fencing around property as per submitted plans.

**DENIED: FRONT DRIVE**

**APPROVED: GARAGE AND FENCE**

Certified Record attached.

**NEW BUSINESS:**

1. **057-04/-5-CA** 1702-1706 Government Street  
**Applicant:** Sammy Au, Owner/ Bill Partridge, Architect  
**Nature of Request:** Construct new arched storefront canopy on existing strip shopping center.

**APPROVED** Certified Record attached.

2. **058-04/05-CA** 1311 Old Shell Road  
**Applicant:** Shanee Johnson  
**Nature of Request:** Construct 1 ½ story brick residence as per submitted plans.

**APPROVED** Certified Record attached,.

3. **059-04/05-CA** 109 LeVert Avenue  
**Applicant:** Mr. & Mrs. Lyle Hutchison, Owners, Lucy Barr Designs, Owner Representative  
**Nature of Request:** Alterations to existing historic structure. Remove plate glass windows in sunroom and replace with windows matching those in the main residence. Construct second floor addition over sunroom. Remove existing one story rear addition and replace with a two story addition. Enlarge garage to accommodate two cars and add second floor, all as per submitted plans.

**APPROVED: ADDITIONS TO HOUSE.  
REFERRED TO DESIGN COMMITTEE:  
GARAGE**

Certified Record attached.

4. **060 – 04/05-CA** 1700 Hunter Avenue  
**Applicant:** Gregory Yeager  
**Nature of Request:** Replace existing wood picket fence with 6’ high wood privacy dog-eared fence, left to weather. Construct 17’ x 15’ deck, all as per submitted plans.

**APPROVED WITH CONDITIONS.** Certified Record attached.

5. **061-04/05-CA** 12 LeBaron Avenue  
**Applicant:** Harry and Marilyn Stewart  
**Nature of Request:** Remove existing lean-to roof extension and extend the second story roof to match the first floor making the first and second floor the same size, as per submitted plans.

**APPROVED.** Certified Record attached.

6. **062-04/05-CA** 250 Chatham Street  
**Applicant:** Bill and Leslie Cutts  
**Nature of Request:** Install a 4' high iron fence on an 8" high brick coping. Also install two 15' service gates and two 3'-6" pedestrian gates. Install 6' high wood fence to match existing at west property line with 3' high wood fence at the first 25' from Palmetto Street, all as per submitted plans.

**APPROVED.** Certified Record attached.

**MISCELLANEOUS BUSINESS:**

1. Bunky reported that she met with Anne and Ed to work on guidelines on Wednesday, June 8th. Staff will now have to work on a draft of the combined guidelines for Board member review.

**There being no further business, the meeting adjourned at 4:26 p.m.**

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS  
CERTIFIED RECORD**

**046-04/05-CA**                    22 South Ann Street  
**Applicant:**                    Susan K. Rhodes  
**Received:**                    4/22/05                                    Meeting Dates:  
**Submission Date + 45 Days:**                    **6/06/05**                    1) **5/9/05**                                    2) **6/13/05**  
3)

**INTRODUCTION TO THE APPLICATION**

**Historic District:**                    Old Dauphin Way Historic District  
**Classification:**                    Contributing  
**Zoning:**                                    R-1, Single Family Residential  
**Nature of Project:**                    1. Construct “L”-shaped drive as per submitted site plan.  
2. Construct garage/workshop as per submitted plans.  
3. Install fencing around property as per submitted plans.

**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	Drives, Walks and Parking Accessory Structures Fences, Walls and Gates	Construct front driveway Construct garage/workshop Install perimeter fencing

**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**

**Item 1** – Construct “L”-shaped driveway in front of residence. Based on the information contained in the application , and in Staff’s judgment, the proposed construction is not in compliance with Section 3 of the Design Review Guidelines. The guidelines state that “Circular drives and parking pads in the front yard are generally inappropriate in the historic district.”

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 drive is proposed to allow access onto Azalea Street instead of Ann Street.
3. Whith this is not technically a “circular” drive, there are two curb cuts and a large drive cutting across the front yard of 22 South Ann Street, creating the effect of a circular drive.
4. The current driveway to the north is shared by both 22 and 20 South Ann Streets.
5. At one time, both properties were owned by the same family.
6. 20 South Ann Street has an easement through the back of the property at 22 South Ann Street.

7. The applicant is requesting the front drive in order to be able to develop the rear yard, including the construction of a garage/workshop, dog kennels, and a perimeter fence.
8. The resident of 20 South Ann Street is concerned about the safety of backing out onto Ann Street.
9. A parking area for 20 South Ann Street has not been determined or presented.
10. A driveway across the front of 22 South Ann would allow access from 20 South Ann Street to Azalea Street.
11. The applicant is requesting to use grasscrete or grasspave as an alternative to asphalt or concrete to minimize the impact of the drive.
12. The shared drive was part of the original purchase agreement between the previous owner and the current owner.
13. The owner of 20 South Ann should re-arrange the rear of the property to allow for a turn-around in order to pull out forward into Ann Street.
14. Butch Ladner with Traffic Engineering has signed off on the applicant's request for a curb cut.
15. James Bolin with Right-of-Way has signed off on the applicant's request for a curb cut.

Staff recommends denial of the proposed front yard drive.

**Item 2** – Construct a garage/workshop. Based on the information submitted in the application and in Staff's judgment, the proposed construction is in compliance with Section 3 of the Design Review Guidelines. The Guidelines state that accessory structures "...should compliment the design and scale of the main building."

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 2 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. Based on the information submitted in the application, and in Staff's judgment, the proposed construction is in compliance with Section 3 of the Design Review Guidelines. The Guidelines state that fences "...should compliment the building and not detract from it."

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 measuring 6'-6" high between 7' tall capped brick piers spaced 12' apart.



3. While the drawings provided do not delineate a cap, the owner has agreed to place a pre-cast pyramidal cap on each brick column.

Staff recommends approval of the fence as submitted with the following conditions:

1. That the tops of the pickets be straight and squared off instead of curvilinear;
2. That pre-cast caps be added to each pier.

### **PUBLIC TESTIMONY**

Susan Rhodes and David Maness were present to discuss the application.

**Front L shaped drive:** The owners reported that they had purchased the property in 1998 and that the driveway easement was in effect at that time. The easement allows access to the Rhodes' property, and the property next door, from Azalea Street. The applicants explained that the owner of the adjacent property obtained the easement so that she would not have to exit her property on Ann Street. The applicants want to fence off their property, which would deny access to Azalea. The adjacent owner would not consent to closing the Azalea Street access unless the drive was relocated.

The applicants discussed the possible use of an alternative paving material, such as grass crete, although concrete was preferred. Landscaping the 10 ft. wide drive would also be a possibility. They reported that curb cuts have already been approved by Traffic Engineering.

Several Board members expressed concern about legal issues regarding the easement and encouraged the applicants to seek counsel.

Board Counsel explained the purpose of the rule against circular drives, noting that they were not historic and usually become parking lots or parking pads. Approving an L shaped drive in the front yard might result in a domino effect with adjacent property owners requesting similar driveways.

The owners stated that there will be enough room for the family to park behind the house and that they have no intention of using the proposed drive for parking with the exception of their guests.

Board member Tilmon Brown commented that he had lived on Ann Street and that not a single circular drive existed on S. Ann Street between Government and Dauphin Streets and, while it is often difficult to enter Ann Street, it was not impossible.

#### **Garage:**

Tilmon Brown questioned the exterior material. Mr. Maness reported that it would be wood lap siding. The owners had submitted rudimentary drawings and staff had completed a more finished drawing that the owners reported not having seen before the meeting. The owner also reported that the overall size of the garage/workshop was 20' x 40' and not 20' x 40' with an additional 20' x 20' workshop as indicated in the staff report.

#### **Fence:**

There were questions concerning the finish of the fence. The owner said that he would take a jig and finish the rail tops by bending them. Kearley noted for the record that a similar fence could be found at Spring Hill College and that it is a fairly common fence type.

The Board questioned the installation of lights on the fence piers. The owner reported that a light will be placed on each of 36 piers but that the fixture had not been chosen. The owner amended his application deleting the lights from the fence posts.

The owner also questioned why a deck and rear driveway had not been included in the request. Staff explained that no information had been supplied for the deck. It was the feeling of the Board that these items could be handled on a mid-month basis by staff.

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

### **BOARD DISCUSSION**

There was no additional Board discussion.

### **FINDING OF FACT**

#### **L-shaped drive:**

Tilmon Brown moved that, based upon the evidence presented in the application and during the public hearing, that the Board adopt the facts in the staff report. The motion was seconded by Bunky Ralph and approved.

#### **Garage:**

Douglas Kearley moved that, based upon the evidence presented in the application and during the public hearing, that the Board adopt the facts in the staff report. The motion was seconded by David Tharp and approved.

#### **Fence:**

David Tharp moved that, based upon the evidence presented in the application and during the public hearing, that the Board adopt the facts in the staff report. The motion was seconded by Tilmon Brown and approved.

### **DECISION ON THE APPLICATION**

#### **L-shaped drive:**

Tilmon Brown moved that, based upon the facts found by the Board that the application DOES impair the historic integrity of the structure and the district according to the Guidelines and that a Certificate of Appropriateness be denied. The motion was seconded by Bunky Ralph. The motion passed 6-1 with Cindy Klotz voting in opposition to the motion.

#### **Garage:**

David Tharp moved that based upon the facts found by the Board that the garage as drawn by staff DOES NOT impair the historic house or adjacent district and that a Certificate of Appropriateness be issued. The motion was seconded by Tilmon Brown and approved.

#### **Fence:**

David Tharp moved that based upon the facts found by Board that the fence application as amended DOES NOT impair the house or the historic district and that a Certificate of Appropriateness be issued. The motion was seconded by Douglas Kearley and approved.

Garage and Fence Certificate of Appropriateness Expiration Date: 06/13/06.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS  
CERTIFIED RECORD**

**057/04-05/CA**                      1702-1706 Government Street  
**Applicant:**                      Sammy Au, Owner/ Bill Partridge, Architect  
**Received:**                      5/24/05                                      Meeting Dates:  
**Submission Date + 45 Days:**                      7/08/05                      1) 6/13/05                      2)

**INTRODUCTION TO THE APPLICATION**

**Historic District:**                      Old Dauphin Way Historic District  
**Classification:**                      Non-Contributing  
**Zoning:**                                      B-1, Neighborhood Business  
**Nature of Project:**                      Construct new arched storefront canopy on existing strip shopping center 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	Porches and Canopies	Construct arched storefront canopy

**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**

Based on the information contained in the application, and in Staff’s judgment the proposed canopy construction is in compliance with Section 3 of the Design Review Guidelines.

1. The existing strip shopping center dates from the mid-to-last quarter of the 20<sup>th</sup> century.
2. The existing strip shopping center is a non-contributing structure.
3. The proposed design utilizes an existing wide cantilevered overhang.
4. The proposed design consists of 5 arched bays supported by stucco columns with brick bases matching the existing brick on the building.
5. Stucco columns and arches will be painted two shades of cream, Autumn Blonde and Navajo White, as per submitted color samples.

Staff recommends approval as submitted.

### **PUBLIC TESTIMONY**

Architect Bill Partridge appeared on behalf of the applicant. When questioned about the color of the existing storefront, he responded that it is mill finished aluminum. One Board member asked about the possibility of changing the color to bronze. Mr. Partridge responded that there are staining products that would possibly work.

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 other city departments to read into the record.

### **BOARD DISCUSSION**

There was no additional Board discussion.

### **FINDING OF FACT**

David Tharp moved that, based upon the evidence presented in the application and during the public hearing, that the Board adopt the facts in the staff report. The motion was seconded by Bunky Ralph and approved.

### **DECISION ON THE APPLICATION**

Bunky Ralph moved that, based upon the facts found by the Board, that the application DOES NOT impair the historic integrity of the structure or the district according to the Guidelines and that a Certificate of Appropriateness be issued. The motion was seconded by Douglas Kearley and approved.

Certificate of Appropriateness Expiration Date: 06/13/06.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS  
CERTIFIED RECORD**

**058-04/05-CA**                      1311 Old Shell Road  
**Applicant:**                      Shanee Johnson  
**Received:**                      5/24/05                      Meeting Dates:  
**Submission Date + 45 Days:**                      7/08/05                      1) 6/13/05                      2)                      3)

**INTRODUCTION TO THE APPLICATION**

**Historic District:**                      Old Dauphin Way Historic District  
**Classification:**                      Non-Contributing (new construction)  
**Zoning:**                                      R-1, Single Family Residential  
**Nature of Project:**                      Construct new one and one-half story residence as per submitted plans.

The residence faces north towards Old Shell Road, and the front building line is located at a distance of 25’ from the sidewalk. Foundation is a floating concrete slab with brick veneer continuous foundation wall. The overall height is approximately 36”. The windows are proposed to be wood six-over-six. Front door is proposed to be wood with rectangular beveled glass. The main front of the house has a side gable roof with three dormers and a six bay recessed front porch.

NOTE: Changes to plans as submitted.

Staff worked with the applicant to break up the massing of large expanses of brick using the following techniques:

1. On the right side elevation two windows will be added in the master bedroom.
2. A single window will be added in the gable of the right and left elevations.
3. The header course proposed at the ceiling level of the first floor will be dropped to the foundation line to serve as a water table.

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

<u><b>Sections</b></u>	<u><b>Topic</b></u>	<u><b>Description of Work</b></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. In staff’s judgment, the setback is not appropriate.
  - 1. Setbacks in the Old Dauphin Way Historic District range from buildings constructed near the sidewalk to buildings with 25’ setbacks.
  - 2. The building site is located on the south side of Old Shell Road between North Ann Street and North Julia Streets.
  - 3. The proposed setback is approximately 25’.
  - 4. The front setback line should approximate that of adjacent historic buildings.

### **3,II**

#### **Massing and Scale**

- A. The guidelines state that new construction should reference the massing of forms of nearby historic buildings. In staff’s judgment, the proposed design is appropriately scaled.
  - 1. There are multiple examples of raised vernacular cottages in the Historic Districts.
  - 2. The proposed building measures approximately 39’-5” wide by approximately 59’ long, with a garage wing measuring approximately 22’ wide by approximately 27’ long.
  - 3. The proposed structure is wood frame with brick veneer.
- B. The guidelines state that new buildings should have foundations similar in height to those of nearby historic buildings. In staff’s judgment, the foundation is appropriate.
  - 1. Adjacent residential buildings, both frame and brick veneer, have pier foundations.
  - 2. The proposed foundation is a floating slab with continuous brick veneer at a height of 36” 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. In staff’s judgment, the roof is appropriate.
  - 1. A variety of residential roof shapes exist in the Old Dauphin Way Historic District.
  - 2. This proposed design has a gable to the side and an ell gable to the rear.

### **3, III**

#### **Façade Elements**

- A. The guidelines state that new construction should reflect the use of façade elements of nearby historic buildings. In staff’s judgment, the façade elements are appropriate.
  - 1. The use of six-over-six wood windows and wood doors with glass is compatible with similar adjacent historic structures.

2. Porches are a regional characteristic found on almost every residence in the Old Dauphin Way Historic District.
  - a. A majority of surrounding historic structures have front porches.
  - b. The proposed plan has a front porch across the width of the front of the residence.
3. The use of a traditional front porch with wood box columns helps achieve compatibility.

### **3, IV Materials and Ornamentation**

- A. The guidelines provide a list of appropriate materials for compatible new construction. In staff's judgment, the materials are appropriate.
  1. There are a number of brick veneer structures in the Old Dauphin Way Historic District.
  2. The proposed exterior material is brick veneer (sample submitted).
- 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.
- C. The following are proposed building materials:
  1. foundation – floating slab
  2. façade – brick veneer over wood studs
  3. doors –wood with glazing
  4. windows –six-over-six wood
  5. roof – side gable with a 7 and 12 pitch

Staff recommends approval of the application as amended with changes noted under Nature of Project, which include:

1. On the right side elevation two windows will be added in the master bedroom.
2. A single window will be added in the gable of the right and left elevations.
3. The header course proposed at the ceiling level of the first floor will be dropped to the foundation line to serve as a water table.
4. The applicant should work with staff on the placement of additional windows.

### **PUBLIC TESTIMONY**

Staff explained that a brick sample had been submitted and that buff colored mortar would be used. Stucco would be taupe and roof shingles brown. In addition, staff explained that changes to plans as noted in the staff report had been agreed to by the applicant.

The Board questioned whether a 25 ft. setback was appropriate. Staff explained that houses in that area of Old Shell Road are set back 25 ft. on a fairly consistent basis.

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 additional Board discussion.

### **FINDING OF FACT**

Bunky Ralph moved, that based upon the evidence presented in the application and at the public hearing, that the Board adopt the facts in the staff report in addition to amendments 1-4 in the staff report. The motion was seconded by Mike Mayberry and approved.

### **DECISION ON THE APPLICATION**

Bunky Ralph 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: 06/13/06.



**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS  
CERTIFIED RECORD**

**060-04/05-CA**                      109 Levert Avenue  
**Applicant:**                      Mr. and Mrs. Lyle Hutchison  
**Received:**                        5/23/05                              Meeting Dates:  
**Submission Date + 45 Days:**                      7/07/05                              1) 6/13/05                              2)

**INTRODUCTION TO THE APPLICATION**

**Historic District:**                      Ashland Place Historic District  
**Classification:**                      Contributing  
**Zoning:**                                R-1, Single Family Residential  
**Nature of Project:**                      Construct side and rear addition as per submitted plans. Alter garage as per submitted plans.

**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 side and rear addition
	Accessory Structures	Alter existing garage

**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**

Based on the information contained in the application, and in Staff’s judgment:

**A. Side Addition:**

- The proposed construction is not in compliance with Section 3 of the Design Review Guidelines. The Guidelines state that “The form and shape of the porch and its roof should maintain their historic appearance.”
1. The main structure is a two story wood frame Colonial Revival residence with a one story enclosed sunroom on the left side.
  2. The proposed addition occurs at the left side of the residence.
  3. There is currently an enclosed sunroom with its original columns and decorative rafter tails.
  4. The proposed addition at the first floor level changes the appearance of an enclosed sunroom with decorative rafter tails and a flat roof to that of a wing, giving the appearance that the addition was built as the same time as the main residence.
  5. Alterations also include the removal of original columns and later porch infill to create the appearance of a wing.

6. The proposed addition at the second floor level also gives the appearance that the addition was built at the same time as the main residence.
7. Facts 4-6 violate numbers 2, 9 and 10 of the Secretary of the Interior's Standards for Rehabilitation, as follows:
  - a. Number 2 –  
The historic character of a property shall be retained and preserved. The removal of historic materials or alterations of the features and spaces that characterize a property shall be avoided.
  - b. Number 9 -  
New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, scale, and architectural features to protect the historic integrity of the property and its environment.
  - c. Number 10 –  
New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

**B. Rear Addition:**

1. Currently there is a one story rear addition.
2. Plans call for the removal of this addition and the construction of a new two story addition.
3. The new rear addition increases the existing rear addition to 19' x 33'.
4. The row of five windows on the left elevation of the new addition is not in keeping with the window spacing of the original structure in that it replicates no original fenestration.
5. There is no fenestration on the right side of the addition at the first floor, and one existing window in the kitchen is proposed to be closed.
6. The Board has regularly held that large expanses of blank walls are inappropriate.

**C. Garage Alterations:**

The proposed construction is not in compliance with Section 3 of the Design Review Guidelines.

1. The existing garage is a contributing historic structure constructed at the same time as the 1929 residence.
2. The Ashland Place neighborhood was developed as an early streetcar suburb along the Springhill Avenue trolley line.
3. Automobiles were an important element in the layout of the neighborhood, and many of the houses were constructed with free-standing garages and carriage houses.
4. The National Register Nomination lists 24 contributing outbuildings in the Ashland Place Historic District.
5. The existing garage retains its original design, with the exception of decorative concrete block infill at the garage door opening.
6. The proposed design calls for extending the garage opening 7' forward to allow for larger vehicles.
7. The proposed design calls for the addition of a second story for storage and later playroom.

Staff recommends that the project be referred to the Design Review Sub-Committee.

## **PUBLIC TESTIMONY**

Designer Lucy Barr appeared before the Board along with Mrs. Hutchison. Ms. Barr explained that she and her client had followed the recommendation of staff with regard to modifying the side addition to resemble sleeping porches. This allows for the retention of original details of the first floor porch. In addition, she commented that in line with staff comment in B.5, windows or fixed shutters will be added to the north wall and she will work with staff on their placement. The Board questioned whether a tree near the proposed addition will require trimming. Ms Barr said yes.

In terms of the garage, Ms. Barr explained that the original footprint of the garage remains but has been enlarged. In response to Board questions, she stated that the garage is not visible from the street and that the alley is narrow. The garage is not parallel but perpendicular to the alley. The garage is located very close to the property line, but adjacent garages are also close to the property line. There was some discussion about whether the overlay would apply since the garage is being increased in volume from one to two stories. Urban Development will need to be consulted to determine if a variance will be necessary.

Staff explained that the historic garage is obscured by the current plan, and that it would be advisable to develop a plan that allows the original portion of the structure to remain visually distinguished while providing the space required by the applicant.

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 additional Board discussion.

## **FINDING OF FACT**

### **Side and Rear Additions:**

Douglas Kearley moved that, based upon the evidence presented in the application and during the public hearing, that the Board adopt the facts in the staff report. The motion was seconded by Bunky Ralph and approved.

### **Garage:**

Douglas Kearley moved that, based upon the evidence presented in the application and during the public hearing, that the Board adopt the facts in the staff report, but strike the preamble in item C. There was no second to this motion.

Bunky Ralph moved that, based upon the evidence presented in the application and during the public hearing, that the Board adopt the facts in the staff report. The motion was seconded by Michael Mayberry and approved.

## **DECISION ON THE APPLICATION**

### **Side and Rear Additions:**

Tilmon Brown 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.

Certificate of Appropriateness Expiration Date: 06/13/06.

**Garage:**

Bunky Ralph moved that based upon the facts found by the Board that the application DOES impair the historic integrity of the structure and the district and that the applicant should be referred to the Design Subcommittee as soon as possible. The motion was seconded by Michael Mayberry and approved by a vote of 4 to 3.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS  
CERTIFIED RECORD**

**060/04-05/CA**                      1700 Hunter Avenue  
**Applicant:**                      Gregory Yeager  
**Received:**                        5/24/05                              Meeting Dates:  
**Submission Date + 45 Days:**                      7/08/05                      1) 6/13/05                      2)

**INTRODUCTION TO THE APPLICATION**

**Historic District:**              Old Dauphin Way Historic District  
**Classification:**                Contributing  
**Zoning:**                         R-1, Single Family Residential  
**Nature of Project:**            Construct a 6’ high wood privacy fence as per submitted site plan. Fence to be dog-eared, left natural to weather. Construct 17’ x 15’ deck at back door as per submitted plan.

**NOTE:** A variance from the Board of Zoning Adjustment will be necessary to construct the fence along the sidewalk as proposed.

**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
3	Accessory Structures	Construct wood deck

**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**

Based on the information contained in the application, and in Staff’s judgment:

- A. The proposed fence construction is in compliance with Section 3 of the Design Review Guidelines. The Guidelines state that fences “...should compliment the building and not detract from it.”
1. The main structure is a one story wood frame Arts & Crafts Bungalow with 3 bay recessed front porch.
  2. The proposed wood fence is 6’ in height.
  3. The fence is to be dog-eared, all wood treated and left to weather.
  4. The fence is being constructed to provide privacy for a swimming pool.
  5. The proposed fence is to be located at a distance of approximately as per submitted site plan.

**Analysis:**

In staff’s judgment, the above facts support the Design Review Guidelines.

- B. The proposed deck construction is in compliance with Section 3 of the Design Review Guidelines. The Guidelines state that “...the structure should compliment the design and scale of the main building.
  - 1. The main structure is a one story wood frame Arts & Crafts Bungalow with 3 bay recessed front porch.
  - 2. The proposed wood deck measures 17’ x 15’, and is approximately 3’ in height.
  - 3. The proposed wood deck will be constructed of treated wood and left to weather.
  - 4. The proposed deck rail will be MHDC stock rail number one with 1” square pickets between top and bottom rail.

**Analysis:**

In staff’s judgment, the above facts support the Design Review Guidelines.

Staff recommends approval of the application as submitted. Owner should be advised that the fence placement violates the current Zoning Ordinance, and that a variance must be obtained from the Board of Zoning Adjustment prior to construction.

Staff recommends approval of the application as submitted for the deck.

**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. The Board questioned whether the applicant would require a variance since the overlay district should allow for a fence at the sidewalk. Staff explained that there were no other similar fences within 150 ft. of the property necessitating the applicant to apply for a variance.

**BOARD DISCUSSION**

There was no additional Board discussion.

**FINDING OF FACT**

David Tharp moved that, based upon the evidence presented in the application and during the public hearing, that the Board adopt the facts in the staff report. The motion was seconded by Douglas Kearley and approved.

**DECISION ON THE APPLICATION**

Bunky Ralph moved that, based upon the facts found by the Board, that the application DOES NOT impair the historic integrity of the structure or the district according to the Guidelines and that a Certificate of Appropriateness be issued. The motion was seconded by Douglas Kearley and approved.

Certificate of Appropriateness Expiration Date: 06/13/06.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS  
CERTIFIED RECORD**

**061-04/05-CA**                      12 LeBaron Avenue  
**Applicant:**                      Harry and Marilyn Stewart  
**Received:**                      5/25/05                      Meeting Dates:  
**Submission Date + 45 Days:**                      7/09/05                      1) 5/23/05                      2)

**INTRODUCTION TO THE APPLICATION**

**Historic District:**                      Old Dauphin Way Historic District  
**Classification:**                      Contributing  
**Zoning:**                      R-1, Single Family Residential  
**Nature of Project:**                      Construct rear addition as per submitted plans.

NOTE: Hardiplank is called out for wall material. Staff has advised the applicant that hardiplank is only approved for new construction and not appropriate for additions to existing historic structures.

**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 rear addition

**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**

Based on the information contained in the application, and in Staff’s judgment:

- A. The proposed construction is in compliance with Section 3 of the Design Review Guidelines.
  - 1. The main structure is a two story wood frame American Foursquare with a three bay front porch, and a monolithic hipped roof.
  - 2. The proposed addition occurs at the rear of the residence, and squares off the second floor.
  - 3. The proposed one story addition continues the rear of the residence 20’ on the first floor, and closes in a second floor rear porch.
  - 4. A 6’-10” deep recessed screened porch located on the second floor is supported by 1 square wood box column.
  - 5. All existing corner boards to remain, as recommended by Secretary of the Interior’s Standards Numbers 9 and 10, which state:
    - a. Number 9 –

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

- a. Number 10 -  
New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
6. The Materials List and Design Details are appropriate for this structure.
  - a. siding to match existing;
  - b. wood box column;
  - c. MHDC stock rail design Number 1
  - d. cornice, soffit, fascia, corner boards to match those of the main house;
  - e. wood windows to be reused

**Analysis:**

In staff's judgment, the above facts support the Design Review Guidelines.

Staff recommends approval as amended with the following change:

1. Exterior siding to be wood siding to match the existing siding.

**PUBLIC TESTIMONY**

Harry Stewart was present to discuss his application. Although he had been advised that hardiplank was an inappropriate material, he expressed a continued desire to use it on his addition. Board members explained why it would be an inappropriate infill material on a historic building citing the lack of a bevel, etc. Following this discussion, Mr. Stewart amended his application proposing the use of wood to match existing rather than hardiplank.

**BOARD DISCUSSION**

There was no additional Board discussion.

**FINDING OF FACT**

Douglas Kearley moved that based upon the evidence presented in the amended application and during the public hearing, that the Board adopt the facts in the staff report. The motion was seconded by David Tharp and approved.

**DECISION ON THE APPLICATION**

Douglas Kearley moved that, based upon the facts found by the Board, that the application DOES NOT impair the historic structure or the district according to the Guidelines and that a Certificate of Appropriateness be issued noting that a variance will be required for the fencing. The motion was seconded by Tilmon Brown and approved.

Certificate of Appropriateness Expiration Date: 06/13/06.



**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS  
CERTIFIED RECORD**

**062/04-05/CA**                      250 Chatham Street  
**Applicant:**                      Bill and Leslie Cutts  
**Received:**                      6/01/05                      Meeting Dates:  
**Submission Date + 45 Days:**                      7/16/05                      1) 6/13/05                      2)

**INTRODUCTION TO THE APPLICATION**

**Historic District:**                      Oakleigh Garden Historic District  
**Classification:**                      Contributing  
**Zoning:**                      R-1, Single Family Residential  
**Conflicts of Interest:**                      Douglas Kearley recused himself from discussion and voting on the application.  
**Nature of Project:**                      Install a 4’ high iron fence on an 8” high brick coping. Also install two 15’ service gates and two 3’-6” pedestrian gates. Install 6’ high wood fence to match existing at west property line with 3’ high wood fence at the first 25’ from Palmetto Street, all 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	Fences, Walls & Gates	Construct wood 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**

Based on the information contained in the application, and in Staff’s judgment:

- A.        The proposed fence construction is in compliance with Section 3 of the Design Review Guidelines. The Guidelines state that fences “...should compliment the building and not detract from it.”
  - 1.        The main structure is a two story wood frame Italianate residence constructed ca. 1868.
  - 2.        The proposed iron fence is 4’ in height and sits atop an 8” high brick coping.
  - 3.        The proposed wood fence is to match that of the existing fence on the west property line, all wood treated and left to weather.

**Analysis:**

In staff’s judgment, the above facts support the Design Review Guidelines.

Staff recommends approval of the application as submitted.

**PUBLIC TESTIMONY**

No one was 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.  
Staff clarified that a wood fence would be used on the west side and that a 25 ft. setback was requested by the owner.

**BOARD DISCUSSION**

There was no additional Board discussion.

**FINDING OF FACT**

Tilmon Brown moved that, based upon the evidence presented in the application and during the public hearing, that the Board adopt the facts in the staff report. The motion was seconded by Bunky Ralph and approved.

**DECISION ON THE APPLICATION**

Tilmon Brown moved that, based upon the facts found by the Board, that the application DOES NOT impair the historic integrity of the structure or the district according to the Guidelines and that a Certificate of Appropriateness be issued. The motion was seconded by Bunky Ralph and approved with David Tharp dissenting.

Certificate of Appropriateness Expiration Date: 06/13/06.