

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

Minutes of the Meeting

July 10, 2006

**CALL TO ORDER**

The meeting was called to order at 3:05 pm by Chair, Bunky Ralph.

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

**Members Present:** Douglas Kearley, David Tharp, Bunky Ralph, Joe Sackett,  
Tilmon Brown and Cameron Pfeiffer.

**Members Absent:** Jim Wagoner, Michael Mayberry, Harris Oswalt, Cindy Klotz,  
Robert Brown

**Staff Members Present:** Devereaux Bemis, John Lawler, Ed Hooker.

<u>In Attendance</u>	<u>Mailing Address</u>	<u>Item Number</u>
Norman Wood	110 Ryan Avenue, Mobile 36607	012-05/06-CA
Mary Hunter Slaton	Ashland Place Avenue, Mobile 36607	012-05/06-CA
Joe Kulakowski	254 North Conception Street, Mobile	075-05/06-CA
Lucy Barr		074-05/06-CA
Lisi Shivers	350 West Street, Mobile 36604	069-05/06-CA
Don Williams		069-05/06-CA
Margaret Hutchison	109 Levert Avenue, Mobile 36607	074-05/06-CA
Council Powell, Sr.	2102 St. Stephens Road	075-05/06-CA
Nick Holmes, III	257 N. Conception Street, Mobile 36603	012-05/06-CA

Douglas Kearley moved to approve the minutes of the last meeting as emailed. The motion was seconded by David Tharp and unanimously approved.

David Tharp moved to approve the mid-month Certificates of Appropriateness. The motion was seconded by Douglas Kearley and unanimously approved.

**MID-MONTH APPROVALS**

1. Applicant's Name: Atlas Roofing  
Property Address: 458 Government Street  
Date of Approval: 6/15/06 weh  
Work Approved: Re-roof with 50 year architectural grade shingles, charcoal in color.
2. Applicant's Name: First Christian Church of Christ, Scientist  
Property Address: 1151 Government Street  
Date of Approval: 6/16/06 weh  
Work Approved: Replace existing pole sign with signage as per submitted design.
3. Applicant's Name: Sherwin Williams/Wrico Signs  
Property Address: 1904 Government Street  
Date of Approval: 6/16/06 weh  
Work Approved: Replace existing signage with new signage matching existing in material. Profile and dimension as per submitted design.

4. Applicant's Name: Skip Shira  
Property Address: 906 Palmetto Street  
Date of Approval: 6/14/06 weh  
Work Approved: Rehabilitate historic structure by converting from apartments to single family dwelling. Remove later doors and windows and replace with siding matching existing in materials, profile and dimension. Feather in to existing. Remove second floor porch infill. Reconstruct front porch columns and railing using MHDC stock design #3. Construct deck at rear with lattice privacy panels as designed. Prep to paint. Colors to be submitted at a later date.
  
5. Applicant's Name: Bill Johnston  
Property Address: 1223 Selma Street  
Date of Approval: 6/16/06 jdb  
Work Approved: Reroof using 30 year timberline shingles, pewter gray in color. Underlayment to be 30 lb felt. Repair any wood that is necessary matching the original in profile, dimension and materials.
  
6. Applicant's Name: Willa Washington  
Property Address: 16 North Ann Street  
Date of Approval: 6/13/06 weh  
Work Approved: Reconstruct chimneys damaged by hurricane. Bricks and mortar to match existing in color and dimension.
  
7. Applicant's Name: Derrick Juzang  
Property Address: 954 Church Street  
Date of Approval: 6/13/06 weh  
Work Approved: Repaint house the following Sherwin Williams colors:  
Body – Shire Green, SW2226  
Window sash – Village Green, SW2237  
Trim – antique white
  
8. Applicant's Name: Gulf Coast Homebuilders  
Property Address: 352 Rapier Avenue  
Date of Approval: 6/19/06 jdb  
Work Approved: Replace rotten wood on front porch, siding and windows as necessary with new materials matching existing in profile, dimension and material. Install new roof with materials to match existing. Paint house to match existing color scheme. New color scheme to be submitted if a change of color is requested.
  
9. Applicant's Name: Charles Howard and Jim Wagoner, III  
Property Address: 1805 Dauphin Street  
Date of Approval: 6/19/06 asc  
Work Approved: Repaint house in the existing color scheme. Replace rotten wood siding as necessary with new materials to match existing in profile and dimension.

10. Applicant's Name: Greg Cyprian  
Property Address: 64 Etheridge Street  
Date of Approval: 6/14/06 jdb  
Work Approved: Replace roof using 25 year charcoal gray Timberline roof. Repaint house using BLP St. Anthony Street Grey with white trim. Tree removal to be approved by Urban Forestry.
11. Applicant's Name: Ralph Hargrove  
Property Address: 105 Ryan Avenue  
Date of Approval: 6/21/06 asc  
Work Approved: Repair to rotten wood as necessary using new wood to match existing in dimension and profile; paint new materials white to match existing.
12. Applicant's Name: Rob Wallace  
Property Address: 1562 Blair Avenue  
Date of Approval: 6/22/06 jss  
Work Approved: Demolish burned building (Urban Development Inspection 6/21/06)
13. Applicant's Name: American Roofing and Construction  
Property Address: 51 North Ann Street  
Date of Approval: 6/22/06 jss  
Work Approved: Install new 3 tab charcoal shingles.
14. Applicant's Name: E and W Properties  
Property Address: 503 St. Francis Street  
Date of Approval: 6/22/06 jss  
Work Approved: Paint building in the following Sherwin Williams color scheme:  
Body – SW Shower Green  
Porch Deck – Bellingrath Green  
Trim – White  
Painted brick to remain existing color
15. Applicant's Name: Michael and Patsy Dow  
Property Address: 1056 Palmetto Street  
Date of Approval: 6/26/06 weh  
Work Approved: Replace rotten wood as necessary on siding to match materials in profile, dimension and material. Paint new materials to match existing color scheme.
16. Applicant's Name: Nextel  
Property Address: 255 Church Street  
Date of Approval: 6/26/06 weh  
Work Approved: Install 6' antenna adjacent to existing 8' antenna as per submitted plans.
17. Applicant's Name: Chris Huff  
Property Address: 11 Semmes Avenue  
Date of Approval: 6/26/06 weh by km  
Work Approved: Repaint house front to match existing color scheme.

**NOTICES OF VIOLATION and MUNICIPAL OFFENSE TICKETS:**

No NoVs or MoTs were written during this time period.

**OLD BUSINESS:**

1. **012-05/06-CA** 110 Ryan Avenue  
Applicant: Norman E. Wood  
Nature of Request: Alter historic residence as per submitted plans.

**APPROVED.** Certified Record Attached.

2. **069-05/06-CA** 350 West Street  
Applicant: Mr. and Mrs. Steven Shivers/Don Williams Engineering  
Nature of Request: Construct two story addition on north and south elevations as per submitted plans.

**APPROVED with Conditions.** Certified Record Attached

**NEW BUSINESS:**

1. **072-05/06-CA** 1058 Church Street  
Applicant: Meg and Geoff McGovern  
Nature of Request: Install 6' and 3' wood fence where shown. 6' fence to be left natural; 3' fence to be either painted or left natural.

**APPROVED.** Certified Record Attached.

2. **073-05/06-CA** 255 Roper Street  
Applicant: John D. and Judy Anthony Baumhauer  
Nature of Request: Construct decagonal orangerie as per submitted plans.

**APPROVED.** Certified Record Attached.

3. **074-05/06-CA** 109 LeVert Avenue  
Applicant: Mr. and Mrs. Lyle Hutchisson/Lucy Barr Designs  
Nature or Request: After-the-fact approval to retain hardi board siding on newly constructed addition.

**APPROVED.** Certified Record Attached.

4. **075-05/06-CA** 103 North Washington  
Applicant: Emanuel AME Church  
Nature of Request: Demolish burned building.

**TABLED.** Certified Record Attached.

**OTHER BUSINESS and ANNOUNCEMENTS:**

**The Meeting Adjourned at 4:40 p.m.**



**Project Synopsis:**

The applicants are requesting to extend the existing eaves of the structure to allow water to shed off the roof without affecting the wood siding. Currently the house has no overhang. In addition, the applicants are requesting to remove and reconstruct the existing gable on the north elevation, and at that time increase the height and change the profile of the existing gable approximately 4'-5" to accommodate additional living space in the attic. By increasing the pitch this will allow a flat roof section to become pitched. The additional attic space will require a new gable window on the north elevation and the addition of two dormers on the south elevation.

- A. EAVE EXTENSION** - The Guidelines state that "A roof is one of the most dominant features of a building. Original or historic roof forms, as well as the original pitch of the roof should be maintained."
1. 110 Ryan Avenue, the Smith House, ca. 1928, is a one story frame residence constructed in the English Period Revival style.
  2. Currently there is no overhang, which has resulted in continued maintenance problems of the wood siding.
  3. The proposed eave extension would increase the size of the overhang by 11 ½".
  4. This change would not be noticeable as a majority of the houses in the area have overhanging eaves.
  5. While this change will affect the historic appearance of the eaves of the structure, the change is necessary for the long-term preservation of the entire structure.
- B. ENLARGING PITCH AND ADDING DORMERS TO ACCOMMODATE ATTIC EXPANSION**- The Guidelines state that "A roof is one of the most dominant features of a building. Original or historic roof forms, as well as the original pitch of the roof should be maintained."
1. A proposed attic addition would increase the existing ridge height by approximately 4.5'.
  2. The additional 4.5' would alter the current appearance of the front and side elevations, therefore affecting the architectural and historic character of the structure.
  3. The proposed design increases the height of the existing gable 4.5' and the existing roof profile or rake is not repeated, therefore eliminating a character-defining feature of the structure.
  4. Dormers are a traditional way of creating added space in attics.
  5. The simple design of the proposed dormers relates to other simplistic design element on the existing structure.
  6. While the proposed changes are on secondary elevations, they change the overall character of the front elevation in height and design elements.
- C. ADDITION OF A PAIR OF FIXED CASEMENT WINDOWS WITH FANLIGHT TRANSOM ON NORTH ELEVATION**- The Guidelines state that "The type, size and dividing lights of windows and their location and configuration (rhythm) on the building help establish the historic character of a building. Original window openings should be retained as well as original sashes and glazing."
1. The existing single window configuration on the north elevation is original to the 1928 structure.
  2. The proposed window configuration does not relate to any other design element on the existing historic structure.
  3. The addition of the proposed window configuration would impair the architectural integrity of the historic façade and create a false sense of history.

Staff recommends **Approval** of the following:

- A. Eave overhang extension

Staff recommends **Denial** of the following:

- B. Enlarging pitch and adding dormers for attic expansion.
- C. Addition of new window design on the north elevation.

### **PUBLIC TESTIMONY**

Norman Wood and Nick Holmes, III were present to discuss the application.

Mary Hunter Slaton, Ashland Place Representative on the MHDC, was present to speak in favor of the application as submitted. Slaton stated that 114 Ryan, the Westin House, raised the roof and the changes improved the appearance of the structure. She felt that the proposed changes to the Wood residence would also improve the appearance.

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

Mr. Wood took exception with Staff Report Item C-1. He believes the entire north elevation and gable were considerably altered through time. He also believes that the half round window relates the arched entry and the slope at the edge of the roof. Wood stated that he has had roof problems since he has owned the property. Wood stated that a fire burned the roof off sometime in the 1970s and that, when reconstructed, was done poorly with little structural support in the attic. For this reason, the north gable is leaning backward into the house. Wood provided photographs of the residence when there was a chimney on the north elevation. He noted that there was probably not a window in the gable but rather a round gable vent similar to the other elevations. Wood noted that along with the chimney there used to be a “cooking porch”.

Wood noted several changes to the front elevation, including the addition of a bay to the right of the front door, enclosing a screened in porch, and filling in a window in the front vestibule. Wood stated that he believes the building has gone through numerous alterations, setting a precedent for the requested changes. Wood stated that he felt the structure was not historic.

Nick Holmes, III addressed the raising of the roof. He believes that buildings should be altered as part of their natural evolution. Holmes stated that the proposed changes were a minor impact to the structure. He also stated that change is a basic part of architectural history. He cited numerous examples of monumental buildings that have had large additions, such as:

- Bullfinch’s version of the U.S. Capital
- The Alabama State Capital
- Government Street Presbyterian Church
- Barton Academy
- Government Street Methodist Church
- Mobile Public Library

Joe Sackett noted that the Board understood the point Nick Holmes, III was trying to make.

### **BOARD DISCUSSION**

There was no Board discussion.

### **FINDING OF FACT**

David Tharp moved that, based upon comments made during the public hearing the Board finds the facts in the staff report, with the exception of C-1,2 and 3, which were removed. The motion was seconded by Tilmon Brown, and passed unanimously.

### **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 David Tharp and was unanimously approved.

**Certificate of Appropriateness Expiration Date 07/10/07.**





7. There are no setback issues concerning this elevation, which establishes a side yard setback of 2'-6".
8. This addition would not exceed the perimeter of the footprint of the existing bump-out.
9. The addition to the south elevation is proposed to elongate a bump-out, to measure 26' - 7" by 14' - 0".
10. This addition occurs at a distance of 55' from the street.
11. A porte cochere is proposed for the first level of the south addition with a bedroom above at the second level.
12. The proposed addition will come within 2'-6" of the north property line.
13. The Historic District Overlay Ordinance would be applicable to this situation.
14. Siding material for both additions is wood lap siding to match existing.
15. Roof material and pitch for both additions is to match existing.
16. Windows are proposed to be wood double hung, true divided lite, six-over-six.
17. Windows on the first floor of the existing house are a variety of styles, but are predominately wood nine-over-one true divided lite.
18. Windows in the pop-up appear to be wood one-over-one.
19. Columns supporting the porte cochere are proposed to match those on the front porch, with brick plinths supporting three wood columns.
20. Chamfered brackets on the front porch will also be replicated on the porte cochere.

Staff recommends approval of the addition to the north elevation as submitted. Due to the small massing and scale, this addition should not pose an adverse affect to the historic structure.

Staff recommends denial of the addition to the south elevation as submitted. Due to the massing and scale, this addition would be highly visible from the street and would negatively impact the historic integrity of the structure.

### **PUBLIC TESTIMONY**

Engineer Don Williams and owner Lisi Shivers were present to discuss the application. Williams explained the need for extra living space for a growing family. He noted that the revised plans increased the height of the windows. A corner board was added to give the appearance of an enclosed sleeping porch. A more defined base was added to the left addition to give the appearance of a porch floor. Williams stated that the left addition is set back considerably, and was behind the front building line of the 2 story residence to the south.

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**

Douglas Kearley moved that, based upon comments made during the public hearing the Board finds the facts in the staff report. The motion was seconded by Cameron Pfeiffer, and passed unanimously.

### **DECISION ON THE APPLICATION**

Douglas Kearley 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. David Tharp seconded the motion, which was unanimously approved.

Douglas Kearley moved that, based upon the facts found by the Board, that the application request to construct an addition on the south elevation does impair the historic integrity of the structure and the district according to the Guidelines. Kearley made the condition that the roof over the bedroom of the south addition be lowered a minimum of 1'. With this condition, Kearley moved that a Certificate of Appropriateness be issued. Tilmon Brown seconded the motion, which passed unanimously.

**Certificate of Appropriateness Expiration Date 07/10/07.**

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS  
CERTIFIED RECORD**

**072-05/06-CA**                      1058 Church Street  
**Applicant:**                      Meg and Geoff McGovern  
**Received:**                      6/26 /06                      Meeting Dates:  
**Submission Date + 45 Days:**                      8/10/06                      1) 7/10/06                      2)                      3)

**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:**                      Construct 3 car garage, gravel drive with concrete curbing, install 6’ and 3’ wood fence where shown. 6’ fence to be left natural; 3’ fence to be either painted or left natural.

**STAFF REPORT**

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

**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 ANALYSIS**

Based on the information contained in the application, and in Staff’s judgment, the proposed work complies with the Design Review Guidelines and the Sign Design Guidelines for Mobile’s Historic Districts and will not impair the historic integrity of the structure and the district.

1. The ca. 1901 Laird House was originally built on Springhill Avenue but was moved to 1058 Church Street in 1999 to avoid demolition.
2. The applicants also own the lot at 1056 Church Street and are currently having the two lots combined.
3. A 3’ wood picket fence is proposed to frame the front of the vacant lot to the east, and run a distance of 25’ down the east property line and the east edge of the gravel drive.
4. A pair of 6’ wide gates is proposed to span across the gravel drive.
5. This same 3’ high picket fence is to be placed around the a/c units on the east side of the residence.
6. The applicants would like the option to either leave the fence natural or paint.
7. A 6’ high fence is proposed for the north property line and the east property line.
8. This fence will match the fence existing behind the main house.

Staff recommends approval of the application as submitted with the condition that the following information be provided:

- Information on the garage doors
- Paint color for fence

### **PUBLIC TESTIMONY**

Neither the applicants or their representative were present to discuss the application. There was no one else to speak in favor of or in opposition to the application. Staff had no comments from the public or the city departments to read into the record. Staff noted that the applicants withdrew the request to construct the garage, but that they still requested approval for installation of the fence. Staff noted that the applicants had altered the request and that both fences would be left natural to weather.

### **BOARD DISCUSSION**

The Board noted that due to the fact that the application was altered, facts 3-14 should be omitted.

### **FINDING OF FACT**

David Tharp moved that, based upon the evidence presented in the application and during the public hearing, that the Board finds the facts in the Staff Report as modified above. The motion was seconded by Tilmon Brown and was unanimously 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. The motion was seconded by Tilmon Brown and was unanimously approved.

**Certificate of Appropriateness Expiration Date 07/10/07.**

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS  
CERTIFIED RECORD**

**073-05/06-CA**                      255 Roper Street  
**Applicant:**                      John D. and Judy Anthony Baumhauer  
**Received:**                      6/26 /06                      Meeting Dates:  
**Submission Date + 45 Days:**                      8/10/06                      1) 7/10/06                      2)                      3)

**INTRODUCTION TO THE APPLICATION**

**Historic District:**                      Oakleigh Garden Historic District  
**Classification:**                      Contributing  
**Zoning:**                      R-1, Single Family Residential  
**Nature of Project:**                      Construct decagonal orangerie as per submitted plans.

**STAFF REPORT**

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

**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 ANALYSIS**

Based on the information contained in the application, and in Staff's judgment, the proposed work complies with the Design Review Guidelines and the Sign Design Guidelines for Mobile's Historic Districts and will not impair the historic integrity of the structure and the district.

1.        The ca. 1923 Blake House is a one and ½ story wood frame Classical Revival cottage.
2.        The applicants are proposing to construct a 10 sided accessory structure in the rear yard.
3.        The subject lot measures 53' x 130'.
4.        The proposed location for the accessory structure is 5' from both the south and east property lines at the rear of the property.
5.        The proposed accessory structure is to have a concrete foundation with a gravel floor.
6.        9 single fixed wood French doors and one pair of operable wood French doors create the exterior of the accessory structure.
7.        A copper finial will top the pyramidal roof.

Staff recommends approval of the application as submitted.

**PUBLIC TESTIMONY**

Neither the applicants nor their representative were present to discuss the application. There was no one else to speak in favor of or in opposition to the application. Staff had no comments from the public or the city departments to read into the record.

### **BOARD DISCUSSION**

The Board questioned the type of roofing material and requested that Staff resolve that issue before issuing a Certificate of Appropriateness.

### **FINDING OF FACT**

Tilmon Brown moved that, based upon the evidence presented in the application and during the public hearing, that the Board finds the facts in the Staff Report as modified above. The motion was seconded by David Tharp and was unanimously 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 Cameron Pfeiffer and was unanimously approved.

**Certificate of Appropriateness Expiration Date 07/10/07.**

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS  
CERTIFIED RECORD**

**074-05/06-CA**                      109 LeVert Avenue  
**Applicant:**                      Lyle and Margaret Hutchisson/ Lucy Barr Designs  
**Received:**                      6/26 /06                      Meeting Dates:  
**Submission Date + 45 Days:**                      8/10/06                      1) 7/10/06                      2)                      3)

**INTRODUCTION TO THE APPLICATION**

**Historic District:**                      Ashland Place Historic District  
**Classification:**                      Contributing  
**Zoning:**                      R-1, Single Family Residential  
**Nature of Project:**                      After-the-fact approval to retain hardi board cement fiber siding.

**STAFF REPORT**

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

**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 ANALYSIS**

Based on the information contained in the application, and in Staff's judgment, the proposed work does not comply with the Design Review Guidelines and the Sign Design Guidelines for Mobile's Historic Districts and will impair the historic integrity of the structure and the district.

1. At the June 13, 2005 meeting of the Architectural Review Board, the applicants were granted approval to construct a two story side addition to the ca. 1929 residence.
2. The Certificate of Appropriateness issued stated that all new materials were to match the existing house in material, profile and dimension.
3. ARB staff received complaints regarding the installation of hardi board cement fiber siding.
4. Staff met on site with the designer, owner and contractor to discuss the complaint and violation.
5. Staff informed all present that according to the Design Review Guidelines, additions to existing historic structures must use material matching that of the original structure.
6. Staff did determine on site that the cement fiber siding does match the existing historic wood siding in profile and dimension.
7. Cement fiber siding is only allowed for new construction.
8. The applicants provided information on other Architectural Review Boards that have allowed the use of this material.
9. However, in reading the information, the material is only allowed to be used on non-contributing or non-historic structures within districts and in rare cases with extenuating circumstances on select historic properties.

Staff recommends that the Board determine the appropriateness of using synthetic materials for additions to historic structures.



### **PUBLIC TESTIMONY**

Lucy Barr, architectural designer, and Margaret Hutchisson were present to discuss the application. Contractor representative Bob Cherry was in the audience but did not wish to speak. Cherry provided a mock-up of a wall with hardi-board on one side and wood lap siding on the other.

Mary Hunter Slayton, Ashland Place Representative on the MHDC, was present to speak in favor of the application as submitted. Slayton stated that other cities with historic resources, such as New Orleans, Charleston and Savannah, have begun allowing cement fiber board on new construction. She felt that Mobile should do the same.

Lucy Barr stated that at the beginning of the project the contractor encountered a great deal of rotted wood siding. She noted that the damaged siding on the main house was replaced with matching wood siding.

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

Tilmon Brown stated that he did not have a problem with hardi-board siding for new construction or additions if the construction included sheathing. He noted that often times the material will buckle and become wavy if not installed properly.

### **BOARD DISCUSSION**

There was no 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 finds the facts in the Staff Report as modified above. The motion was seconded by David Tharp and was unanimously 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 David Tharp and unanimously approved.

**Certificate of Appropriateness Expiration Date 07/10/07.**

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

**075-05/06 – CA**            103 North Washington Street  
**Applicant:**                Emanuel AME Church  
**Received:**                6/26/06                            **Meeting Date (s):**  
**Submission Date + 45 Days:**    8/10/06                            1) 7/10/06

**INTRODUCTION TO THE APPLICATION**

**Historic District:**        Lower Dauphin Street Commercial Historic District  
**Classification:**         Contributing  
**Zoning:**                    R-1, Single Family Residential  
**Conflicts of Interest:**    Tilmon Brown and Bunky Ralph disclosed that they have previously had legal dealings with attorney Joe Kulakowski but that prior dealings would not affect their ability to review and comment on this project.  
**Nature of the Project:**    Demolish existing historic residential structure damaged by fire.

**STAFF REPORT**

**Staff Analysis:**

After receiving the application to demolish this structure, Staff visited the site. It appears the majority of the fire was contained in the rear addition. Structurally, the main historic portion of the building appears fine. Fire did not penetrate the roof of the main house, nor did it damage the floor structure or flooring. Windows and doors were damaged or destroyed putting out the fire. Staff encourages Review Board Members to visit the site.

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 Lower Dauphin Street Commercial Historic District was created in 1979.
  - 2. 103 North Washington Street is a one story wood frame Creole cottage with Colonial Revival influences.
  - 3. 103 North Washington Street is a contributing structure within the Lower Dauphin Street Commercial Historic District.
  - 4. While listed as contributing, the structure has had incompatible alterations over time.
  
- B. Importance to the Integrity of the District
  - 1. 103 North Washington Street is an important building because of its location at the district boundary.
  
- C. Ability to Reproduce Historic Structures
  - 1. The type and quality of the materials used in the construction of 103 North Washington Street are no longer readily available.
  - 2. The structure dates from the first quarter of the 20<sup>th</sup> 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. Though the removal of any historic building impairs the integrity of the district, it is the opinion of the staff that restoration costs for this building would be minimal. In the event that reconstruction was attempted, the cost to reproduce 103 North Washington Street would be prohibitively expensive.
- D. Ensemble of Historic Buildings Creating a Neighborhood
1. The subject property is one of numerous wood frame residences not only in the district but in the surrounding neighborhood.
  2. Removal of this residence would erode the Lower Dauphin Street Commercial Historic District.
- E. Proposed Redevelopment Plans for the Site
1. There is no information about site development, however MHDC staff did meet with representatives of the congregation about 2 years ago to discuss razing this structure and the one that burned to the immediate north to have additional parking for the church.
- F. Effect of Proposed Project on the Lower Dauphin Street Commercial Historic District.
1. The removal of 103 North Washington Street would degrade the streetscape along this relatively intact section of Marine Street.
  2. The removal of 103 North Washington Street would impair the architectural, cultural, historical, social, aesthetic and environmental character of the Lower Dauphin Street Commercial Historic District.
- G. Content of Application
1. Property information:
    - a. 103 North Washington Street was acquired by the applicant in 1989 for \$12,000.
    - b. The applicant states that the property was in poor condition due to a fire.
    - c. The property is currently unoccupied.
  2. Alternatives Considered
    - a. The applicant states that no alternatives were considered.
  3. Sale of Property by Current Owner
    - a. Information presented in the application notes that 103 North Washington Street has not been listed for sale.
    - b. Applicant states that there are currently no plans to sell the property.
  4. Financial Proof
    - a. No financial proof was included with the application.

Based on the above facts, Staff recommends denial of the request to demolish.

### **PUBLIC TESTIMONY**

Alderman Council Powell, Sr. and Attorney Joe Kulakowski were present to discuss the application.

Alderman Powell explained that the fire was started by vagrants. The church had raised funds prior to the fire to begin rehabilitation of the structure prior to Hurricane Katrina. The main church building sustained damage and their insurance policy will only pay for half of the repair bill. The church used the money raised for the rehabilitation of 103 North Washington to cover the remaining repairs to the main church building.

Alderman Powell stated that the structure would be impossible to restore, and that it would be cheaper to build new construction. When asked if the church would be willing to sell the property, the Alderman stated that senior members object to selling property. Powell stated that the church is not financially able to repair the structure. Powell noted that should the Board deny the request, the church would have no other option but to let the structure languish and fall down.

Joe Kulakowski was present to testify as to the condition of the structure. Kulakowski stated that in his opinion the structure was damaged beyond repair due to previous termite damage compounded by the fire.

Staff stated that an inspection of the interior of the property revealed that, in the professional opinion of the staff, structurally the building was intact. Staff stated that the fire did not penetrate the main roof of the structure, and that the floor system was intact. The main area of damage by fire was to the rear addition.

The Board informed the applicants that the City of Mobile has a Minimum Maintenance Ordinance whereby the property owner is required to provide a secure building envelope and adequate roof coverage to protect historic structures. Should the church decide to not address the condition of the property, a citation will be issued based on this Ordinance.

Staff informed the applicants that should they wish to raze the structure to install a parking lot, plans for the lot should be provided, including landscaping and paving information. Proof of financial ability to carry out the project should also be provided.

### **BOARD DISCUSSION**

The Board noted that there was no structural analysis or report concerning the structural condition of the structure. Staff suggested contacting Don Williams to perform such a report.

### **FINDING OF FACT**

Due to the fact that the application was Tabled for 30 days, no Facts were found.

### **DECISION ON THE APPLICATION**

Tilmon Brown moved to Table the application for 30 days. The motion was seconded by Joe Sackett and unanimously approved.