

**ARCHITECTURAL REVIEW BOARD MINUTES**  
**April 5, 2017 – 3:00 P.M.**  
**Meeting Room, Mobile Government Plaza, 205 Government Street**

**A. CALL TO ORDER**

1. The Chair, Harris Oswalt, called the meeting to order at 3:00. Cart Blackwell, MHDC Staff, called the roll as follows:  
**Members Present:** Nick Holmes III, Harris Oswalt, Craig Roberts, Robert Allen, Steve Stone, John Ruzic, Catarina Echols, and Carolyn Hasser.  
**Members Absent:** Robert Brown, Kim Harden, Jim Wagoner, and David Barr.  
**Staff Members Present:** Cartledge W. Blackwell, Paige Lague, Melissa Mutert, Shayla Beaco, Marion McElroy, and Bridget Daniel.
2. Mr. Stone moved to approve the minutes for the March 15, 2017 meeting. The motion received a second and was unanimously approved.
3. Mr. Stone moved to approve midmonth COA's granted by Staff. The motion received a second and majority approval with one opposed.

Mr. Allen expressed his concern that since 2017 there had been: 17 applications that appeared before the board; 88 Certificates of Appropriateness issued on staff level; and a total of 83% of Certificates of Appropriateness without on staff level. Mr. Allen stated this is not the policy of the ARB. Mr. Blackwell readdressed Mr. Allen's concerns as in previous meetings by noting the midmonth or administrative approval process applied by the board is used on a national level and has been reviewed by the Certified Local Government Coordinator at the Alabama Historical Commission (State Historic Preservation Office). Mr. Allen voiced the current midmonth process was bad policy. Mr. Stone argued making an applicant wait for approval on minor repairs or paint through an ARB meeting where the odds of neighbors coming forward to oppose would be slim could potentially be problematic. Mr. Roberts asked if the projects were posted online and could be seen by the public. Mr. Allen stated that the projects were posted, but only after receiving approval by staff. Mr. Blackwell reiterated staff stood by the current operating procedure set forth by resolution adopted by board. Mr. Oswalt stated the topic had been covered.

**B. MID MONTH APPROVALS: APPROVED**

1. **Applicant:** Jimmie Todd
  - a. Property Address: 912 Elmira Street
  - b. Date of Approval: 3/6/2017
  - c. Project: Mothball to secure existing structure.
2. **Applicant:** Read and Ann Hastings
  - a. Property Address: 1225 Selma Street
  - b. Date of Approval: 3/7/2017
  - c. Project: Repaint house in the following color scheme:
    - i. Body and Piers: Burnt Almond
    - ii. Trim: White
    - iii. Window Sashes, Doors, Lattice: Bellingrath Green
3. **Applicant:** Robert Cooner of Cooner Construction
  - a. Property Address: 1134 Montauk Avenue
  - b. Date of Approval: 3/8/2017
  - c. Project: Reroof with architectural shingles in charcoal.

- 4. Applicant:** Lindsay Burkett
  - a. Property Address: 15 S. Lafayette Street
  - b. Date of Approval: 3/16/2017
  - c. Project: Reroof dwelling in charcoal gray asphalt shingles. Replace deteriorated soffit and eaves to match existing in profile, dimension, and material. Install kneebraces to support sagging eaves on southwest and northwest corners, and rear porch to be historically accurate. Touch up paint to match existing.
- 5. Applicant:** Derek Crow
  - a. Property Address: 654 Monroe Street
  - b. Date of Approval: 3/16/2017
  - c. Project: Replace front porch deck boards with tongue and groove, replace newels to match, replace front steps to match, and repaint to match existing.
- 6. Applicant:** City of Mobile
  - a. Property Address: 256 N. Joachim Street
  - b. Date of Approval: 3/17/2017
  - c. Project: Repair and replace when necessary nine iron fence sections; ornamental posts; two driveway gates; pedestrian entry gate; porch railing on first floor porch and stairs; ornamental features and columns on first and second floor; and second floor balcony railing. Where replacement is necessary match existing.
- 7. Applicant:** Laura Broadus
  - a. Property Address: 960 Augusta St
  - b. Date of Approval: 3/17/2017
  - c. Project: Repaint in the following scheme:
    - i. Body: Oakleigh Garden Peach
    - ii. Trim: White
    - iii. Steps and Lattice: Black or Battleship Gray
    - iv. Ceiling: Haint Blue
- 8. Applicant:** Jonathan Arias
  - a. Property Address: 300 Marine Street
  - b. Date of Approval: 3/17/2017
  - c. Project: Construct four feet high wooden fence behind front plane of the house south of the residence.
- 9. Applicant:** 1857 Foundation
  - a. Property Address: 607 Government Street
  - b. Date of Approval: 3/17/2017
  - c. Project: Install temporary 6' construction fence with pedestrian gate and vehicular gate along north and west perimeter of the lot for six month duration.
- 10. Applicant:** Nick Catranis
  - a. Property Address: 1866 Government Street
  - b. Date of Approval: 3/20/2017
  - c. Project: Install individual storefront channeled letter sign with backlighting for a total of 35 square feet with Pizza Hut logo. Exchange two tenant panels nno more than 32 square feet in size with Pizza hut logo.

11. **Applicant:** Gwen Ledger
  - a. Property Address: 304 S. Monterey Street
  - b. Date of Approval: 3/20/2017
  - c. Project: Repoint and install missing bricks with appropriate mortar. Repair front porch screen. Repair lattice door to crawl space. Repaint in the following color scheme:
    - i. Trim: White
    - ii. Stairs and Decking: SW6074 Spalding Gray
    - iii. Body: Ravishing Coral (Peach)
    - iv. Doors: Red Tomato
12. **Applicant:** Derek Crow on behalf of Derek Crow Builders
  - a. Property Address: 200 S. Warren Street
  - b. Date of Approval: 3/22/2017
  - c. Project: Repair/ replace rotten wood.
13. **Applicant:** Jessica Davis
  - a. Property Address: 279 Park Terrace
  - b. Date of Approval: 3/22/2017
  - c. Project: Repair roof to match existing. Replace deteriorated eaves to match in dimension, profile, and material.
14. **Applicant:** Jessica Davis
  - a. Property Address: 1652 Lamar Street
  - b. Date of Approval: 3/22/2017
  - c. Project: Repair roof to match existing. Replace deteriorated eaves to match in dimension, profile, and material.
15. **Applicant:** George Whitlock
  - a. Property Address: 156 S. Monterey Street
  - b. Date of Approval: 3/23/2017
  - c. Project: Reroof with charcoal black architectural shingles.
16. **Applicant:** Jerry Graham
  - a. Property Address: 908 Palmetto Street
  - b. Date of Approval: 3/23/2017
  - c. Project: Reroof to match existing asphalt singles.

### C. APPLICATIONS

1. **2017-14-CA: 208 S. Catherine Street**
  - a. Applicant: Douglas B. Kearley of DBK Inc. on behalf of 208 S. Catherine LLC
  - b. Project: Addition Related - Construct a small addition off the rear elevation of a contributing residence.  
**APPROVED. CERTIFIED RECORD ATTACHED.**
2. **2017-15-CA: 1409 Campbell Street**
  - a. Applicant: Steve Speir, Nejla Harris, and Mary Beth Harris
  - b. Project: Alteration – Remove a chimney stack rising from a side roof slope of a contributing dwelling.  
**APPROVED. CERTIFIED RECORD ATTACHED.**
3. **2017-16-CA: 1055 Elmira Street**
  - a. Applicant: Leroy Anderson
  - b. Project: Demolition of a Residence - Demolish a single family residence.  
**DENIED. CERTIFIED RECORD ATTACHED.**

**4. 2017-17-CA: 1058 Elmira Street**

- a. Applicant: Ruth Smith and Pinkie Henderson
- b. Project: Holdover –Retain twelve (12) unauthorized windows installed without the issuance of a Certificate of Appropriateness.

**APPROVED AS AMENDED. CERTIFIED RECORD ATTACHED.**

**5. 2017-12-CA: 1452 Brown Street**

- a. Applicant: Joseph Cortopassi
- b. Project: Holdover - Install hardieplank siding on a non-contributing residence.

**APPROVED. CERTIFIED RECORD ATTACHED.**

**D. OTHER BUSINESS**

1. Discussion

Mr. Blackwell conferred with the board on administratively level applications for work performed. He suggested applications could be digitally accepted via email or written with information for the foundation to the roof.

Mr. Stone explained the current midmonth review process in office is sufficient. He noted steps taken to receive certificate and that an application make the process harder on applicant and staff.

Mr. Allen stated the intent of the application is not to be burdensome, but for record.

Mrs. Echols expressed a need for the board to review and discuss voting, ordinance, rules, and procedures. Mr. Blackwell stated the existing ordinance was under review.

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

**2017-14-CA: 208 S. Catherine Street**

**Applicant:** Douglas B. Kearley of DBK Inc. on behalf of 208 S. Catherine LLC

**Received:** March 8, 2017

**Meeting:** April 5, 2017

**INTRODUCTION TO THE APPLICATION**

Historic District: Old Dauphin Way

Classification: Contributing

Zoning: R-1

Project: Addition Related - Construct a small addition off the rear elevation of a contributing residence.

**BUILDING HISTORY**

This Colonial Revival dwelling was built circa 1910. As the descriptive conveys, the Colonial Revival Movement is expressive of the renewed interest in the rich design traditions informing Colonial America. It constitutes the most pervasive American aesthetic employed on domestic buildings constructed during the first half of the twentieth century. With its unrivaled colonial trajectory, Mobile proved particularly receptive to the Colonial Revival. Georgian, Spanish, “Southern”, and, while not historically germane to Mobile, Dutch were popular. This house designed by Mobile architect C. L. Hutchisson represents a blending of the Georgian and Spanish veins of the larger Colonial Revival Movement.

**STANDARD OF REVIEW**

Section 9 of the Preservation Ordinance states “the Board shall not approve any application proposing a Material Change in Appearance unless it finds the 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 district...”

**STAFF REPORT**

- A. This property last appeared before the Architectural Review Board on March 17, 1988. On the aforementioned date, the Board approved the construction of a one-story addition. The application up for review calls for the construction of a small addition off of the northwest corner of the house.
  
- B. The Design Review Guidelines for Mobile’s Historic Districts state, in pertinent part:
  - 1. “Differentiate an addition from a historic structure using changes in material, color, and/ or wall plane.”
  - 2. “Design an addition to be compatible with the character of the property, neighborhood and environment.”
  - 3. “The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.”

4. "Design an addition to be compatible in massing or scale to the historic structure."
5. "Place an addition so that it is subordinate next to the historic residential structure."
6. "Place or design an addition to the rear or side of a historic building, wherever possible."
7. "Design doors and windows to or onto an addition so to be compatible with the existing structure."
8. "Maintain the relationship of solids to voids of an exterior wall as established by the historic building."
9. "Design a window in an addition to be compatible to those in the historic building."

**C. Scope of Work (per submitted plans):**

***Option A:***

1. Construct a small one-story addition.
  - a. The rectilinear-shaped addition will be located off the West (rear) elevation of residence.
  - b. The addition will measure 11' 10" in width and 9'0" in depth.
  - c. The addition will rest atop a painted brick foundation wall with vent.
  - d. Walls will be clad with lap siding to match existing.
  - e. A six-over-one window will be placed on the West elevation.
  - f. The aforementioned window will be re-purposed from the existing and pertinent portion of the West Elevation.
  - g. Exposed rafter tails will be employed and will match the existing.
  - h. A hipped roof will surmount the building.
  - i. The roof will be sheathed in red asphalt shingles.
2. Paint the work in the existing color scheme found on the body of the house.

**OR**

***Option B:***

1. Construct a small one-story addition.
  - a. The L-shaped addition will be located in rear on West elevation of residence.
  - b. The addition will measure 11' 10" in width and 9'0" in depth.
  - c. The addition will rest atop a painted brick foundation wall with vent.
  - d. Walls will be clad with lap siding to match existing.
  - e. A recessed portion will extend four feet from the South elevation.
  - f. The aforementioned recessed portion will shield an air conditioning unit.
  - g. A six-over-one window will be placed on the West elevation.
  - h. The aforementioned window will be from re-purposed from the existing and pertinent portion of the West Elevation.
  - i. Exposed rafter tails will match the existing.
  - j. A hipped roof will surmount the building.
  - k. The roof will be sheathed in red asphalt shingles.
2. Paint in the existing color scheme found on the body of the house.

**STAFF ANALYSIS**

The application up for review calls for the construction of a small one-story addition off of the West (rear) Elevation of the property's contributing residence.

Due to the lush landscape setting, setback of the house, and proposed location on the residence, the proposed rear addition in either of the two forms submitted would be situated in such a way as to be in accord with the placement of additions as outlined in the Mobile's Historic Districts Review Guidelines (See B 2,5, & 6). The single-story form of the addition would allow the new construction to experience as subordinate to and differentiated from the body of the house (See B 3 & 5.), while the massing and scale

are responsive to the proportions of the existing (See B 2 & 4.). Siding and rafter tails would match the existing. (See B 1-2) With regard to fenestration, a salvaged and repurposed from the impacted portion of the rear elevation would be reemployed. The use of the historic window would afford both compatibility of type and maintenance of the solid-to-void ratio of fenestration (See 8 & 9.).

### **STAFF RECOMMENDATION**

Based on B (1-9), Staff does not believe this application would impair the architectural or historical character of the historic district. Staff recommends approval of the application in either of the two iterations submitted.

### **PUBLIC TESTIMONY**

Douglas B. Kearley, the owner's representative, was present to discuss the application.

### **BOARD DISCUSSION**

The board discussion took place concurrently with the public testimony. Mr. Oswalt welcomed Mr. Kearley and asked him as the applicant's representative if he had any clarifications to address, questions to ask, or comments to make. Mr. Kearley stated that Mr. Blackwell addressed the application in full.

Mr. Oswalt then asked if any of his fellow board members had any questions pertinent to the application which to ask Mr. Kearley. Mr. Stone asked if three windows on the rear elevation's second floor were existing. Mr. Kearley confirmed they were. No other questions ensued.

Mr. Oswalt opened the application to public comment. No one was present to speak either for or against the application. Mr. Oswalt closed the period of public discussion.

### **FINDING OF FACT**

Mr. Roberts moved that, based upon the evidence presented in the application and during the public testimony, the Board finds the facts in the Staff report as written.

The motion received a second and was unanimously approved.

### **DECISION ON THE APPLICATION**

Mr. Roberts moved that, based upon the facts as approved by the Board, the application does not impair the historic integrity of the district or the building and that a Certificate of Appropriateness be issued.

The motion received a second and was unanimously approved.

**Certificate of Appropriateness Expiration Date: April 6, 2018**

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

**2017-15-CA: 1409 Campbell Street**  
**Applicant:** Steve Speir, Nejla Harris, and Mary Beth Harris  
**Received:** March 17, 2017  
**Meeting:** April 5, 2017

**INTRODUCTION TO THE APPLICATION**

Historic District: Old Dauphin Way  
Classification: Contributing  
Zoning: R-1  
Project: Alteration – Remove a chimney stack rising from a side roof slope of a contributing dwelling.

**BUILDING HISTORY**

Built circa 1900, the detailing of of this center hall one-story double-pile dwelling exemplifies the vernacular Queen Anne style. The Queen Anne dominated the built stock of the larger Anglo-American Aesthetics Movement of the late 19<sup>th</sup> Century and is commonly known as “Victorian.”

**STANDARD OF REVIEW**

Section 9 of the Preservation Ordinance states “the Board shall not approve any application proposing a Material Change in Appearance unless it finds the 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 district...”

**STAFF REPORT**

- A. This property last appeared before the Architectural Review Board on March 17, 1988. On the aforementioned date, the Board approved the construction of a one story-addition. The application up for review calls for removal of an interior (rising through the body of the building) chimney atop the slide slopes of the house’s Room.
  
- B. The Design Review Guidelines for Mobile’s Historic Districts state, in pertinent part:
  - 1. “Preserve and repair original masonry materials.” \*Note – specific to wall surfaces.
  - 2. “Retain and repair roof detailing, including gutters and downspouts.”
  - 3. “Preserve historic stylistic and architectural details and ornamentation.”
  
- C. **Scope of Work (per submitted plans):**
  - 1. Remove an interior chimney rising from a side roof slope.
  - 2. Repair roof to match existing with asbestos shingles.

**STAFF ANALYSIS**



The application involves the removal of a chimney which rises through the side roof slope of a contributing residential building. The Design Review Guidelines do not specifically address chimneys, but do note that historic stylistic and architectural details and decoration, along with roof detailing, including gutters and downspouts (when historic), should be retained and repaired (See B 2 & 3.). In section on masonry, the Guidelines note that historic masonry elements should be preserved and repaired (See B-1.) The aforementioned directive addressed masonry walls surfaces. The subject chimney is situated internally rather than the perimeter of the house. The chimney stack is in poor condition. Additionally, the interior shaft which supported has been removed. The Board has approved the removal of interior chimneys that rise through the roof slope on numerous occasions. Visibility from the public view was in discussions past a topic of consideration.

### **STAFF RECOMMENDATION**

Based on the lack of specific directive, condition of the chimney stacks, absence of shafts beneath them, and Board precedent, Staff believes this application would not impair the overall architectural or historical character of the building or historic district. Staff recommends approval of this application.

### **PUBLIC TESTIMONY**

Ms. Mary Beth Harris, the applicant, was present to discuss the application.

### **BOARD DISCUSSION**

The board discussion took place concurrently with the public testimony. Mr. Oswalt welcomed Ms. Harris and asked if she had any clarifications to address, questions to ask, or comments to make.

Mr. Roberts asked Ms. Harris why she wanted to remove the chimney. Ms. Harris responded that the chimney was not in service and she wished to save the historic shingles on the residence. In order to assist in saving the shingles, it would be helpful to remove the chimney.

Mr. Oswalt opened the application to public comment. No one was present to speak either for or against the application. Mr. Oswalt closed the period of public discussion.

### **FINDING OF FACT**

Mr. Roberts moved that, based upon the evidence presented in the application and during the public testimony, the Board finds the facts in the Staff report as written.

The motion received a second and was unanimously approved.

### **DECISION ON THE APPLICATION**

Mr. Roberts moved that, based upon the facts as approved by the Board, the application does not impair the historic integrity of the district or the building and that a Certificate of Appropriateness be issued.

The motion received a second and was unanimously approved.

**Certificate of Appropriateness Expiration Date: April 6, 2018**

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

**2017-15-CA: 1055 Elmira Street**

**Applicant:** Leroy Anderson

**Received:** March 17, 2017

**Meeting:** April 5, 2017

**INTRODUCTION TO THE APPLICATION**

Historic District: Oakleigh Garden

Classification: Non-Contributing

Zoning: R-1

Project: Demolition - Demolish a single family residence.

**BUILDING HISTORY**

While listed as non-contributing in 2007 expansion of the local boundaries of the Oakleigh Garden Historic District, it is said that the core of this dwelling dates circa 1855. The house was altered circa 1925 and reflects in its outward form and motifs a later vein of Arts and Crafts Movement. The core of the dwelling still maintains its antebellum shotgun and with side wing floor plan.

**STANDARD OF REVIEW**

Section 9 of the Preservation Ordinance states “the Board shall not approve any application proposing a Material Change in Appearance unless it finds the 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 district...”

**STAFF REPORT**

- A. This property last appeared before the Architectural Review Board on November 5, 2014. On the aforementioned date, the Board denied the application and requested the property be listed on MLS and plans for any redevelopment proposal. The application up for review calls for the demolition of the single family residence.
- B. With regards to demolition, the Guidelines read as follows: “Proposed demolition of a building must be brought before the Board for consideration. The Board may deny a demolition request if the building’s loss will impair the historic integrity of the district.” However, our ordinance mirrors the Mobile City Code, see §44-79, which sets forth the following standard of review and required findings for the demolition of historic structures:
  - 1. *Required findings; demolition/relocation.* The Board shall not grant certificates of appropriateness for the demolition or relocation of any property within a historic district unless the Board finds that the removal or relocation of such building will not be detrimental to the historical or architectural character of the district. In making this determination, the Board shall consider:
    - i. The historic or architectural significance of the structure;
      - 1. This property is defined an expanded shotgun dwelling situated in the local portion of the Oakleigh Garden District. The 19<sup>th</sup>-Century core is comprised

- of a shotgun with wing, a residential typology that was constructed across Mobile's early western suburbs during the second half of the 19<sup>th</sup> Century.
- ii. The importance of the structure to the integrity of the historic district, the immediate vicinity, an area, or relationship to other structures;
    1. The dwelling contributes to the built density, rhythmic spacing, historic character, and architectural integrity of the Oakleigh Garden Historic District. As an early shotgun with wing, the house is one of a half dozen dwellings of the same typology to line the Oakleigh Garden District portion of Elmira Street.
  - iii. The difficulty or the impossibility of reproducing the structure because of its design, texture, material, detail or unique location;
    1. The building materials are capable of being reproduced or acquired.
  - iv. Whether the structure is one of the last remaining examples of its kind in the neighborhood, the county, or the region or is a good example of its type, or is part of an ensemble of historic buildings creating a neighborhood;
    1. While shotgun dwellings represent a sizable percentage of the residential building typology of the southeastern portions of the Oakleigh Garden District, this example ranks among one of the oldest. In addition to its age, the building constitutes a sophisticated variant of the shotgun typology that it possessed a side wing.
  - v. Whether there are definite plans for reuse of the property if the proposed demolition is carried out, and what effect such plans will have on the architectural, cultural, historical, archaeological, social, aesthetic, or environmental character of the surrounding area.
    1. If granted demolition approval, the applicant would demolish the building and level the site. The applicant proposes to build a duplex.
  - vi. The date the owner acquired the property, purchase price, and condition on date of acquisition;
    1. The current owner acquired the property in 2014 for a price of \$2060.00.
  - vii. The number and types of adaptive uses of the property considered by the owner;
    1. The owner has only considered demolishing the property.
  - viii. Whether the property has been listed for sale, prices asked and offers received, if any;
    1. The property has been listed for sale.
  - ix. Description of the options currently held for the purchase of such property, including the price received for such option, the conditions placed upon such option and the date of expiration of such option;
    1. N.A.
  - x. Replacement construction plans for the property in question and amounts expended upon such plans, and the dates of such expenditures;
    1. Not provided.
  - xi. Financial proof of the ability to complete the replacement project, which may include but not be limited to a performance bond, a letter of credit, a trust for completion of improvements, or a letter of commitment from a financial institution.
    1. Not provided.
  - xii. Such other information as may reasonably be required by the board.
    1. See submitted materials.
2. *Post demolition or relocation plans required.* In no event shall the Board entertain any application for the demolition or relocation of any historic property unless the applicant also presents at the same time the post-demolition or post-relocation plans for the site.”

**C. Scope of Work (per submitted plans):**

1. Demolish the dwelling.
2. Remove debris.
3. Level the site.
4. Construct duplex.

**STAFF ANALYSIS**

This application involves the demolition of a principle building which is officially listed as a non-contributing structure in the local portion of a larger National Register district. When reviewing demolition applications, the Board takes into account the following considerations: the architectural significance of the building; the condition of the building; the impact the demolition will have on the streetscape; and the nature of any proposed redevelopment.

While listed as non-contributing, this dwelling is representative of a distinctive residential typology that is largely restricted to Mobile – the shotgun with wing. The building is much older than the date ascribed to it by the MHDC surveyor who researched the local expansion of the Oakleigh Garden District. The Oakleigh Garden District possesses more extant examples of this architectural type than any other area in Mobile. Though the typological significance is obscured by later changes, the building’s importance should be noted.

This building’s deteriorated condition can be attributed to deferred maintenance over many years. Deterioration of roof shingles and wood has allowed the elements to enter and therefore jeopardize the structure.

Located within a block of historic buildings, this house contributes to the built density, rhythmic spacing, and historic character of the southern portion of the Oakleigh Garden District. Five buildings on the subject block have been restored in the past eight years. The block to the South benefitted from Board approved infill construction. The block to the North is experiencing similar restoration and renovation efforts.

The Board adopted a policy four years ago which requires applicants requesting the demolition of property’s principle building (if it is historic) to list the property on MLS for a period of six months before authorizing the demolition of said structures. The applicant listed the property for sale per the board’s request.

If granted demolition approval, the applicant would demolish the house, remove debris, and level the lot, and build multi-family housing. While a photograph has been submitted of the proposed new construction, one which stood on South Broad Street, no construction plans have been provided.

The house was purchased on tax sale and the title has not been cleared, making future development plans difficult. The proposed housing typology would need a zoning variance to complete the project as well.

**STAFF RECOMMENDATION**

Based on B (1-2), Staff believes this application would impair the architectural or historical character of the historic district. Staff does not recommend of the application.

## **PUBLIC TESTIMONY**

Mr. Leroy Anderson, the applicant, was present to discuss the application.

## **BOARD DISCUSSION**

The board discussion took place concurrently with the public testimony. Mr. Oswalt welcomed Mr. Anderson and asked him if he had any clarifications to address, questions to ask, or comments to make.

Mr. Ruzic recused himself from the discussion.

Mr. Anderson stated that the house was old, non-contributing, and, as such, he felt unnecessary of the scrutiny which he has undergone to get a Certificate for Appropriateness for demolition has been ill-applied. He continued by saying that in the case of a contributing building three criteria are considered: age, features, and alterations over time. Mr. Anderson noted that in 1991 a survey was performed and the building was listed as non-contributing.

Mr. Anderson stated he submitted his current application for demolition on March 2, 2017. From November 2014 until March 2, 2017, he received no offers on the property.

Mr. Anderson then noted excerpts from staff's previous report written in the November 5, 2014 including, "This building is an example of a degree of deferred maintenance that qualifies for demolition by neglect..." and "Dating 1925, this dwelling represents a blending of design impulses. At once featuring bungalow motifs and elements, the house also possesses an ahistorical character more generally encountered post World War II."

He stated that the local expansion of the Oakleigh Garden National Register District proves a date of 1925 and does not mention any date significant from the mid nineteenth century. He also stated the professional who completed the survey deemed the house as non-contributing. Mr. Anderson said that in the case of a non-contributing building the guidelines did not state character was taken into consideration.

Mr. Anderson told the board he had complied with a previous request to the list the property for six months on MLS.

Mr. Blackwell noted that the employee who surveyed the property and listed it as non-contributing is no longer employed with the city. He noted while its non-contributing status remains in place, impact on the streetscape and nature of any proposed redevelopment apply to consequent redevelopment of contributing and non-contributing properties alike. Mr. Anderson remarked the guidelines stated history was the only factor.

Mr. Allen stated that the demolition requirement for all buildings was provided in the Historic Preservation Ordinance. Mr. Allen added that the Standard of Review in the Staff Report states number 9, when in the Ordinance it states Section 10.

Mr. Stone commented that the application in front of the board was for demolition, not preservation, and actual plans would be required and show good faith.

Mr. Anderson read from the minutes of the November 2, 2014 ARB meeting which stated the applicant should return to the board for reconsideration after listing the property on MLS for six months or bring redevelopment plans. Mr. Anderson stated he listed the property for sale on MLS for six months.

Mr. Stone stated even if the board hypothetically agreed to give permission for demolition, the property has already been denied rezoning of his development plans for duplex.

Mr. Anderson provided an account of transactions which occurred during the April 3, 2017 Board of Adjustment's Zoning meeting. He noted four testimonies. The first testimony questioned if one variance is given, will there be precedent set for more. The second testimony expressed not wanting the variance to be granted. The third expressed concern that if the variance was granted, it would allow for the demolition of a mid-19<sup>th</sup> century building. And the fourth and final testimony, was concerned the variance would change the neighborhood landscape. Mr. Anderson noted the people who provided testimony did not reside in a 300 feet radius of the property and expressed they did not represent the neighbors.

Mr. Blackwell asked Mr. Anderson if he was familiar with the recommendation put before the Board of Zoning Adjustment. He explained that similar to the Architectural Review, the Planning office generates reports with recommends for approval or denial of applications. Mr. Blackwell stated the City Planning staff recommended against Mr. Anderson's application. Mr. Stone commented that the agenda and recommendation are usually mailed physically before the meetings. Mr. Anderson stated that he did not receive the packet via mail.

Mr. Anderson said he complied with the board's previous ruling. He also said plans are not required to receive demolition approval.

Mr. Allen responded that Section 10 of the Ordinance states for approval of demolition definite plans and what effect the plans will have are necessary. He further stated without specific plans, the requirement had not been met. He continued that without construction plans and financial feasibility the board can not approve the project.

Mr. Roberts asked how this application was different than demolitions of non-contributing buildings which had been approved by previous boards. Mr. Blackwell cited condition. He also referenced extreme fire damage and municipal citations.

Mr. Anderson noted that his property on 454 Broad Street was granted approval for demolition by the board. Mr. Blackwell replied that the aforementioned property was given approval on account of its extensive fire damage.

Mr. Roberts commented that other non-contributing properties had received approval for demolition and did not recall the reasons. Mr. Blackwell reiterated that history of the building and that most properties granted demolition approval regardless of their designation suffered from extreme fire damage. Mr. Blackwell continued by noting the age of the subject building and as with Mr. Allen the MHDC's Ordinance.

Mr. Stone asked if the application could be held over since no plans had been developed. Mr. Anderson replied he had complied with the board's previous ruling and the age of the house listed in the local expansion of the Oakleigh Garden District made the cause for the building to be listed as non-contributing.

Mr. Blackwell stated that the surveyor who dated the property is no longer employed with the office. Mr. Anderson said the surveyor also had the wrong address of the property.

Mr. Allen reiterated that Section 10 of the City's Historic Preservation Ordinance did not mention any difference between contributing and non-contributing properties. He continued that post demolition plans are required for approval.

Mr. Stone mentioned that the board had previously approved clearing off property and planting sod. Mr. Blackwell said the streetscape is another criterion taken into consideration when reviewing demolitions. Mr. Oswalt opened the application to public comment.

Ms. Sydney Betbeze, a resident of the Oakleigh Garden District and project manager for Restore Mobile, started to address the board.

Ms. Echols recused herself.

Ms. Betbeze stated that while she did not live with a 300 feet of the property, she had concerns regarding the proposed demolition of the building as both a professional involved in restoration projects within the aforementioned distance and as neighborhood resident who loved historic buildings.

Mr. Anderson asked Ms. Ruth Smith, an owner of 1058 Elmira Street, if she would like to see the house demolished. She replied she would like to see it demolished because it had long been an eyesore. Mr. Anderson stated that Ms. Betbeze and her neighbors who oppose the demolition of the building because they resided on the more affluent side of the Oakleigh Garden District.

Ms. Hasser asked Mr. Anderson why he would like to demolish the property. Mr. Anderson replied that in November of 2014 he had 10 citations from the City of Mobile and his solution was to demolish the property. He noted he received 5 more citations in February of 2017.

Ms. Hasser then asked Ms. Betbeze why she would like the application denied. Mrs. Betbeze reiterated that as a neighbor and now a project manager for Restore Mobile she works to restore properties in the neighborhood. She continued by saying that Restore Mobile sees the value properties such as the subject one. Ms. Betbeze said that Restore Mobile owns properties on streets in this area receives tickets as well. She went to state that Restore Mobile values smaller homes and works to make them available to low to moderate incomes. Mrs. Betbeze commented she has been an activist and worked as an employee in the area. She also mentioned that Restore Mobile made an offer on the property. Mrs. Betbeze stated that Restore Mobile would be delighted to take the property and restore the building to its former glory.

Ms. Hasser asked Mr. Anderson the amount of the offer received. Mr. Anderson said it was \$2,500.00 and that he believed that Restore Mobile was selfishly seeking personal gain.

Mr. Anderson said that the house was appraised at \$19,400 and that Mr. Ruzic's client offered him \$21,500 on March 28, 2017.

Mr. Roberts asked for clarification as whether Mr. Anderson's application was to demolish the building and replace it with a duplex. Mr. Blackwell reiterated that the ordinance required replacement drawings to be considered. Mr. Allen continued that the applicant must show that plans that are feasible and provide financial proof. Mr. Roberts stated that the applicant could always appeal to City Council.

Ms. Mutert asked Mr. Anderson if the property was purchased through a tax certificate. The applicant confirmed it was purchased in 2014 through a tax certificate. Ms. Mutert asked if Mr. Anderson had quieted the title. Mr. Anderson said his potential buyer stated they would quiet the title. Ms. Mutert noted one can not convey property until the title is quieted.

Ms. Mutert asked how much money had been invested into the property. Mr. Anderson stated \$2,000 plus tax, and improvements. Ms. Mutert stated improvements had not been made, however it had been mothballed.

A discussion as to tax sales ensued.

No further board discussion ensued.

Mr. Oswalt closed the period of public discussion.

### **FINDING OF FACT**

Mr. Stone moved that, based upon the evidence presented in the application and during the public testimony, the Board finds the facts in the Staff report as written.

Mr. Allen moved that, based upon the evidence presented in the application and during the public testimony, the Board finds the facts in the Staff report as amended with Standard of Review of Section 10 of the Ordinance to be changed to Chapter 44 Section 79.

The motion received a second and was unanimously approved.

### **DECISION ON THE APPLICATION**

Mr. Roberts moved to that the application does not impair the historic integrity of the district or the building and that a Certificate of Appropriateness be issued.

The motion did not receive a second.

Mr. Allen moved that, based upon the facts as amended by the Board, the application does impair the historic integrity of the district or the building and that a Certificate of Appropriateness not be issued.

Two members abstained from voting with one in opposition. The application was denied.

Mr. Holmes followed up by stating there is a difference in historical and not historical.

Mr. Anderson stated that the property remains the same as when it was surveyed and designated.

Mr. Stone asked if the MLS listing requirement should be removed if not in the ordinance. Mr. Blackwell explained it was adopted to show good faith and provide an effective way to save a building.

Mr. Oswalt stated the applicant can appeal to City Council if displeased with the board's ruling. Mr. Anderson inquired as to the next steps after denial of demolition. Mrs. Hasser stated Mr. Anderson could return with development plans. Mr. Anderson wished to have Mrs. Hasser's statement in writing. Mr. Blackwell noted that returning to the board with full development plans and proof of feasibility would not guarantee approval for demolition or new construction.

Mr. Anderson then read the motion to denial the application from the November 2, 2014 meeting. Mr. Blackwell then read the denial letter from November 2, 2014 sent via certified mail stating, “

Mr. Anderson stated the board did not believe he would rebuild. Mr. Allen explained the board has an obligation to confirm that redevelopment plans fit the neighborhood and landscape.



Mr. Anderson stated he was asking for a demolition agreement so he could pass it on to the interested parties wanting to purchase the property. Ms. Largue stated that a permit cannot be passed to another constituent. If a new owner receives the property, they would need to resubmit a demolition plan and include construction documents and proof of feasibility.

Mr. Ruzic and Ms. Echols rejoined the meeting.

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

**2017-16-CA: 1058 Elmira Street**  
**Applicant:** Ruth Smith and Pinkie Henderson  
**Received:** March 13, 2017  
**Meeting:** April 5, 2017

**INTRODUCTION TO THE APPLICATION**

Historic District: Oakleigh Garden  
Classification: Contributing  
Zoning: R-1  
Project: After-the-fact-Approval- Retain unauthorized windows obtained without the issuance of a Certificate of Appropriateness.

**BUILDING HISTORY**

This dwelling dates circa 1891. The westernmost portion of the dwelling constitutes an exemplary instance of a shotgun. The recessed eastern portion of the building has been altered. It has yet to be determined in the latter was original to the building or an early addition. Regardless of the dating of the two parts of the larger whole, the residence comprises a nice instance of shotgun with wing, a notable and largely Mobile specific residential housing typology.

**STANDARD OF REVIEW**

Section 9 of the Preservation Ordinance states “the Board shall not approve any application proposing a Material Change in Appearance unless it finds the 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 district...”

**STAFF REPORT**

A. According to materials in this property’s MHDC vertical file, MHDC staff received a SRO report on July 25, 2016 which reported work being performed on the building without the issuance of a building permit. It was at that time that the applicant’s contractor applied for and received a Certificate of Appropriateness by staff to remove rotten wood siding, porch decking, columns and other wood components such as fascia and replace to match existing in profile, dimension, and material. An owner of the property contacted the MHDC office in late September and requested a site visit to assist with the proper framing of windows. Once on site, staff member Paige Largue noticed that windows were installed without the issuance of a Certificate of Appropriateness. The windows are not in keeping with Design Review Guidelines for Mobile’s Historic Districts for reason of their material (vinyl). Ms. Largue contacted the property owner via email when she did

not attend the site visit. She and that property owner met on October 5, 2016 to discuss the situation and Architectural Review process so she might put forth an application calling for the retention of the windows. At the November 2, 2016 meeting of the Architectural Review Board several options were discussed, including a phased replacement of windows or an economic hardship. Ultimately, the application was agreeably held over for further investigation into options. Historic and Legal looked into an application for economic hardship. That course of possible redress would require the obtainment of all owners' tax records. This requirement was brought to two of the owner's attention at a meeting held on January 17. The two owners attending the meeting property informed staff the other owners were not agreeable to submitting this tax information. The owners mentioned that the windows could be exchanged for others windows. On January 20, 2016, Ms. Lague conducted a site visit to Southeastern Salvage to see possible exchange options. Southeastern Salvage carried only vinyl windows and therefore said would not conform to the Design Review Guidelines for Mobile Historic Districts Guidelines.

- B. The Design Review Guidelines for Mobile's Historic Districts state, in pertinent part:
1. "In instances when there is a request to replace a building's windows, the new windows shall match the existing per location, framing, and light configuration."
  2. "Acceptable window materials: wood sash, steel if original to structure, custom extruded aluminum, aluminum clad wood, windows approved by NPS."
  3. "Unacceptable window materials: Vinyl, mill finished aluminum, interior snap-in muntins (except when used in concert with exterior muntins and intervening dividers)."
- C. Scope of Work (per submitted plans):
1. Holdover –Retain twelve (12) unauthorized windows installed without the issuance of a Certificate of Appropriateness.

## **STAFF ANALYSIS**

This application for the after-the-fact-approval involves the retention of windows installed without the issuance of a Certificate of Appropriateness. The applicant last appeared before the board on November 2, 2016.

According to photos in this property's MHDC vertical file, this dwelling's fenestration was altered prior to 1989 expansion of the Oakleigh Garden National Register District. Metal windows were installed prior to that date. It was those metal windows which were removed. The Design Review Guidelines for Mobile's state that replacement fenestration should match as closely to original windows as per configuration, profile, and materials (See B-1.). Though the light configurations are appropriate with the style and period of the house, the Guidelines do not allow for the installation of vinyl windows (See B-2.).

Taking into that a Certificate of Economic Hardship is not an option in this situation, another alternative is a phased replacement of windows. Phased replacement approvals of unauthorized work have been employed by the Board on previous occasions to achieve compliance with the Design Review Guidelines.

## **STAFF RECOMMENDATION**

Based on B (1-2), Staff believes this application impairs the architectural and historical character of the building and the historic district. Staff does not recommend approval of the retention of the unauthorized windows, but recommends that the Board consider a phased replacement campaign of the

windows with either wood, aluminum clad, wood, or extruded aluminum windows which meet the Guidelines.

## **PUBLIC TESTIMONY**

Ms. Ruth Smith and Ms. Pinkie Henderson, applicants, were present to discuss the application.

## **BOARD DISCUSSION**

The board discussion took place concurrently with the public testimony. Mr. Oswalt welcomed the applicants and asked if she had any clarifications to address, questions to ask, or comments to make.

Ms. Smith stated she had a number of reasons for returning to the board. She noted the economic disparity of the South Oakleigh neighborhood and said that she was unaware that the property was in a historic district. She notified police who looked at damaged caused by a man performing work as a contractor. Ms. Smith spent over \$20,000 in savings for the contractor to execute work on the interior and exterior of the home. She expressed that the financial situation had not changed since her last appearance before the board. She added that she had inquired as to new windows which would be in compliance with the Guidelines but at a cost of \$300-\$400 per window would be a financial burden too great to bear. Ms. Smith stated that the current windows cost \$150 each. She further explained that the windows which were replaced were not the original windows. Ms. Smith noted she is unable to sell the property because it is an estate property with five other owners, the majority of whom were amenable to selling.

Mr. Stone inquired as to why a Certificate of Economic Hardship would apply in this situation. Ms. Mutert explained that although a Certificate of Economic Hardship gives the impression it would apply in situations where one is not financially able to follow guidelines, it does not. She further explained that if the certificate did signify this, any constituent could apply. Ms. Mutert pointed out if the certificate was applicable in Ms. Smith's situation, the other four owners of the home must show income to see if financially they could afford windows. She clarified the Certificate of Economic Hardship meant the owners would not get a good return on their investment.

Mr. Roberts commented on staff's recommendation for a phased replacement of windows. He noted that it was the board's obligation to abide by their ordinance and their commitment to the guidelines. He apprised the applicant of the appeal process.

Ms. Mutert stated that Ms. Smith had met with her councilman, Mr. Levon Manzie, and he understood the board's difficult situation.

Mr. Blackwell noted that when work is properly permitted, a flag for historic reviewed is raised if no Certificate of Appropriateness is provided. A constituent then comes to the MHDC office and is notified of the guidelines.

Mr. Roberts asked if the property was located in the local expansion of the Oakleigh Garden National Register District. Mr. Blackwell responded yes.

Mr. Allen asked if work was performed without a Certificate of Appropriateness. Mr. Blackwell replied that the pertinent portion of the scope of work was executed without approval.

Mr. Stone asked if both the board denied and the City Council upheld a denial ruling would the next action taken be issuing Municipal Offense Tickets. Ms. Mutert explained everyday offense tickets exist, however the city does not selectively seek to ticket for offenses.

Mr. Blackwell noted that in the case of this property, a SRO or 311 call was received, but Municipal Offense Ticket(MOT) was issued since the owner was working to comply with the Guidelines.

Mr. Ruzic asked if Ms. Smith was receiving any assistance in clearing the title of the property. Ms. Mutert responded she and Ms. Smith had discussed legal services and volunteer lawyer programs available.

Mr. Oswalt opened the application to public comment. Ms. Sydney Betbeze, a resident of the Oakleigh Garden District and project manager for Restore Mobile, asked the board if it was possible to accept a phased replacement of the windows with an open ended deadline.

Ms. Smith expressed her anger when a next door neighbor who installed vinyl windows replaced the aforementioned windows with complaint windows within one day of notification. She noted the economic disparity between her and the neighbor.

Mr. Allen asked for clarification as to the windows that had been removed. Ms. Smith stated that the vinyl windows did not replace original windows.

Ms. Stone asked if staff was comfortable with a phased replacement. Mr. Blackwell noted that a phased replacement should appear before the ARB periodically and staff is tasked with its due diligence. Ms. Mutert stated a phased replacement could be open-ended with jurisdiction and without punitive measures.

Mr. Stone voiced his concern with setting precedent. Mr. Allen also expressed concern.

Mr. Oswalt suggested replacing one window per year. Ms. Smith stated savings were already spent. She elaborated further as to several other scopes of work in the residence which needed repair.

Mr. Blackwell recommended that the Board move to replace the front window within one year and then for Ms. Smith to return to the board and so as to reassess the situation. Ms. Smith stated she would be amenable to the option, but would also like City Council to hear her situation.

Mrs. Hasser suggested one window be replaced within three years with Ms. Smith returning to the board to reassess the situation after.

No further board discussion ensued.

Mr. Oswalt closed the period of public discussion.

## **FINDING OF FACT**

Mrs. Hasser moved that, based upon the evidence presented in the application and during the public testimony, that the Board finds the facts as amended to note that the applicant would replace one window on the primary elevation within three years and then return to board to reassess phased replacement program.

The motion received a second and was unanimously approved.

## **DECISION ON THE APPLICATION**

Mrs. Hasser moved that, based upon the facts as amended by the Board, the application does not impair the historic integrity of the district or the building and that a Certificate of Appropriateness be issued.

The motion received a second and was unanimously approved.

**Certificate of Appropriateness Expiration Date: April 6, 2018**

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

**2017-12-CA: 1452 Brown Street**  
**Applicant: Joseph Cortopassi**  
**Received: 3/17/2017**  
**Meeting: 4/5/2017**

**INTRODUCTION TO THE APPLICATION**

Historic District: Old Dauphin Way  
Classification: Non-Contributing  
Zoning: R-1  
Project: Holdover - Install hardieplank siding on a non-contributing residence.

**BUILDING HISTORY**

This one-story dwelling constitutes an assemblage of two buildings. Neither of the buildings was original to the site.

**STANDARD OF REVIEW**

Section 9 of the Preservation Ordinance states “the Board shall not approve any application proposing a Material Change in Appearance unless it finds the 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 district...”

**STAFF REPORT**

- A. This property last appeared before the Architectural Review Board on March 15, 2017. At that time, a request was made for retention and application of unapproved hardieplank siding. The application was heldover for purposes of clarifying procedural concerns with regard to the Architectural Review Board’s rules and regulations.
- B. The Design Review Guidelines for Mobile’s Historic Districts state, in pertinent part:
  - 1. “Design exterior materials and finishes associated with additions and alterations to non-historic/contributing structures to be compatible with the historic district”
  - 2. “Use materials with a character compatible to those used historically and with proven durability.”
  - 3. “Maintain the original material wherever possible provided the material is durable and compatible with the surrounding district.”
- C. **Scope of Work (per application submitted):**
  - 1. Install hardieplank siding.
    - a. The siding faces all elevations.
    - b. The siding matches in profile and dimension that which it replaced.

## **STAFF ANALYSIS**

This application involves the approval of installing hardieplank siding on a non-contributing residential building.

The applicant received a Certificate of Appropriateness (CoA) on February 2, 2017 for the repair and replacement of deteriorated materials to match the existing as per profile, dimension and material. On February 16, 2017, Historic Development received a Service Request Order (SRO) or 311 call concerning ongoing work without the display of a CoA. MHDC went to the site and noticed the removal of all wooden siding on the building & the installation of hardieplank siding on the east elevation. The applicant was notified of two options: 1.) to stop work and apply to the Architectural Review Board (ARB); OR 2.) to continue construction by installing wood siding to match the original in dimension, profile, and material.

The portion of the Design Review Guidelines for Mobile's Historic Districts addressing non-historic or non-contributing buildings state that alterations to that classification of building should be so designed as to be compatible with the historic district (See B-1.). The Design Review Guidelines go on to state that for materials employed on changes to non-contributing buildings that they should possess a proven durability in addition to compatibility (See B-2.). The Guidelines further clarify that original materials should be maintained wherever possible provided that the material is durable and compatible (See B-3.). While replacement of wood siding with hardieplank siding on a non-contributing is not ruled out by the Design Review Guidelines, compatibility with the surrounding district and possible precedent should be noted.

## **STAFF RECOMMENDATION**

Taking into account the non-contributing status, but realizing the precedent setting nature of the application, staff defers to Board as to the approval of the application.

## **PUBLIC TESTIMONY**

Mr. Joseph Cortopassi, the applicant, was present to discuss the application.

## **BOARD DISCUSSION**

The board discussion took place concurrently with the public testimony. Mr. Oswalt welcomed Mr. Cortopassi and asked him if he had any clarifications to address, questions to ask, or comments to make.

Mr. Cortopassi explained that the house had siding damage.

Ms. Mutert noted the application was heldover from the March 15, 2017 ARB meeting to review procedure, and the characterization of the application was fixed.

Mr. Allen inquired into the nature of the application. He stated that if the applicant performed work outside of the scope of the Certificate of Appropriateness, he could not return and ask for forgiveness. Mr. Allen further explained that a MOT should be issued. He stated the city has chosen to cooperate with the owner and not to send the owner to court for violating a Certificate of Appropriateness.

Ms. Mutert responded one would not want to hold up the property where improvements could not be completed. Mr. Allen stated the applicant should return in six months with new application. He commented under the current interpretation, completing work outside the scope of a Certificate of

Appropriateness means nothing. Ms. Mutert and Mr. Allen continued a discussion as procedural process in relation to unauthorized scopes of work.

Mr. Allen stated the original application requested to install hardieplank siding. Mr. Cortopassi could not confirm if he originally asked to install hardieplank.

Ms. Largue clarified that an paper application with request for hardieplank siding given to Mr. Allen was the application for March 15, 2017 ARB meeting and not the original Certificate of Appropriateness issued in February. Ms. Largue explained when issuing permits at staff level, constituents enter the office and make request for work. Constituents are vetted on guidelines and best practices. Then they are issued a Certificate of Appropriateness. Mr. Allen stated the process was quasi-judicial with no record. Mr. Blackwell responded staff could implement an application component to all approvals.

No further board discussion ensued.

Mr. Oswalt asked if there was anyone to speak either for or against the application. Upon hearing not comment, he closed the period of public comment.

### **FINDING OF FACT**

Mr. Stone moved that, based upon the evidence presented in the application and during the public testimony, the Board finds the facts in the Staff report, as written.

The motion received a second and was unanimously approved.

### **DECISION ON THE APPLICATION**

Mr. Stone moved that, based upon the facts as approved by the Board, the application does not impair the historic integrity of the district or the building and that a Certificate of Appropriateness be issued.

The motion received a second and was unanimously approved.

**Certificate of Appropriateness Expiration Date: April 6, 2018**