

## ARCHITECTURAL REVIEW BOARD AGENDA

March 15, 2023 – 3:00 P.M.  
Auditorium, Government Plaza  
205 Government Street

### A. CALL TO ORDER

1. The Acting Chair, Mr. Cartledge Blackwell, called the meeting to order at 3:04 pm. Christine Dawson, Historic Development staff, called the roll as follows.

**Members Present:** Bob Allen, Cart Blackwell (alternate), Abby Davis, Andre Rathle, Craig Roberts, Joseph Rodrigues, and Gypsie Van Antwerp

**Members Absent:** Janelle Adams (alternate), Catarina Echols, Kimberly Harden, Kathleen Huffman (alternate), Karrie Maurin, and Jim Wagoner

**Staff Members Present:** Annie Allen, Shayla Beaco, Christine Dawson, Chris Kern, Marion McElroy, John Sledge, Kim Thomas, and Meredith Wilson

2. Mr. Roberts moved to approve the minutes from March 1, 2023 meeting. The motion was seconded by Mr. Rodrigues and approved unanimously.
3. Mr. Roberts moved to approve the Mid-Month COAs granted by Staff. The motion was seconded by Mr. Rodrigues and approved unanimously.

### B. MID-MONTH APPROVALS - APPROVED

#### 1. Applicant: **Historic Restoration Society**

- a. Property Address: 911 Dauphin Street
- b. Date of Approval: 02/23/2023
- c. Project: Paint shutters St. Anthony Street Gray.

#### 2. Applicant: **Guy Brothers Roofing**

- a. Property Address: 1451 Dauphin Street
- b. Date of Approval: 02/23/2023
- c. Project: Reroof in-kind with architectural shingles in gray color.

#### 3. Applicant: **Kelly Baker**

- a. Property Address: 254 State Steet
- b. Date of Approval: 02/24/2023
- c. Project: Repair soffit in-kind under roof overhang.

#### 4. Applicant: **Findley Ward**

- a. Property Address: 22 McPhillips Avenue
- b. Date of Approval: 02/24/2023
- c. Project: Reroof in-kind with architectural shingles. Color: Colonial Slate

#### 5. Applicant: **Nemindia Mahathalagalage**

- a. Property Address: 1256 Texas Street
- b. Date of Approval: 02/27/2023
- c. Project: 1. Construct a 9'-1"x24'-6" detached carport/storage structure
  - a. The structure will be topped by a gable roof which will be clad in shingles to match the existing dwelling.
  - b. The open carport area will be supported by six (three on each side) wood posts spaced regularly across the open portion of the east and west elevations. The enclosed portion will be clad in cementitious fiber

siding painted to match the dwelling. A wood door measuring 3'-0" wide by 6'-8" tall will be located on the western end of the north elevation of the enclosed storage area.

2. Replace privacy fence
  - a. A 6'-0" wood privacy fence, which will replace the existing privacy fence, will run along the northern property line (abutting the east and west ends of the accessory structure's north elevation) and run south down the east property line. The existing wood gate on the east side of the house will also be replaced in-kind.
3. The existing concrete driveway will be extended northward under the carport structure. The concrete will extend west of the carport structure creating a patio area measuring approximately 10'-0" wide by 15'-2" deep. A 3'-0" wide concrete walkway will extend 19'-0" feet westward from the patio area, along the northern fence line.

**6. Applicant: TAG – The Architects Group Inc**

- a. Property Address: 256 Joachim Street
- b. Date of Approval: 02/28/2023
- c. Project: Reroof existing carriage house. Replace existing low slope modified bitumen mineral surface roofing and polyisocyanurate insulation.

**7. Applicant: Antwan Houge**

- a. Property Address: 300 George Street
- b. Date of Approval: 03/02/2023
- c. Project: Install painted wood shutters to fit window openings.

**8. Applicant: Downtown Mobile District Management Corp**

- a. Property Address: 260 Dauphin Street
- b. Date of Approval: 03/03/2023
- c. Project: Replace existing canvas awning in-kind.

**9. Applicant: Restoration Roofing**

- a. Property Address: 1110 Savannah Street
- b. Date of Approval: 03/3/2023
- c. Project: Repaint exterior in-kind

**10. Applicant: Mobile Bay Roofing LLC**

- a. Property Address: 1573 Fearnway
- b. Date of Approval: 03/03/2023
- c. Project: Reroof dwelling in-kind with architectural shingles.

**11. Applicant: Victoria Mauldin**

- a. Property Address: 1155 Caroline Ave
- b. Date of Approval: 03/03/2023
- c. Project: 1. Remove existing small bathroom window located on west elevation.  
2. Fill in window opening with siding to match existing in material and color.

**12. Applicant: Chad E Foster**

- a. Property Address: 203 Marine Street
- b. Date of Approval: 03/03/2023
- c. Project: Reroof in-kind with architectural shingles. Color: Light brown

**13. Applicant: Raquel Tovar**

- a. Property Address: 1165 Old Shell Road
- b. Date of Approval: 03/06/2023
- c. Project: 1. Repaint siding in approved color: Sherwin Williams Aqueduct  
2. Repaint trim in-kind (white)  
3. Repair and repaint damaged areas of fascia board on north & south elevation  
4. Repair and repaint picket fence in-kind (white).

14. **Applicant:** **Poeima LLC**
- a. Property Address: 355 Regina Ave
  - b. Date of Approval: 03/06/2023
  - c. Project: Infill existing window opening on first floor of north elevation with wood lap siding to match existing. Window surround will remain to indicate location of original window.

### **C. APPLICATIONS**

**1. 2023-11-CA: 113 Houston Street**

- a. Applicant: Karen Beaton
- b. Project: New construction: One-story single-family residence

**APPROVED - CERTIFIED RECORD ATTACHED**

**2. 2023-02-CA: 506 Aurelia Street**

- a. Applicant: E&J Concrete LLC on behalf of Masjid Baitul Haqq Community
- b. Project: Demolish one-story dwelling

**DEFERRED TO NEXT MEETING**

**3. 2023-13-CA: 7 ½ & 9 ½ N. Cedar Street**

- b. Applicant: Taylor Atchison
- b. Project: Partial demolition of brick ruins

**APPROVED - CERTIFIED RECORD ATTACHED**

**4. 2023-14-CA: 809 Government Street**

- a. Applicant: Rashawn Figures
- b. Project: Install mural on west elevation

**APPROVED - CERTIFIED RECORD ATTACHED**

**5. 2023-15-CA: 467 Dauphin Street**

- a. Applicant: Rashawn Figures
- b. Project: After-the-Fact: Install mural on west elevation

**APPROVED - CERTIFIED RECORD ATTACHED**

**6. 2023-16-CA: 255 Church Street**

- a. Applicant: Scott Services Company
- b. Project: Install 94 square feet of signage on south elevation

**DENIED - CERTIFIED RECORD ATTACHED**

### **D. OTHER BUSINESS**

1. The next ARB meeting is scheduled for April 5, 2023.

**Public comment** regarding items on this agenda will be accepted via e-mail ([mhdc@cityofmobile.org](mailto:mhdc@cityofmobile.org)) or USPS (Mobile Historic Development Commission, P.O. Box 1827, Mobile, AL 36633) until 5PM on Tuesday, March 14, 2023. Please include your name, home address, and the item number about which you are writing.

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

<b>ADDRESS</b>	113 Houston Street	<b>APPLICATION NO.</b>	2023-11-CA
<b>SUMMARY OF REQUEST</b>	New construction: frame single-family residence and stand-alone garage		
<b>APPLICANT</b>	Todd and Karen Beaton	<b>OWNER, IF OTHER</b>	

<b>HISTORIC DISTRICT</b>	Old Dauphin Way	<b>MEETING DATE</b>	03/15/2022
<b>CLASSIFICATION</b>	Vacant	<b>REVIEWER</b>	A. Allen

**DISTRICT/PROPERTY AND APPLICATION HISTORY**

Old Dauphin Way Historic District was initially listed in the National Register in 1984 under Criterion C for significant architecture and community planning. The district includes most nineteenth-century architectural styles and shows adaptations of middle-class domestic designs of the nineteenth century to the regional, Gulf Coast climate. It includes “fine examples of commercial, institutional, and religious structures as well as 20<sup>th</sup>-century apartments.”

The property at 113 Houston is a vacant lot. The 1925 Sanborn Map (the first to include the area of the subject property in their survey) depicts a large two-story frame structure labeled as an apartment building with a five-car garage to the rear. According to MHDC files, these structures were destroyed in a fire in 1998.

This property appeared once previously before the Architectural Review Board, regarding the same application on March 1, 2023.

**SCOPE OF WORK (per submitted application and communication)**

**STAFF REPORT**

1. Construct a one-and-a-half-story frame residence.
  - a. The proposed residence would be a cottage with Victorian era and Craftsman style detailing. The three-bay façade would consist of (from north to south) a gable roofed projecting first bay and a porch spanning the second and third bay. A porte-cochère would project from the north elevation, and a shed roof dormer would project from the roof on the south elevation.
  - b. The structure would be located on the lot such that the front wall plane would sit 34’-0” back from the street front. The north and south side yards will measure 16’-0” and 4’-0” wide, respectively.
  - c. A gable roof would top the structure, measuring 30’-0” at its peak. Both the main structure roof and the shed roof porte-cochère would be clad in fiberglass shingles.
  - d. The proposed structure would be clad in Hardie board horizontal siding, with Hardie board faux cedar shake shingles installed in the front (west) gable. The siding would be painted a grey-blue color approved by Staff. All trim would be of wood and painted white.
  - e. The proposed residence would measure 30’-0” wide by 71’-0” deep, and 30’-0” high at the peak of the roof.
  - f. The structure would rest on 18” brick piers with wood lattice infill.

g. Fenestration material: All doors, sidelights and transoms would be wood. All windows on the west façade would be wood. All windows on east, north and south elevations would be vinyl clad wood.

h. Elevations would appear as follows:

1) West façade

The west façade would consist of three (3) bays. The first bay (from north to south) would comprise a gable roof projection measuring approximately 14'-0" wide. A pair of two-over-two windows measuring 2'-8" wide by 7'-0" tall would be centered on the bay, and a Hardie board louvered vent measuring 18" wide by 30" tall would be centered in the gable above the windows.

The second and third bays would include a front porch measuring 16'-0" wide by 9'-0" deep, supported by two (2) equally spaced 16"-wide wood tapered columns, painted white and set on 18"-wide by 3'-0" tall brick peditments. Three (3) brick steps measuring 8'-6" wide would access the porch and would be located on the second bay, in line with the entry door.

The front wall plane sheltered by the porch would consist of a 3'-0" wide by 8'-0" pane-and-panel door (or other Staff approved wood door to be determined by applicant) flanked by sidelights and topped by a three-lite transom located on the central bay and a pair of two-over-two windows measuring 2'-8" wide by 7'-0" tall in the third bay.

2) East elevation

The east (rear) elevation, from south to north, would consist of a pane and panel door measuring 3'-0" wide by 8'-0" tall (or other Staff approved wood door to be determined by applicant) and a fixed window measuring 5'-0" wide by 2'-0" tall, regularly spaced on the elevation. A two-over-two window measuring 3'-0" wide by 5'-0" tall would be centered in the gable.

A brick landing, measuring 5'-0" wide by 3'-0" deep would project from the door and be flanked on the north and south side by three brick steps descending to ground level. Above the door, a wooden shed roof would project 3'-0", supported by two wood brackets.

3) North elevation

The first bay of the north elevation, from east to west, would consist of two (2) two-over-two windows, each measuring 2'-8" wide by 6'-0" tall. The second bay would consist of a recessed open porch area measuring 11'-0" wide by 12'-0" deep. A pane and panel door measuring 3'-0" wide by 8'-0" tall (or other Staff approved wood door to be determined by applicant) would be located in the recess. The third bay would consist of one two-over-two window measuring 2'-8" wide by 6'-0" tall and one (1) fixed window measuring 3'-0" wide by 1'-0" tall, regularly spaced across the bay.

A porte-cochère topped with a shed roof would project from the approximate center of the wall and in front of the recessed area. This structure would project northward by 12'-0" and have a depth of 18'-6". The shed roof would be clad in fiberglass shingles and supported by two (2) 10" by 10" wood posts each measuring approximately 11'-0" high.

4) South elevation

The south elevation, from west to east would consist of the southern column supporting the front porch and the side wall of the proposed dwelling.

The sidewall portion would consist two pairs of two-over-two windows measuring 2'-8" wide by 7'-0" tall, regularly spaced across the elevation.

The southern depth of the brick landing on the rear elevation would project eastward by 3'-0".

A shed dormer would project from the eastern third of the roof and consist of a pair of two-over-two windows, each measuring 3'-0" wide by 5'-0" tall, centered on the dormer. The dormer roof would be clad in fiberglass shingles to match the residence.

2. Construct a garage.

a. The proposed structure would be located to the east or rear of the proposed dwelling, on the northeastern corner of the property.

b. The proposed structure would measure 24'-0" wide by 23'-0" deep and 26'-0" at the peak of the roof.

c. A front-gabled roof clad in fiberglass shingles would top the structure.

d. The proposed structure would be clad in Hardie board horizontal siding and painted to match the residence.

e. Fenestration: The west (front) façade would consist of a pair of paneled fiberglass garage doors, each measuring 10'-0" wide by 8'-0" tall, equally spaced on the elevation. One (1) louvered vent of Hardie board material would measure 18" wide by 30" tall, and be centered on the west gable above the garage doors. The south elevation would consist of one (1) two-over-two vinyl clad window measuring 2'-8" wide by 3'-0" tall and a six-paneled wood door measuring 3'-0" wide by 6'-8" tall.

f. The foundation would be slab on grade.

g. Elevations would appear as follows:

1) West façade

Corner board; garage door; garage door; corner board.

2) East elevation

No fenestration is proposed for this elevation.

3) North elevation

No fenestration is proposed for this elevation.

4) South elevation

Corner board; two-over-two window; six-paneled door; corner board. A concrete slab landing measuring 4'-0" wide by 4'-0" deep would project from the door.

3. Proposed site improvements include a concrete driveway measuring approximately 12'-0" wide, which would be accessed on the northwest side of the property and would run eastward from the street, continuing to the entrance of the garage. A concrete parking/turnaround area would extend be located adjacent to the residence's east (rear) elevation.

**A. Applicable standards from the *Design Review Guidelines for Mobile's Historic Districts* (Guidelines):**

1. **6.34** Maintain the visual line created by the fronts of buildings along a street.

- Where front yard setbacks are uniform, place a new structure in general alignment with its neighbors.
- Where front yard setbacks vary, place a new structure within the established range of front yard setbacks on a block.

2. **6.35** Maintain the side yard spacing pattern on the block.

- Locate a structure to preserve the side yard spacing pattern on the block as seen from the street.
  - Provide sufficient side setbacks for property maintenance.
  - Provide sufficient side setbacks to allow needed parking to occur behind the front wall of the house.
3. **6.36** Design the massing of new construction to appear similar to that of historic buildings in the district.
    - Choose the massing and shape of the new structure to maintain a rhythm of massing along the street.
    - Match the proportions of the front elevations of a new structure with those in the surrounding district.
  4. **6.37** Design the scale of new construction to appear similar to that of historic buildings in the district.
    - Use a building height in front that is compatible with adjacent contributing properties.
    - Size foundation and floor heights to appear similar to those of nearby historic buildings
    - Match the scale of a porch to the main building and reflect the scale of porches of nearby historic buildings.
  5. **6.38** Design exterior building walls to reflect traditional development patterns of nearby historic buildings.
    - Use a ratio of solid to void that is similar in proportion to those of nearby historic buildings.
    - Reflect the rhythm of windows and doors in a similar fashion on all exterior building walls. The ARB will consider all building walls; however, building walls facing streets may face increased scrutiny.
    - Use steps and balustrades in a similar fashion as nearby historic structures.
    - Design building elements on exterior building walls to be compatible with those on nearby historic buildings. These elements include, but are not limited to:
      - Balconies
      - Chimneys
      - Dormers
  6. **6.39** Use exterior materials and finishes that complement the character of the surrounding district.
    - Use material, ornamentation or a color scheme that blends with the historic district rather than making the building stand out.
    - If an alternative material is used that represents an evolution of a traditional material, suggest the finish of the original historic material from which it evolved.
    - Use a material with proven durability in the Mobile climate and that is similar in scale, character and finish to those used on nearby historic buildings.

#### ACCEPTABLE MATERIALS

Materials that are compatible in character, scale, and finish to those used on nearby historic buildings are acceptable. These often include:

- Stucco
- Brick
- Stone
- Wood (lap siding, shingles, board and batten)
- Concrete siding
- Cement fiber board siding
- Skim stucco coat

#### UNACCEPTABLE MATERIALS

Materials that are incompatible in character, scale and finish to those used on nearby historic buildings are unacceptable. These often include:

- Metal siding
  - Vinyl siding
  - Unfinished concrete block
  - Plywood
  - Masonite
  - Vinyl coatings
  - Ceramic coatings
  - Exterior insulation and finishing system (EIFS) wall systems
7. **6.40** Design a roof on new construction to be compatible with those on adjacent historic buildings.
- Design the roof shape, height, pitch, and overall complexity to be similar to those on nearby historic buildings.
  - Use materials that appear similar in character, scale, texture, and color range to those on nearby historic buildings.
  - New materials that have proven durability may be used.

#### ACCEPTABLE ROOF MATERIALS

Materials that are similar in character, scale, texture, and color range to those used on nearby historic buildings are acceptable. These often include:

- Asphalt dimensional or multi-tab shingles
  - Wood shake or shingle
  - Standing seam metal
  - Metal shingles
  - 5-V crimp metal
  - Clay tile
  - Imitation clay tile or slate
8. **6.41** Design a new door and doorway on new construction to be compatible with the historic district.
- Place and size a door to establish a solid-to-void ratio similar to that of nearby historic buildings.
  - Place a door in a fashion that contributes to the traditional rhythm of the district as seen in nearby historic buildings.
  - Incorporate a door casement and trim similar to those seen on nearby historic buildings.
  - Place and size a special feature, including a transom, sidelight or decorative framing element, to complement those seen in nearby historic buildings.
  - Use a door material that blends well with surrounding historic buildings. Wood is preferred. Paneled doors with or without glass are generally appropriate.
9. **6.42** Design a porch to be compatible with the neighborhood.
- Include a front porch as part of new construction if it is contextual and feasible.
  - When designing a porch, consider porch location, proportion, rhythm, roof form, supports, steps, balustrades and ornamentation relative to the main building and porches in the district.
  - Design the elements of a porch to be at a scale proportional to the main building.
  - Where a rhythm of porches exists on a street or block, design a porch that continues this historic rhythm.



- Design a rear or side porch that is visible from the public right-of-way to be subordinate in character to the front porch.
10. **6.43** Design piers, a foundation and foundation infill to be compatible with those of nearby historic properties.
- Use raised, pier foundations.
  - If raised foundations are not feasible, use a simulated raised foundation.
  - Do not use slab-on-grade construction. This is not appropriate for Mobile’s historic neighborhoods. If a raised slab is required, use water tables, exaggerated bases, faux piers or other methods to simulate a raised foundation.
  - Do not use raw concrete block or exposed slabs.
  - If foundation infill must be used, ensure that it is compatible with the neighborhood.
  - If solid infill is used, recess it and screen it with landscaping.
  - If lattice is used, hang it below the floor framing and between the piers. Finish it with trim.
  - Do not secure lattice to the face of the building or foundation.
  - Do not use landscaping to disguise inappropriate foundation design.

**ACCEPTABLE FOUNDATION MATERIALS**

Materials that are similar in character, texture and durability to those used on nearby historic buildings are acceptable. These often include:

- Brick piers
- Brick infill
- Wood (vertical pickets)
- Framed lattice infill

**UNACCEPTABLE FOUNDATION MATERIALS**

Materials that are not similar in character, texture, and durability to those used on nearby historic buildings are unacceptable. These often include:

Mineral board panels

Concrete block infill

- Metal infill
- Plywood panel infill
- Plastic sheeting infill
- Vinyl sheeting infill

11. **6.44** Use details and ornamentation that help new construction integrate with the historic buildings in the district.
- Use a decorative detail in a manner similar to those on nearby historic buildings. A modern interpretation of a historic detail or decoration is encouraged.
  - Do not use a decorative detail that overpowers or negatively impacts nearby historic buildings.
12. **6.45** Locate and design windows to be compatible with those in the district.
- Locate and size a window to create a solid-to-void ratio similar to the ratios seen on nearby historic buildings.
  - Locate a window to create a traditional rhythm and a proportion of openings similar to that seen in nearby historic buildings.
  - Use a traditional window casement and trim similar to those seen in nearby historic buildings.
  - Place a window to match the height of the front doorway.
  - Place a window so that there is proportionate space between the window and the floor level.
  - Do not place a window to directly abut the fascia of a building.
  - Use a window material that is compatible with other building materials.
  - Do not use a reflective or tinted glass window.

- Use a 1/1 window instead of window with false muntins. A double paned window may be acceptable if the interior dividers and dimensional muntins are used on multi-light windows. A double paned 1/1 window is acceptable.
- Do not use false, interior muntins except as stated above.
- Recess window openings on masonry buildings.
- Use a window opening with a raised surround on a wood frame building.

#### ACCEPTABLE WINDOW MATERIALS

Materials that are similar in character, profile, finish and durability to those used on nearby historic buildings are acceptable. These often include:

- Wood
- Vinyl-clad wood
- Aluminum-clad customized wood
- Extruded Aluminum

#### UNACCEPTABLE WINDOW MATERIALS

Materials that are not similar in character, profile, finish and durability to those used on nearby historic buildings are unacceptable. These often include:

- Mill finish metal windows
- Snap-in or artificial muntins
- Vinyl

#### 13. 10.5 Visually connect the street and building.

- Maintain or install a walkway leading directly from the sidewalk to the main building entry.

#### 14. 10.7 Minimize the visual impact of parking.

- Locate a parking area at the rear or to the side of a site whenever possible.
- Use landscaping to screen a parking area.
- Minimize the widths of a paved area or a curb cut.
- If a curb cut is no longer in use, repair the curb. In some areas, granite curbs may be required.
- Do not use paving in the front yard for a parking area. Paving stones might be acceptable in certain instances. Do not create a new driveway or garage that opens onto a primary street.
- Do not create a new driveway or garage that opens onto a primary street.

#### 15. 9.1 Design an accessory structure to be subordinate in scale to that of the primary structure.

- If a proposed accessory structure is larger than the size of typical historic accessory structures in the district, break up the mass of the larger structure into smaller modules that reflect traditional accessory structures.

#### 16. 9.2 Locate a new accessory structure in line with other visible accessory structures in the district.

- These are traditionally located at the rear of a lot.
- Materials that are compatible with the historic district in scale and character are acceptable. These often include: wood frame, masonry, and cement-based fiber siding.
- Materials that are not compatible with the historic district in scale and character are unacceptable. These often include metal, plastic, and fiberglass.

## **B. Staff Analysis**

This application proposes the construction of a one-and-a-half story frame residence and a garage. The *Design Review Guidelines* provide direction on new construction within Mobile's historic districts. Regarding setbacks, orientation, massing, and scale, the proposed new structure complies with the *Guidelines'* call for new construction to respect the building patterns of the surrounding district. The

suggested front yard setback of 34'-0", along with the side yard spacings of 16'-0" and 4'-0" on the north and south respectively, are well within the range of setbacks which occur on the surrounding lots. (A.1,2) The historic structures in the immediate vicinity of the subject property range in size and form, from single story and one-and-a-half story cottages of varying depths, to statelier two-story structures with projecting side wings. The proposed one-and-a-half story cottage design for 113 Houston Street is consistent in massing, proportions, and heights with surrounding historic structures. (A.3,4)

The decorative elements and design details proposed for the subject structure such as the steeply pitched gable roof, paneled door with sidelights and transom, projecting shed dormer, two-over-two windows, etc. lend respect to the Victorian styles and to the character of the district. The proposed materials of brick, wood, smooth Hardie board siding, and vinyl-clad wood windows are acceptable for new construction and are sympathetic to the character of the surrounding historic district. Further, many of the lots on Houston Street and nearby cross streets such as Laurel Street and Hunter Avenue are narrow and deep with single-story homes which boast gable roofs, front porches, and long flat side elevations with varying fenestration patterns. The design of the subject property would uphold these traditions, as the *Guidelines* advise. Further, the proposed raised foundation with lattice infill is in keeping with those of the surrounding houses which are almost entirely raised on either concrete or brick piers with varying infill materials. Likewise, the roof height of 30'-0" at 113 Houston would be observably similar to those of nearby structures. (A.5-12, 17)

The existing walkway on the lot would join the sidewalk to the steps of the front porch, providing a visual connection between the street and the proposed residence as mandated in the *Guidelines*. (A.13) The driveway and parking/turnaround area are compliant in material, and their placement on the property would minimize the visual impact of parking. (A.14)

The proposed placement of the garage structure at the rear of the lot complies with the directive in the *Guidelines* to minimize the visual impact of parking and to place accessory buildings at the rear of the lot. (A.14, 15) The lower stature of the garage (26'-0" at the peak) versus the primary structure (30'-0" at the peak) and its smaller footprint (552 square feet versus approximately 2130 square feet) make the accessory structure clearly subordinate to the proposed house. Siding and window materials are compliant with the *Guidelines*. Fiberglass is not an approved material for doors within Mobile's historic districts. However, the proposed garage doors are for a non-historic accessory structure which would be minimally visible from the street. (A.15, 16)

### **C. Summary of Analysis**

- The application proposes the construction of a single-story frame residence and garage structure to the rear.
- The proposed setbacks, side yard spacing, massing, scale, and design comply with the *Design Review Guidelines*, maintaining the rhythm and historic character of the surrounding district.
- Siding, foundation and fenestration materials fall within the *Guidelines*, with the exception of the fiberglass doors proposed for the garage doors. However, these doors are intended for a non-historic structure which is not highly visible from the street.

### **STAFF RECOMMENDATION**

Based on Section B above, Staff believes the proposed construction of a one-and-a-half story frame residence and garage at 113 Houston Street would not impair the architectural and historic character of the surrounding district and recommends approval of the application.

## **PUBLIC TESTIMONY**

Mr. Todd Beaton was present to discuss the application. He stated that he had nothing to add.

No written comments regarding this application were received from the public.

## **BOARD DISCUSSION**

Mr. Roberts stated that the Board had asked that details be added to the submitted drawings, but that handwritten notes on the drawing were added instead.

Mr. Beaton responded that the details which were asked at the last meeting to be added to the drawings had been added to the resubmitted drawings.

Mr. Allen stated that he was concerned that the lack of details provided for the windows prevented the Board from knowing what the proposed windows should look like.

Ms. Dawson noted that according to the Secretary of Interior Standards, new construction should be compatible with the district but should not attempt to mimic old construction, so that a distinction can be made between the two. She continued that in the past, the Board has not required such details for new construction design such as lite configuration, profile dimensions, etc.

Mr. Allen stated that he feels a visual is needed.

Ms. Davis asked Staff if there was a precedent for the Board approving vinyl clad windows without a visual sample.

Ms. Dawson replied that vinyl-clad windows were approved for the non-historic second story at 6 N. Jackson Street.

## **FINDING FACTS**

Ms. Davis moved that, based on the evidence presented in the application, the Board finds the facts in the Staff's report.

The motion was seconded by Mr. Rodrigues and approve unanimously.

## **DECISION ON THE APPLICATION**

Ms. Davis moved that, based on the facts approved by the Board, the construction of a single family residence at 113 Houston Street would not impair the architectural and historic character of the district, and a Certificate of Appropriateness should be granted.

Mr. Rodrigues seconded the motion, and it passed on a 5 to 2 vote, with Mr. Roberts and Mr. Allen opposed.

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

<b>ADDRESS</b>	7½ & 9½ N. Cedar St.	<b>APPLICATION NO.</b>	2023-13-CA
<b>SUMMARY OF REQUEST</b>	Partial demolition of brick furniture warehouse.		
<b>APPLICANT</b>	Rata Investments	<b>OWNER, IF OTHER</b>	Wendell Quimby

<b>HISTORIC DISTRICT</b>	Lower Dauphin Street Commercial	<b>MEETING DATE</b>	2/15/2023
<b>CLASSIFICATION</b>	unknown	<b>REVIEWER</b>	C. Dawson

**DISTRICT/PROPERTY AND APPLICATION HISTORY**

Lower Dauphin Street Commercial Historic District was initially listed in the National Register in 1979 under Criteria A (historic significance) and C (architectural significance) for its local significance in the areas of commerce and architecture. The district is significant for its unique character stemming from the high concentration of closely spaced two- and three-story brick buildings and as Mobile’s nineteenth century commercial thoroughfare. The district boundaries were expanded in 1982, 1995, 1998, and 2019.

The brick structure located behind numbers 7 and 9 N. Cedar Street does not appear on the 1876 Hopkins ward map of Mobile. The 1886 Sanborn map depicts one-story frame outbuildings behind the dwellings at 7 and 9 N. Cedar (at that time, 9 and 11), and the outbuildings had the “1/2” street number. Identical frame outbuildings appear on the 1891 Sanborn map. By the time the 1904 Sanborn map was prepared, the outbuildings had been removed. The 1924 Sanborn map shows the area occupied by a two-story brick furniture warehouse with concrete floor. The warehouse was contiguous with, if not actually connected to, other brick furniture warehouses stretching south to the north side of the commercial buildings on Dauphin Street. The subject warehouse remained extant in aerial photographs from 1952 through 1997. At some point between 1997 and 2004, the roof disappeared.

This property has not previously appeared before the Architectural Review Board (ARB).

**SCOPE OF WORK (per submitted application and communications)**

1. Demolish the upper portions of the extant furniture warehouse walls, leaving the bottom 10’ to enclose a residential courtyard.

**STAFF REPORT**

**A. Applicable standards from the *Design Review Guidelines for Mobile’s Historic Districts (Guidelines)*:**

1. “Consider the current significance of a structure previously determined to be historic.
2. Consider the condition of the structure in question. Demolition may be more appropriate when a building is deteriorated or in poor condition.
3. Consider whether the building is one of the last remaining positive examples of its kind in the neighborhood, county, or region.
4. Consider the impact that demolition will have on surrounding structures, including neighboring properties, properties on the same block or across the street, or properties

- throughout the individual historic district.
5. Consider whether the building is part of an ensemble of historic buildings that create a neighborhood.
  6. Consider the future utilization of the site.” (12)

## **B. Staff Analysis**

This application involves the partial demolition of the extant walls of the ruins of a brick furniture warehouse within the Lower Dauphin Street Commercial District. The structure was built between 1904 and 1924.

The *Guidelines* state that when demolition is contemplated, the current significance of the structure should be considered. (A.1) The subject property is not noted in the National Register nomination for the district. The structure has lost integrity of design, feeling, and association and likely would not be considered contributing to the district.

Per the *Guidelines*, “the condition of the structure in question” should be considered. “Demolition may be more appropriate when a building is deteriorated or in poor condition.” (A.2) In the case of the subject property, the original warehouse is in ruinous condition. The roof is no longer extant, and the eastern wall has mostly collapsed. This property has been cited by Municipal Enforcement, and the application under consideration is an attempt to satisfy the concerns of that department while salvaging as much of the extant structure as possible.

Whether the building in question is “one of the last remaining positive examples of its kind in the neighborhood, county, or region” should be factored into any decision to allow or disallow demolition in a historic district. (A.3) The furniture warehouse was one of many in the district, as Dauphin Street was once a major furniture retailer thoroughfare. A number of non-descript furniture warehouses remain in the district, tucked away behind commercial buildings lining Dauphin Street.

The *Guidelines* instruct that the impact of a structure’s demolition on surrounding structures, including neighboring properties, properties on the same block or across the street, or properties throughout the individual historic district should be taken into account. (A.4) The visual impact upon neighboring properties of the partial demolition of this structure would be minimal, as it is located behind two residences and is not visible from the Cedar Street right-of-way. The structure is visible from St. Francis Street, but the demolition of only the upper walls, leaving 10’ courtyard walls, would mitigate the loss.

The extant structure at 7½ and 9½ N. Cedar Street is not “part of an ensemble of historic buildings that create a neighborhood.” The property is “landlocked” on the block, and its second floor (the upper part of the extant walls) is not critical to its visual relationship to neighboring structures. (A.5)

Finally, the *Guidelines* instruct that the future use of a cleared site should be considered. (A.6) In this case, the property would not be cleared, and the lower portion of the extant walls would remain.

## **C. Summary of Analysis**

- The structure at 7½ and 9½ N. Cedar Street is the ruins of a two-story brick furniture warehouse constructed between 1904 and 1924.
- The structure has lost its roof and all interior elements, and most of one exterior wall has collapsed.
- The applicant proposes reducing the height of the remaining walls to 10’ to address the public safety concerns of the Municipal Enforcement Department and create a courtyard for use of the residents at 7 and 9 N. Cedar Street.

## **STAFF RECOMMENDATION**

Based on Section B above, Staff believes the proposed partial demolition of the brick warehouse building at 7½ and 9½ N. Cedar Street would not impair the architectural or historic character of the surrounding district. Staff recommends approval of the application.

## **PUBLIC TESTIMONY**

Mr. Douglas Kearley was present to discuss the application. He stated that he had nothing to add.

No written comments regarding this application were received from the public.

## **BOARD DISCUSSION**

The Board had no comments.

## **FINDING FACTS**

Mr. Roberts moved that, based on the evidence presented in the application, the Board finds the facts in the Staff's report.

The motion was seconded by Ms. Davis and approved unanimously.

## **DECISION ON THE APPLICATION**

Mr. Roberts moved that, based on the facts approved by the Board, the partial demolition of the brick furniture warehouse at 7 ½ and 9 ½ N. Cedar Street would not impair the architectural and historic character of the surrounding district, and a Certificate of Appropriateness should be granted.

Mr. Rodrigues seconded the motion, and it was approved unanimously.

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

<b>ADDRESS</b>	809 Government Street	<b>APPLICATION NO.</b>	2023-14-CA
<b>SUMMARY OF REQUEST</b>	Install mural on west elevation		
<b>APPLICANT</b>	Rashawn Figures	<b>OWNER, IF OTHER</b>	
<b>HISTORIC DISTRICT</b>	Church Street East	<b>MEETING DATE</b>	03/15/2023
<b>CLASSIFICATION</b>	Contributing	<b>REVIEWER</b>	A. Allen

**DISTRICT/PROPERTY AND APPLICATION HISTORY**

Church Street East Historic District was initially listed in the National Register in 1971 under Criteria A (historic significance) and C (architectural significance) for its local significance in the areas of architecture, education, and urban planning. The district is significant for its concentration of multiple 19<sup>th</sup> century architectural styles and because it encompasses the site of Mobile in the early 1700s. The district boundaries were expanded in 1984 and 2005.

The National Register nomination for Church Street East states that the subject building, known as the Junger House, was constructed in 1887. The 1885 Sanborn map for Mobile describes the development on this block bounded by Government Street to the north, S. Bayou Street to the east, Church Street to south, and S. Jefferson Street to the west as simply seven (7) frame dwellings and six (6) sheds and not with the extant two-story brick building. Six years later, the 1891 Sanborn map shows the subject property occupied by a two-story frame building with a full-width front porch and rear ell, facing Government Street. The building was labeled “Drugs”, noting the use of the property by a pharmacy. Two-story frame dwellings were shown to the immediate east and south of the building. By the time the 1904 Sanborn map was prepared, the two-story frame dwelling had been replaced by a two-story brick building with a footprint identical to the extant building. This building also was labeled “Drugs”, and the dwellings to the immediate south and east were shown on the same lot. Therefore, based on evidence in the Sanborn record, the Junger House dates to some point between 1891 and 1904. The 1924 Sanborn map shows identical development of the property; however, the two buildings to the east of the subject building were labeled “Clinic.” The building to the immediate east is no longer extant. An undated photograph in the MHDC file, which appears to be from the late 1940s, shows a second-floor bay window at the center of the north elevation and a balcony spanning the width of the elevation; neither feature is extant. The three sets of doors across the first floor of the elevation are similar in design to the extant doors.

According to the MHDC vertical files, this property has appeared seven times previously before the Architectural Review Board (ARB). The Mobile Housing Board, owner of the subject property at that time, proposed development of a parking area south and east of the building in 1980, and a COA was approved by the ARB. A request to erect a cast iron fence on a brick base to enclose a rear parking area was approved in 1989. In 1998, the ARB denied a request from the Mobile Housing Board to erect a 6’ high chain link fence and gates at the property. In August 2021, the ARB denied a request to replace windows, install an aluminum storefront, and install a mural on the east elevation of the building. In October 2021, the ARB approved an application to replace windows and install a mural on the west elevation of the building. The applicant withdrew an application to replace doors on the north (façade)



and west elevations with three sidelights and one window at the May 4, 2022 ARB meeting. This application was reviewed by the ARB again on July 20, 2022 and was approved.

**SCOPE OF WORK (per submitted application and plans and correspondence)**

1. Install mural on the west (South Jefferson St.) elevation.
  - a. The proposed mural will measure 29'-0" wide by 18'-0" high.
  - b. Mural will read "Figures" in the lower southern corner and consist of depictions of local significant figures and symbols (Coca-Cola logo and the seal of the City of Mobile).
  - c. The proposed mural will be painted with standard exterior masonry paint.

**STAFF REPORT**

**A. Applicable standards from the *Design Review Guidelines for Mobile's Historic Districts (Guidelines)*:**

1. Chapter 11: Commercial Signage  
Murals – *A mural is a painting located on the side of the building. Mural content should be compatible with the associated building and overall character of the building.*

**B. Staff Analysis**

The subject property, 809 Government Street, is a contributing property within the Church Street East Historic District. The application under review involves the installation of a mural which would be located on the west (South Jefferson Street) elevation of the building. Its width would occupy the space directly south of the entry door located on the north end of the west elevation and run south to the northern most one-over-one window on the first floor. Height-wise, the mural would occupy the space from ground level to just below the second story window sills.

The mural pays tribute to the contributions made by members of the Figures family to the city of Mobile and the State of Alabama. The mural depicts Michael Figures (Alabama State Senator), Beulah Mae Donald, and a Southern Law Poverty Attorney in the Center in the center (in a reproduction of a photo taken during the trial of *Donald v. United Klans of America*); Thomas Figures (the first African American Assistant D.A. for Mobile County) on the right; and Norman Figures (the first African American executive for Coca-Cola Mobile who was appointed to the State Personnel Board by Governor Wallace) on the left. The mural depicts local historically significant content and uses colors compatible with the nature of the subject, with the building, and with the surrounding district (A.1).

**C. Summary of Analysis**

- The application involves the installation of a mural to be installed on the west elevation of 809 Government Street.
- The mural depicts historically significant content and uses colors compatible with the nature of the subject, with the building, and with the surrounding district, as mandated in the *Guidelines*.

**STAFF RECOMMENDATION**

Based on Section B above, Staff believes the proposed mural does not impair the architectural and historic character of the historic structure or of the surrounding district and recommends approval of the application.

**PUBLIC TESTIMONY**

Mr. Rashawn Figures was present to discuss the application. He stated that he had nothing to add.

No written comments regarding this application were received from the public.

#### **BOARD DISCUSSION**

Mr. Roberts asked if the mural would be black and white.

Mr. Figures responded that the mural would be partially black and white with earth tone colors incorporated as well.

Mr. Roberts asked if the windows at the mural's location on the building would remain.

Mr. Figures replied that they would.

#### **FINDING FACTS**

Mr. Rodrigues moved that, based on the evidence presented in the application, the Board finds the facts in the Staff's report.

The motion was seconded by Ms. Davis and approved unanimously.

#### **DECISION ON THE APPLICATION**

Mr. Rodrigues moved that, based on the facts approved by the Board, the installation of a mural on the west elevation of 809 Government Street would not impair the architectural and historic character of the structure or the surrounding district, and a Certificate of Appropriateness should be granted.

Mr. Roberts seconded the motion, and it was approved unanimously.

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

<b>ADDRESS</b>	467 Dauphin Street	<b>APPLICATION NO.</b>	2023-15-CA
<b>SUMMARY OF REQUEST</b>	After-the-fact: Install mural on west elevation		
<b>APPLICANT</b>	Rashawn Figures	<b>OWNER, IF OTHER</b>	

<b>HISTORIC DISTRICT</b>	Lower Dauphin Street Commercial	<b>MEETING DATE</b>	3/15/2023
<b>CLASSIFICATION</b>	Contributing	<b>REVIEWER</b>	A. Allen

**DISTRICT/PROPERTY AND APPLICATION HISTORY**

Lower Dauphin Street Commercial Historic District was initially listed in the National Register in 1979 under Criteria A (historic significance) and C (architectural significance) for its local significance in the areas of commerce and architecture. The district is significant for its unique character stemming from the high concentration of closely spaced two- and three-story brick buildings and as Mobile’s nineteenth century commercial thoroughfare. The district boundaries were expanded in 1982, 1995, 1998, and 2019.

The structure at 467 Dauphin Street is a two story brick commercial building that occupies a corner lot at Dauphin and Lawrence Streets. Based on MHDC vertical files, the current structure at 467 Dauphin has a construction date of c. 1851. The 1885, 1891 and 1904 Sanborn maps designate the building as being three (3) stories in height. Around 1940 the upper story of the structure was removed, which can be further substantiated by the 1940 Sanborn overlay indicating a two (2) story structure on the site. Also visible on this overlay is an alteration to the façade. Additional façade changes were made in subsequent years. Currently, the structure is adorned with a modern storefront and aluminum clad two-over-two windows on the north and west façade. With the exception of the east elevation, the building has been stuccoed on all sides.

According to the MHDC files, this building has never appeared before the Architectural Review Board.

**SCOPE OF WORK (per submitted application and plans and correspondence)**

1. Install mural on the west (South Lawrence St.) elevation.
  - a. Mural consists of a quote and a stylized landscape and contextual representation of the historical African American struggle for freedom.
  - b. The mural measures 51’-0” wide by 20’-0” high.
  - c. The mural is painted with standard exterior masonry paint.

**STAFF REPORT**

**A. Applicable standards from the *Design Review Guidelines for Mobile’s Historic Districts (Guidelines)*:**

1. Chapter 11: Commercial Signage
 

Murals – *A mural is a painting located on the side of the building. Mural content should be compatible with the associated building and overall character of the building.*

**B. Staff Analysis**

The subject property, 467 Dauphin Street, is a contributing property within the Lower Dauphin Street Commercial Historic District. This is an after-the-fact review of a mural which was applied to the building in 2022. The mural is located on the west (South Lawrence Street) elevation of the building and occupies the entire elevation. The mural depicts historically significant content and uses colors compatible with the nature of the subject, with the building, and with the surrounding district. (A.1)

The quote located on the mural (“*Every great dream begins with a dreamer. Always remember, you have within you the strength, the patience, and the passion to reach for the stars to change the world.*”) is incorrectly attributed to Harriet Tubman. Staff researched the authenticity of the quote and discovered that this quote was created in 2007 and has been widely misattributed to Ms. Tubman ever since.

### **C. Summary of Analysis**

- The application is an after-the-fact review of an extant mural at 457 Dauphin.
- The mural is compatible with the associated building and its character, as mandated in the *Guidelines*.
- The quote on the mural is misattributed to Harriet Tubman.

### **STAFF SUGGESTION**

Staff suggests that the applicant replace the quote currently on the mural with a quote which can be authentically attributed to Harriet Tubman through primary source documentation, or remove the name Harriet Tubman from the mural.

### **STAFF RECOMMENDATION**

Based on Section B above, Staff believes the extant mural does not impair the architectural and historic character of the historic structure or of the surrounding district and recommends an after-the-fact approval of the application, pending the implementation of the aforementioned suggestion.

### **PUBLIC TESTIMONY**

Mr. Rashawn Figures was present to discuss the application. He stated that the subject mural was intended for 809 Government Street but the decision was made to apply the mural at 467 Dauphin instead. He added that since the quote had been well received by the public, he would like to leave it on the mural and remove Harriet Tubman’s name.

No written comments regarding this application were received from the public.

### **BOARD DISCUSSION**

Ms. Davis offered the option of changing the quote to read “Inspired by Harriet Tubman” so as to leave the name of the mural’s subject on the mural.

Mr. Figures stated that he would be amenable to that option.

### **FINDING FACTS**

Mr. Roberts moved that, based on the evidence presented in the application, the Board finds the facts in the Staff’s report as to include the addition of the statement “Inspired by Harriet Tubman” to be applied to the mural.

The motion was seconded by Mr. Rathle and approved unanimously.

## **DECISION ON THE APPLICATION**

Mr. Roberts moved that, based on the facts approved by the Board, the installation of a mural on the west elevation of 467 Dauphin Street does not impair the architectural and historic character of the structure or the surrounding district, and an after-the-fact Certificate of Appropriateness should be granted.

Mr. Rathle seconded the motion, and it was approved unanimously.

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

<b>ADDRESS</b>	255 Church Street	<b>APPLICATION NO.</b>	2023-16-CA
<b>SUMMARY OF REQUEST</b>	Install 94 square feet of signage on south elevation		
<b>APPLICANT</b>	Scott Services Company	<b>OWNER, IF OTHER</b>	

<b>HISTORIC DISTRICT</b>	Church Street East	<b>MEETING DATE</b>	3/15/2023
<b>CLASSIFICATION</b>	Non-contributing	<b>REVIEWER</b>	A. Allen

**DISTRICT/PROPERTY AND APPLICATION HISTORY**

Church Street East Historic District was initially listed in the National Register in 1971 under Criteria A (historic significance) and C (architectural significance) for its local significance in the areas of architecture, education, and urban planning. The district is significant for its concentration of multiple 19<sup>th</sup> century architectural styles and because it encompasses the site of Mobile in the early 1700s. The district boundaries were expanded in 1984 and 2005.

The building at 255 Church street is a commercial brick building which has served as a hotel since its construction c.1967. According to MHDC vertical files, the building passed through several ownerships and names including Holiday Inn, Holiday Inn Express, and Oak Tree Inn before becoming Quality Inn.

This property has appeared twice before the Architectural Review Board. Plans for exterior alterations were given conceptual approval in 1992. In 1993, an application to install two signs was approved.

**SCOPE OF WORK (per submitted application and plans and correspondence)**

1. Install a wall sign on the east elevation of the building.
  - a. The proposed sign would measure 10'-11 1/4" wide by 8'-7 3/8" high. The distance from the ground to sign bottom would be 55'-0". The distance from the ground to sign top would be 59'-0".
  - b. The proposed material for the sign would be Lexan, which is a polycarbonate resin thermoplastic.
  - c. The proposed sign would consist of the company logo over the name "Quality Inn" which would be comprised of 36" channel letters.
  - d. The sign would be mounted by toggles and/or fasteners.
  - e. Both the logo and the letters of the sign would be back-lit by LED.

**STAFF REPORT**

**A. Applicable standards from the *Design Review Guidelines for Mobile's Historic Districts (Guidelines)*:**

1. **11.3** Design a new sign to be compatible with the character of a building and the district
2. **11.4** When installing a new sign on a historic building, avoid damaging or obscuring the key architectural features.
  - Minimize the number of sign anchor points.

- Use an existing sign bracket if possible.
  - Design a sign to integrate with the architectural features of the historic building.
  - Avoid penetrating brick when attaching a sign to a masonry building.
3. **11.5** New signs are restricted to a maximum of 64 square feet.
- Directional signage is not counted toward the total square footage allotment.

#### SIGN PLACEMENT

4. **11.6** Place a sign to be compatible with those in the district.
- When placing a new sign on a historic building, locate a sign to emphasize design elements of the historic building façade.
  - Mount a sign to fit within existing architectural features.

#### SIGN MATERIALS AND CHARACTER

5. **11.7** Use a sign material that is compatible with the materials of the building on which it is placed and the district. New materials that achieve the effect of traditional materials and lighting solutions will be considered on a case by case basis.
- Do not use highly reflective materials for a sign. All plastic faced box signs are not allowed.
  - Design a sign to be subordinate to the building façade.

#### SIGN ILLUMINATION

6. **11.8** Where necessary, use a compatible, shielded light source to illuminate a sign.
- Consider direct lighting toward a sign from an external, shielded lamp when possible.
  - Use a warm colored light to illuminate a sign when possible.
  - If halo lighting is used to accentuate a sign or building, locate the light source so that it is not visible.
  - If a back-lit sign is used, illuminate each individual letter or element separately.

### **B. Staff Analysis**

This application involves the installation of a wall sign with an area of approximately 94 square feet on a non-contributing property located on the edge of the Church Street East Historic District. The proposed sign would replace an existing sign which measures approximately 105 square feet.

The area of the proposed sign would not be in conformance with the *Guidelines*, as it would bring the total of signage square footage to 139 square feet, which is larger than the area allowed under the *Guidelines* by 75 square feet (139 versus 64 square feet) (A.3). However, the proposed new signage would be smaller than the existing signage that it is replacing (105 square feet). In addition, it should be considered that, according to MHDC files, in 1993, the Board of Zoning Adjustment granted a sign variance at 255 Church Street to permit signage totaling 118.56 square feet.

The proposed signage would be constructed of a material compatible with the non-historic building, and the high placement on an elevation facing an interstate is also appropriate to the character of the building as instructed by the *Guidelines* (A.4,5). Further, both the logo and lettering portions of the sign would be individually back-lit which is permitted under the *Guidelines* (A.6).

The *Guidelines* instruct that signage should be designed “to be compatible with the character of a building and the district.” (A.1) Although the size of the proposed signage is in excess of the previously approved square footage, two factors regarding its proposed location should be kept in mind. First, the building to which the signage would be attached is a non-historic, non-contributing property. The second factor at play is that the proposed signage would face away from the district towards Interstate 10. The proposed

signage would be compatible with the non-historic building to which it would be attached, and, given its proposed location at the southwest elevation of the building (facing the interstate), likely would be minimally visible, if at all, from within the historic district. Therefore, the proposed signage would be compatible with the district in that it would not be obvious from the district.

### **C. Summary of Analysis**

- The proposed sign at 255 Church Street would be 94 square feet, bringing the total signage square footage out of compliance with the *Guidelines*. However, the proposed new sign is smaller in area than the existing; and the total signage square footage would fall close to the total square footage variance granted in 1993.
- The proposed sign is in compliance with the *Guidelines* regarding materials and compatibility with the associated building and the district.
- The sign faces the interstate and would be minimally visible within the district.

### **STAFF RECOMMENDATION**

Based on Section B above, Staff believes the proposed wall sign would not impair the historic character of the surrounding district due to its size in excess of the previously approved signage. Staff recommends approval of the application.

### **PUBLIC TESTIMONY**

Mr. James Joiner was present to discuss the application. He stated that he had nothing to add.

No written comments regarding the application were received from the public.

### **BOARD DISCUSSION**

Ms. Van Antwerp asked Staff if the Board of Zoning and Adjustments variance which was granted in 1993 overrode the *Guidelines*.

Ms. Dawson replied that the present *Guidelines* were written in 2016.

Ms. Van Antwerp commented that the proposed sign's square footage does not comply with the current *Guidelines*.

Mr. Blackwell asked Staff to confirm whether there had been allowances made for signs on large non-contributing structures in the past.

Ms. Dawson replied that there had and added that the allowances had extended to historic structures as well.

Ms. Van Antwerp asked whether a variance applies to only one instance.

Ms. Dawson confirmed that it does.

Mr. Allen stated that the Board does not need to justify approving something outside of our *Guidelines* due to potential variances.

### **FINDING FACTS**

Mr. Roberts moved that, based on the evidence presented in the application, the Board finds the facts in the Staff's report.

The motion was seconded by Ms. Davis, and it was approved on a 4-3 vote with Mr. Allen, Ms. Van Antwerp, and Mr. Rathle opposed.



## **DECISION ON THE APPLICATION**

Mr. Roberts moved that, based on the facts approved by the Board, the installation of 94 square feet of signage on south elevation of 255 Church Street would impair the architectural and historic character of the surrounding district, and a Certificate of Appropriateness should not be granted.

Ms. Van Antwerp seconded the motion, and it was approved unanimously.

## **D. OTHER BUSINESS**

1. Ms. Dawson updated the members on the progress of the Design Guidelines Committee.
2. Ms. Dawson noted that the existing City preservation ordinance is out of compliance with the State enabling legislation and that revisions had been submitted to City Council the previous day. The changes affecting the ARB would include members being nominated by the Mayor (rather than by the HMPS, MHDC, and AIA) and appeals of ARB decisions being heard by Circuit Court rather than by City Council.

There being no further business, the meeting was adjourned at 4:09 p.m.