

ARCHITECTURAL REVIEW BOARD MINUTES
August 21, 2013 – 3:00 P.M.
Pre-Council Chambers, Mobile Government Plaza, 205 Government Street

A. CALL TO ORDER

1. The Chair, Bradford Ladd, called the meeting to order at 3:00. Cart Blackwell, MHDC Staff, called the roll as follows:
Members Present: Robert Allen, Kim Harden, Carolyn Hasser, Nick Holmes III, Thomas Karwinski, Bradford Ladd, Harris Oswalt, Craig Roberts, Steve Stone, Jim Wagoner, and Janetta Whitt-Mitchell.
Members Absent: Janetta Whitt-Mitchell.
Staff Members Present: Devereaux Bemis, Cart Blackwell, and John Lawler.
2. Mr. Karwinski moved to approve the minutes of the August 7, 2013 meeting. The motion received a second and passed unanimously.
3. Mr. Karwinski moved to approve the midmonth COA's granted by Staff. The motion received a second and passed unanimously.

B. MID MONTH APPROVALS: APPROVED.

1. **Applicant: Mobile Fence for Jim Allen**
 - a. Property Address: 15 Houston Street
 - b. Date of Approval: 7/31/13
 - c. Project: Repair a 6' wood fence to match existing. Remove chain link fence and replace it with the matching 6' high privacy fence.
2. **Applicant: Habitat for Humanity**
 - a. Property Address: 21 South Hallett Street
 - b. Date of Approval: 7/29/13
 - c. Project: Reroof the house with asphalt shingles. Touch up the paint around the soffits.
3. **Applicant: Kenneth McKee**
 - a. Property Address: 25 Lee Street
 - b. Date of Approval: 7/30/13
 - c. Project: Repair the front porch to match the existing. Repaint to match the existing color scheme.
4. **Applicant: Deborah DeGuire**
 - a. Property Address: 209 Dauphin Street
 - b. Date of Approval: 8/1/13
 - c. Project: Replace rotten wood in kind and as needed.. Repaint the building per the existing color scheme.
5. **Applicant: Taylor Atchison**
 - a. Property Address: 1400 Dauphin Street
 - b. Date of Approval: 8/1/13
 - c. Project: Repair and/or replace to deteriorated woodwork to match up the existing in profile and dimension. Repaint the work per the existing color scheme.
6. **Applicant: David Calametti**
 - a. Property Address: 1714 Dauphin Street
 - b. Date of Approval: 8/1/13
 - c. Project: Remove a roll up door on the rear elevation. Install wood and glass entrance in the location of the above.

- 7. Applicant: Ross Pritchard**
 - a. Property Address: 1011 Church Street
 - b. Date of Approval: 8/2/13
 - c. Project: Replace rotten wood on house, repaint to match. Clean up around shed, leave existing.
- 8. Applicant: Jeff Mizell**
 - a. Property Address: 26 South Julia Street
 - b. Date of Approval: 8/2/13
 - c. Project: Reroof with 30 year architectural shingles, brown color.
- 9. Applicant: Tony Atchison with Atchison Home / Atchison Properties**
 - a. Property Address: 551 Dauphin Street
 - b. Date of Approval: 8/5/13
 - c. Project: Repair deteriorated stucco using an appropriate mortar. Finish repainting the building. Remove plywood and replacement aluminum window units. Reinstall wooden six-over-six windows. Repair the roof. Repair a side door.
- 10. Applicant: Coulson Roofing for David Koen**
 - a. Property Address: 151 South Dearborn Street
 - b. Date of Approval: 8/5/13
 - c. Project: Reroof to match the existing.
- 11. Applicant: Barnes Fence and Home Improvement**
 - a. Property Address: 104 South Georgia Avenue
 - b. Date of Approval: 8/5/13
 - c. Project: Install a 6' high, interior lot wooden privacy fence.
- 12. Applicant: Brian Weeks with Diversified Roofing**
 - a. Property Address: 256 Dexter Avenue
 - b. Date of Approval: 8/6/13
 - c. Project: Reroof the house with asphalt shingles.
- 13. Applicant: Kiker Corporation**
 - a. Property Address: 1655 McGill Avenue
 - b. Date of Approval: 8/6/13
 - c. Project: Reroof the house with asphalt shingles.
- 14. Applicant: Glamr Ventures**
 - a. Property Address: 1966 Government Street (signage corridor)
 - b. Date of Approval: 8/6/13
 - c. Project: Replace franchise signage. Replace the existing wall sign as per the same dimensions. The reverse channel illuminated sign will feature the name of the franchise. Replace a existing freestanding sign within the existing cage. The reverse channel illuminated sign will feature the name of the establishment.
- 15. Applicant: Gray Arnold**
 - a. Property Address: 154 South Cedar Street
 - b. Date of Approval: 8/7/13
 - c. Project: Paint in the same BLP color scheme or equivalent. Repair/replace rotten wood as needed. Body: Flo Claire Crocus Yellow Trim: White Porch Decking, shutter and rail caps: Claiborne St. Red
- 16. Applicant: Julia Greer**
 - a. Property Address: 113 South Georgia Avenue
 - b. Date of Approval: 8/7/13
 - c. Project: Remove expanses of infill located behind front porch's intact posts and balustrades. Touch up the color scheme as per the existing.

17. Applicant: David L. Sanders

- a. Property Address: 202 George Street
- b. Date of Approval: 8/12/13
- c. Project: Construct an ancillary building per submitted plans (approved 14 December 2004).

C. APPLICATION

1. 2013-63-CA: 1400 Dauphin Street

- a. Applicant: Taylor Atchison
- b. Project: Painting – Paint an unpainted brick building.

DENIED. CERTIFIED RECORD ATTACHED.

2. 2013-64-CA: 128 Macy Place

- a. Applicant: Patricia Lambert
- b. Project: Chimneys – Remove a chimney stack.

APPROVED AS AMENDED. CERTIFIED RECORD ATTACHED.

3. 2013-65-CA: 50 Le Moyne Place

- a. Applicant: Jake Epker
- b. Project: After-the-Fact-Approval – Retain an unauthorized replacement door and sidelights.

DENIED. CERTIFIED RECORD ATTACHED.

4. 2013-66-CA: 210 Dauphin Street

- a. Applicant: John Switzer with J. L. Swit, LLC
- b. Project: After-the-fact-Approval – Retain unapproved windows.

DENIED. CERTIFIED RECORD ATTACHED.

D. OTHER BUSINESS

- 1. Secretary of the Interior's Standards
- 2. Discussion

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

2013-63-CA: 1400 Dauphin Street
Applicant: Taylor Atchison
Received: 8/5/13
Meeting: 8/21/13

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way
Classification: Contributing
Zoning: R-1
Project: Painting – Paint an unpainted bricks building.

BUILDING HISTORY

This gabled roof dwelling dates from 1947.

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 has never appeared before the Architectural Review Board. The new owner/applicant proposes painting the building.
- B. The Design Review Guidelines for Mobile’s Historic Districts and the Secretary of the Interior’s Standards for Rehabilitation state, in pertinent part:
 - 1. “The exterior material of a building helps define its style, quality and historic period.”
 - 2. “Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.”
- C. Scope of Work (per the submitted color scheme):
 - 1. Paint the body of the building Benjamin Moore’s “French Canvas”.

STAFF ANALYSIS

This application calls for painting of a contributing building. While the Design Review Guidelines for Mobile’s Historic Districts do not rule out painting machine-made brick, the Guidelines state that exterior materials help define the style, quality, and period of a building (See B-1). There is considerable concern in the preservation community that painting bricks can eventually lead to moisture problems. Also as seen in Cathedral Towers, the painting of brick creates a monochromatic mass as opposed to the variation in texture, shading and color that results from the grout color and dimensionality. There is also the problem with extended maintenance on a surface that is virtually maintenance free. Though the current owners are willing to paint the structure on a regular basis, it does not necessarily follow that later owners will maintain the house as well. The Secretary of the Interior’s Standards for Historic Rehabilitation state that historic finishes that characterize a property should be preserved (See B-2).

STAFF RECOMMENDATION

Based on B (1-2), Staff believes this application will impair the architectural and the historical character of the building and the district. Staff does not recommend approval of this application.

PUBLIC TESTIMONY

Sylvia Atchison was present to discuss the application.

BOARD DISCUSSION

The Board discussion took place concurrently with the public testimony. Mr. Ladd welcomed the applicant's representative. He asked Ms. Atchison if she had any comments to make, questions to ask, or clarifications to address.

Ms. Atchison informed the Board that her family had purchased the property in order to renovate and resell it. After mentioning the prominent location, she said that the proposed improvements would enhance the appearance of the house and allow it to better blend with the area. Ms. Atchison cited the police building on Dauphin Street as a brick structure which had been painted. She said that she had pictures on her phone of other brick buildings located within the historic districts which has been painted. Ms. Atchison said that the brick was harsh in appearance.

Mr. Ladd thanked Ms. Atchison. Referencing the Staff Report, he said that while the Secretary of the Interior's Standards speak of distinctive finishes, paint is a reversible intervention.

Mr. Holmes asked Mr. Blackwell when the house was constructed. Mr. Blackwell responded that according to literature in the MHDC property file the house was constructed in 1947. Mr. Holmes stated that many brick houses of contemporaneous date and appearance were painted at the time of their completion. He agreed with Ms. Atchison regarding the harsh appearance of the brick. Mr. Holmes cited that the Board once denied an application for painting an unpainted brick building and that the City Council had overturned the Board's ruling. He stated that the aforementioned building is located at the southeast corner of Dauphin and Hallett Streets.

Mr. Roberts stated that this application does not involve the painting of old or fine brick. He agreed with Ms. Atchison and Mr. Holmes as to the harsh color and feel of the bricks. Mr. Roberts acknowledged the Secretary of the Interior's Standards, but noted that in practice they are not always applicable and the Board can take exception with them.

Mr. Karwinski took exception as to the appearance of the brick. He suggested that the brick might need cleaning.

Mr. Roberts stated that he did not believe painting the bricks would impair the building. He noted the the bricks were neither antique or attractive.

Mr. Stone made an observation regarding the color of the bricks.

Mr. Roberts expressed concern regarding the roof.

Mr. Bemis addressed the Board. Taking as a point of departure Mr. Robert's observation that the brick could be deemed unattractive, he stated that the Board is not a beautification committee. He said that the

Board has consistently ruled against the painting of unpainted brick buildings. Both Ms. Atchison and Mr. Ladd cited the recent approval of the painting of 259 South Monterey Street.

Mr. Bemis stated the applicant was only going to resell the property and that painting the brick would violate the Secretary of the Interior's Standards.

Mr. Karwinski recommended that the brick should be cleaned. He said that if after a good cleaning the appearance was not improved, the applicant could then reassess the appearance of the building.

Mr. Allen pointed out that other brick buildings had been painted on Dauphin Street, those buildings were neither as fine, nor as prominently situated as the subject building.

Mr. Holmes stated that simple cleaning would not address the appearance of the brick.

Mr. Bemis said that since someone had chosen the brick that they had not deemed in aesthetically displeasing. He stated that paint is hard to remove from brickwork. Mr. Ladd took exception with Mr. Bemis observation.

Mr. Roberts and Ms. Atchison entered into a discussion regarding the roof.

Mr. Roberts suggested the use of shutters.

Mr. Bemis reminded the Board that of their mission. He said regardless of whether painting brick is period or not matters little for the building was not painted. Mr. Holmes disagreed with Mr. Bemis' interpretation.

Mr. Bemis and Mr. Holmes entered into a discussion regarding precedent.

A discussion ensued as to how to rule on the application.

Mr. Ladd asked if there was anyone from the audience who wished to speak either for or against the application. Upon hearing no response, Mr. Ladd closed the period of public comment. No further Board discussion took place.

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. Wagoner moved that, based upon the facts as approved 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.

The motion was approved. Messrs. Holmes, Ladd, and Stone voted in opposition.

DENIED.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

2013-64-CA: 128 Macy Place
Applicant: Patricia Lambert
Received: 8/5/13
Meeting: 8/21/13

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way
Classification: Contributing
Zoning: R-1
Project: Chimneys – Remove a chimney stack.

BUILDING HISTORY

This Arts and Crafts inspired “bungalow” dates from the first quarter of the 20th Century.

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 December 11, 1991. At that time, the Board denied a request to box in the house’s exposed rafter tails. The current owner/applicant proposes the removal of a chimney stack rising above the house’s North (side) Elevation.
- B. The Design Review Guidelines for Mobile’s Historic Districts and the Secretary of the Interior’s Standards for Rehabilitation state, in pertinent part:
 - 1. “The removal of historic materials or alterations of features and spaces that characterize a property shall be avoided.”
 - 2. “Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.”
- C. Scope of Work:
 - 1. Remove a chimney stack (only that portion rising above the roof).
 - 2. Install siding over the affected area.

STAFF ANALYSIS

This application calls for the removal of a chimney stack.

The Design Review Guidelines for Mobile’s Historic Districts do not specifically address chimneys. The Secretary of the Interior’s Standards state that the removal/alteration of historic features should be avoided and that distinctive features should be preserved (See B 1-2) It has been the Board’s policy to call for the retention of prominent, particularly exterior end, chimneys visible from the right of way.

STAFF RECOMMENDATION

Based on B (1-2), Staff believes this application will impair the architectural and the historical character of a building and the district. Staff does not recommend approval of this application.

PUBLIC TESTIMONY

Patricia Lambert was present to discuss the application.

BOARD DISCUSSION

The Board discussion took place concurrently with the public testimony. Mr. Ladd welcomed the applicant. He asked Ms. Lambert if she had any comments to make, questions to ask, or clarifications to address.

Ms. Lambert explained to the Board the reasoning behind her application. She told the Board that despite two repair jobs the roof continued to leak. The leaking occurs only at the location of the chimney and has caused damage to the interior walls and possibly the structure of the building. Ms. Lambert said that while she did not want to remove the roof, she does not want the leaking to cause further damage to her home.

Mr. Ladd asked Ms. Lambert if she had considered other alternatives.

Mr. Wagoner asked where the leaks were occurring. Ms. Lambert explained that the leaking was occurring where the roof pitch meets the inner face of the chimney stack. Mr. Wagoner recommended that flashing be either installed or replaced.

Ms. Harden recommended the use of a cricket. Mr. Roberts agreed. Mr. Wagoner noted that the construction of a cricket would likely be less expensive than removing the chimney stack.

Ms. Lambert stated that she was open to amending her application from demolishing the chimney stack to constructing a cricket.

Mr. Ladd asked if there was anyone from the audience who wished to speak either for or against the application. Upon hearing no response, Mr. Ladd closed the period of public comment. No further Board discussion took place.

FINDING OF FACT

Ms. Harden moved that, based upon the evidence presented in the application and during the public testimony, the Board finds the facts in the Staff report, amending facts to note that a cricket would be constructed between the chimney stack and the roof plane. Said cricket would be sheathed in shingles matching those employed on body of the roof.

DECISION ON THE APPLICATION

Ms. Harden 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: 8/21/14

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

2013-65-CA: 50 Le Moyne Place
Applicant: Jake Epker
Received: 8/1/13
Meeting: 8/21/13

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way
Classification: Conditionally Contributing
Zoning: R-1
Project: After-the-Fact-Approval – Retain an unauthorized replacement door and sidelights.

BUILDING HISTORY

According to materials located within this property’s MHDC file, this American Foursquare type dwelling dates circa 1905.

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 has never appeared before the Architectural Review Board. The application up for review concerns the after-the-fact approval of an unauthorized replacement door and sidelights. The application appears before the Board as a result of a 311 call.
- B. The Design Review Guidelines for Mobile’s Historic Districts state, in pertinent part:
 - 1. “Often one of the most important decorative features of a house, doorways reflect the age and style of a building. Original doors and openings should be retained along with any moldings, transoms or sidelights. Replacements should respect the age and style of the building.”
 - 2. “Doors with leaded or art glass may be appropriated when documentation exists for their use, or when they are compatible with the design and style of the structure.”
- C. Scope of Work:
 - 1. After-the-fact-Approval – Retain an unauthorized replacement front door and sidelights.

STAFF ANALYSIS

This application appears before the Board as a result of a 311 call. The application involves the after-the-fact-approval of a door and sidelights. Doors were removed and replaced and transoms were installed without the issuance of a Certificate of Appropriateness or the pulling of a building permit.

According to photographs located within this MHDC property file, this house featured a pair of glazed and paneled doors. A single glazed door featuring leaded comes and flanking sidelights was installed. The Design Review Guidelines for Mobile's Historic Districts state that original doors and openings should be retained. Replacements should respect the age and style of the building (See B-1). The unauthorized door treatment is not in keeping with the construction, configuration, proportion, and appearance of the original.

STAFF RECOMMENDATION

Based on B (1-2), Staff believes this application impairs the architectural and the historical character of the building. Staff does not recommend approval of this application.

PUBLIC TESTIMONY

Scott Lambert was present to discuss the application.

BOARD DISCUSSION

The Board discussion took place concurrently with the public testimony. Mr. Ladd welcomed the applicant. He asked Mr. Lambert if she had any comments to make, questions to ask, or clarifications to address.

Mr. Lambert explained that upon taking into account the deteriorated condition of the old door, he and the applicant had taken the time to look at other period doors found on the Le Moyne Place and its immediate environs. He said that the door in question was based on the configuration of the subject doors. He referenced the pictures provided by the applicant that were included in the PowerPoint presentation (examples of doors featuring a tripartite configuration comprised of a centrally located single door with flanking sidelights). Mr. Roberts stated that while the door is substantial in appearance it neither matches the one that was removed, nor work with the design of the house. A discussion ensued as to the framing of the door. Mr. Roberts reiterated the door is inappropriate for the house. Mr. Ladd asked if the application was a result of a 311 call. Mr. Blackwell answered yes. Mr. Ladd asked if the Board could table the application for further review. Mr. Bemis said that the application would need to be ruled upon within a forty day period of its submission.

Mr. Ladd asked if there was anyone from the audience who wished to speak either for or against the application. Upon hearing no response, Mr. Ladd closed the period of public comment. No further Board discussion took place.

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 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. The application was required to reappear before the Board within a period of thirty days.

The motion received a second and was unanimously approved.

DENIED.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

2013-66-CA: 210 Dauphin Street
Applicant: John Switzer with J. L. Swit, LLC
Received: 7/24/13
Meeting: 8/21/13

INTRODUCTION TO THE APPLICATION

Historic District: Lower Dauphin Commercial
Classification: Contributing
Zoning: B-4
Project: After-the-fact-Approval – Retain unapproved windows.

BUILDING HISTORY

Bavarian born architect Rudolf Benz designed this two-story commercial building in 1882. Completed the following year, the building cost \$3,000.

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 February 6, 2013. At that time, the Board approved alterations to plans approved on March 19, 2008. The property reappears before the Board as a consequence of a 311 call. The applicant proposes the retention of upper-story fenestration that does not match what was approved.
- B. The Design Review Guidelines for Mobile’s Historic Districts state, in pertinent part:
 - 1. “The type, size and dividing lights of windows and their location and configuration (rhythm) on the building help establish the historic character of a building. Original window openings should be retained as well as original window sashes and glazing.”
 - 2. “Where windows cannot be repaired, new windows must be compatible to the existing. The size and placement of new windows for alterations should be compatible with the general character of the building.”

C. Scope of Work:

- 1. Retain the façade’s upper-story window units.

STAFF ANALYSIS

This application involves the retention windows. The windows currently installed on the building’s second story façade do not match the ones approved by the Board on March 19, 2008. At that time, the Board approved the installation of two-over-two wooden windows. Period appropriate windows were either lost during or after a fire. The light configuration, composition, and construction are not compatible with the historic character of the building (See B-2). It should be noted that the property also has a preservation easement on it and the owner will need to get permission from the Mobile Historic Development Commission as well.

STAFF RECOMMENDATION

Based on B (1-2), Staff believes this application impairs the architectural and the historical character of the building. Staff does not recommend approval of this application.

PUBLIC TESTIMONY

John Switzer and Chuck Mephram were present to discuss the application.

BOARD DISCUSSION

The Board discussion took place concurrently with the public testimony. Mr. Ladd welcomed the applicant and his representative. He asked Mr. Switzer and Mr. Mephram if they had any comments to make, questions to ask, or clarifications to address.

Mr. Holmes asked for clarification regarding the ground floor storefront Mr. Blackwell addressed Mr. Holmes' concerns.

Mr. Roberts asked Mr. Switzer why the windows do not match those that were the Board had approved.

Mr. Switzer explained that on account of code related concerns he had installed the windows in question.

Mr. Roberts stated that the windows as installed drastically change the look of the building. He asked Mr. Switzer why he did not return before the Board. Mr. Switzer explained that he wanted to have the building secured before he went abroad for an extended period.

A discussion ensued as to code related requirements. Mr. Mephram explained he could replace the windows with an alternative design that would match the appearance of the approved windows. He said that the windows would feature a two light top and four light bottom. Discussion ensued as the construction (double or single hung) windows. Ingress and egress requirements were mentioned. Mr. Holmes reiterated the need to observe code requirements.

Mr. Bemis reminded the Board that the MHDC holds an easement on the subject building. He said that in addition to requiring the Review Board's approval, the MHDC's Properties Committee would have to sign off on the project. He said that the latter has a meeting scheduled next week and that they would in all probability not approve the windows. Mr. Bemis said that both the windows and the gate would require further review.

Mr. Mephram was asked for clarification as to the composition of the replacement windows. He responded that the windows would be made of vinyl. Discussion ensued. Mr. Holmes reminded the Board that code related concerns would need to be addressed. Mr. Holmes recommended a clad wood replica window like those approved for the Battle House and the Van Antwerp Building.

A discussion ensued as to the number of window panes. Mr. Bemis objected to the use of double-paned glass. Mr. Bemis was informed that impact glass require multiple panes.

Mr. Ladd asked if there was anyone from the audience who wished to speak either for or against the application. Upon hearing no response, Mr. Ladd closed the period of public comment.

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 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. A revised application was required for submission within a thirty day period.

DENIED.