

ARCHITECTURAL REVIEW BOARD MINUTES
February 3, 2010 – 3:00 P.M.
Pre-Council Chambers, Mobile Government Plaza, 205 Government Street

A. CALL TO ORDER

Harris Oswalt, acting as the chair, called the meeting to order at 3:00.

1. Cart Blackwell, MHDC Staff, called the roll as follows:
 - Members Present:** Gertrude Baker, Carlos Gant, Bill James, Thomas Karwinski, Bradford Ladd, Harris Oswalt, and Craig Roberts.
 - Members Absent:** Kim Harden, Janetta Whitt-Mitchell, and Barja Wilson.
 - Staff Members Present:** Devereaux Bemis, Cart Blackwell, and Keri Coumanis.
2. Mr. Oswalt heldover approval of the minutes from the January 20, 2010 meeting to the next meeting.
3. Mr. Karwinski moved to approve the midmonth COAs granted by Staff.

B. MID MONTH APPROVALS: APPROVED

1. **Applicant: Shipdog Management**
 - a. Property Address: 216 Dauphin Street
 - b. Date of Approval: 1/12/10
 - c. Project: Replace content of sign, changing Manhattan Club to Studio 5'4. Wood lettering will fit within the existing signboard and will painted white.
2. **Applicant: Dorothy White**
 - a. Property Address: 257 Marine Street
 - b. Date of Approval: 1/08/10
 - c. Project: Repaint house. The body of the house will be either Thistle with Vibrant Violet for the trim or No. 2 Pencil with Gypsy Gold for the trim.
3. **Applicant: Kinnon Phillips**
 - a. Property Address: 1108 Old Shell Road
 - b. Date of Approval: 1/14/10
 - c. Project: Paint exterior porches and all exterior doors BLP historic color Spring Hill Brown. Touch up paint trim with the existing color (Sandpiper 5265N).
4. **Applicant: Coastal Roofing**
 - a. Property Address: 255 Charles Street
 - b. Date of Approval: 1/11/10
 - c. Project: Reroof house with 3-tab, 24-year charcoal shingles.
5. **Applicant: Aaron Henry**
 - a. Property Address: 260 Dexter Avenue
 - b. Date of Approval: 1/11/10
 - c. Project: Construct a storage shed according to MHDC stock plans.
6. **Applicant: Valerie Blankenship**
 - a. Property Address: 311 North Joachim Street
 - b. Date of Approval: 1/15/10
 - c. Project: Construct a storage shed according to MHDC stock plans.
7. **Applicant: Skip Shirah**
 - a. Property Address: 455 South Broad Street
 - b. Date of Approval: 1/19/10
 - c. Project: Paint building per submitted BLP colors, either one of two shades of gray.
8. **Applicant: Edmonds Contracting for Alabama Power**
 - a. Property Address: 170 South Royal Street

- b. Date of Approval: 1/19/10
 - c. Project: Repair and replace the palings of an existing wooden fence.
- 9. Applicant: Larry Posner**
- a. Property Address: 165 Saint Emanuel Street
 - b. Date of Approval: 1/20/10
 - c. Project: Paint exterior: Body-Salisbury Green HC-139. The Window, Sherwin Williams Classical White – SW 2829 – which is cream. The stucco is alime paint color #429 Driftwood – it is an earth tone – beige brown.
- 10. Applicant: Paul Howen**
- a. Property Address: 70 North Reed Avenue
 - b. Date of Approval: 1/21/10
 - c. Project: Repaint the house per the existing color scheme. Repair and replace woodwork to match the existing in profile, dimension, and material.
- 11. Applicant: George Swann**
- a. Property Address: 56 Fearnway
 - b. Date of Approval: 1/22/10
 - c. Project: Install two sections of interior lot privacy fencing. A 42' section of Gothic top picket fencing will extend 60' along a line extending from a point just south of the northeast corner (rear corner) of the house. A 6' section of wooden privacy fencing will extend 43' from projecting side bay located on the southern side of the house.
- 12. Applicant: Cindy Klotz for the National Society of the Colonial Dames**
- a. Property Address: 104 Theatre Street
 - b. Date of Approval: 1/22/10
 - c. Project: Partially reroof and repair the flashing of the north wing per submitted plans. The roofing will match the existing
- 13. Applicant: Greg Dreaper**
- a. Property Address: 1562 Blair Avenue
 - b. Date of Approval: 1/11/10
 - c. Project: Update from 01/07/09 allowing the construction of a house per submitted plans with ARB approved alterations.

C. APPLICATIONS

- 1. 2010-11: 915 Palmetto Street**
- a. Applicant: Bowen Slade
 - b. Project: Remove the existing 3' high wooden fence. Replace the existing fence with a 5' high fence of the same design and material.
- APPROVED. CERTIFIED RECORD ATTACHED.**
- 2. 2010-12: 453 Conti Street**
- a. Applicant: Stephen Carter
 - b. Project: Post Construction Approval of Altered Plans – Retain a metal canopy whose height extends beyond the height approved by the Board. Retain a waterfall fountain.
- APPROVED. CERTIFIED RECORD ATTACHED.**
- 3. 2010-13: 1250 Old Shell Road**
- a. Applicant: Douglas B. Kearley for Restore Mobile
 - b. Project: Restore the facade. Alter the fenestration on the west elevation.
- APPROVED. CERTIFIED RECORD ATTACHED.**

D. OTHER BUSINESS

1. Guidelines: Mr. Bemis updated the Board on the Guidelines. He told the Board that the staff had created new subsections for Details and Ornamentation. He also explained that he was doing a significant rearrangement of the New Residential Construction section and Ms. Coumanis was rewriting the New Commercial Construction section.
2. Alabama School of Math and Science: Mr. Bemis told the Board that the ASMS had offered to host the March 17 meeting and to provide public tours for the Board beginning at 2:30. The Board expressed its appreciation of the invitation but declined.
3. After the Fact Approvals: Mr. Bemis brought up the lack of a written policy on how the Board would like to handle approvals after the fact. Writing a ticket for work the Board would approve did not seem reasonable, but allowing people to come to the Board after work was done did not seem equitable for those who followed the regulations. The Board will consider the problem at a later date.
4. Tabling versus Holdovers: Mr. Bemis informed the Board that problems had arisen from tabling items without a clear resolution. He pointed out the Planning Commission does not table items, but instead holds items over to a particular date. Mr. Lawler suggested to staff that this would be more appropriate.
5. Discussion: There was no further discussion.

ADJOURNMENT

The meeting adjourned at 4:10.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

2011-11-CA: 915 Palmetto Street
Applicant: Bowen Slade
Received: 1/15/10
Meeting: 2/03/10

INTRODUCTION TO THE APPLICATION

Historic District: Oakleigh Garden
Classification: Non-Contributing
Zoning: R-1
Project: Remove the existing 3' high wooden fence. Replace the existing fence with a 5' high fence of the same material and design.

BUILDING HISTORY

This house, which is based on a Charleston single house, was constructed in 2005-2006.

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 11, 2004. On that date, the Board approved the construction of the house. The current applicant proposes replacing the existing 3' high slatted wooden fence with a 5' fence of the same design and material. The property received a variance for the construction of the stucco-faced wall abutting the fence in question. To construct a fence higher than the existing fence, the applicant would require an additional variance from the Board of Adjustment.
- B. The Design Review Guidelines for Mobile's Historic Districts state, in pertinent part:
 - 1. Fences “should complement the building and not detract from it. Design, scale, placement and materials should be considered along with their relationship to the Historic District.
 - 2. “The height of solid fences in the historic districts is generally restricted to six feet, however, if a commercial property or multi-family housing adjoins the subject property, an eight foot fence may be considered.”
 - 3. “The finished side of the fence should face toward the public view.”
 - 4. “All variances required by the Board of Adjustment must be obtained prior to the issuance of a Certificate of Appropriateness.”
- C. **Scope of Work (per submitted site plan):**
 - 1. Remove the existing 3' high slatted wooden fence and gates.
 - 2. Replace the existing fencing with a 5' high slatted fence with matching gates.
 - a. The fence will extend 110' along Palmetto Street.
 - b. A 12' vehicular gate will provide access from Palmetto Street.
 - c. The fence will extend 32' along the east lot line.

STAFF ANALYSIS

This property occupies a corner lot. The proposed fence would abut a 6'8" high stucco-faced fence that extends along the side elevation of the main house. From the termination of the stuccoed fence, the proposed fence would extend 110' along Palmetto Street. Properties on the northern side of the Palmetto Street would then view an expanse of fencing. Generally the Board prefers open wooden fences abutting the right of way to be no higher than three feet and iron fencing to be no higher than four feet. However, taking into account the height of the stuccoed fence, Staff believes a four foot fence of the same design to be an appropriate design solution.

STAFF RECOMMENDATION

Based on B (1), Staff believes that a proposed height increase to the fence would not impair the architectural or historical integrity of the district. However, given the length and height of the proposed and existing fencing Staff believes a 4' high fence would be more appropriate to this location. Pending approval from the Board of Adjustment for a height increase, Staff recommends approval for a four foot wooden fence.

PUBLIC TESTIMONY

Bowen Slade was present to discuss the application. Mr. Oswalt asked Mr. Slade if he had any clarifications to make or comments to add with regard to the Staff Report. Mr. Slade told the Board that the Staff Report summed up his request, but he wanted to explain the motivation behind his application. Mr. Slade informed the Board that he recently moved into property. The current height of the wooden fence makes it necessary for him to kennel his dogs within the stucco-walled defined courtyard. Mr. Slade said he could move his dogs into the larger backyard if the application was approved. He said five feet would be the ideal height.

BOARD DISCUSSION

The board discussion took place concurrently with the public testimony. Mr. Roberts informed Mr. Slade that Staff had consulted further with the office of Urban Development regarding the application. The staff of Urban Development concurred that the variance granted to the stuccoed wall extended to the wooden fence. Mr. Roberts told Mr. Slade the height of the proposed fence could go up to six feet. Mr. Karwinski asked Mr. Slade about the location of the fence. Mr. Karwinski asked his fellow board members if they thought a setback fence with a landscaped buffer would present a better alternative than a fence abutting the sidewalk. Mr. Ladd said that he believed the height of the proposed fence did not impair the district. Mr. Karwinski said his query was motivated out of consideration for the neighboring property owners and the aesthetic of the district. Mr. Ladd told Mr. Karwinski that while his concerns were valid, the setback was not necessary. Mr. Bemis explained the Staff Recommendation. He told the Board that the recommendation was based on previous board rulings regarding fence types and heights. Mr. Karwinski reiterated his belief that a landscaped and setback fence would soften the impact of the fence.

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 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: 2/03/11

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

2012-10-CA: 453 Conti Street
Applicant: Stephen Carter
Received: 1/11/10
Meeting: 2/03/10

INTRODUCTION TO THE APPLICATION

Historic District: Church Street East
Classification: Contributing
Zoning: B-4
Project: Post Construction Approval of Altered Plans – Retain a metal canopy whose height extends beyond the height approved by the Board. Retain a waterfall fountain.

BUILDING HISTORY

This Spear House dates from 1838. With its full length gallery, two entrance doors, and absence of a central hallway, this side gabled house is one Mobile’s earliest extant Creole cottages.

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 September 3, 2008. The Board approved the installation of a trellis that was not to have been “taller than the eave of the house or [the] top of the rear brick wall with [a] pitch sloping to the rear brick wall.” Staff reinstated the Certificate of Appropriateness on October 26, 2009, again specifying that the structure’ metal framework should not extend beyond the specified height. The height of the canopy framework exceeds that specified by the Board. The applicant returns to the Board for post construction approval of the altered canopy design and the construction of a wall fountain.
- B. The Design Review Guidelines for Mobile’s Historic Districts state, in pertinent part:
 - 1. “An accessory structure is any construction other than the main building on the property. It includes but is not limited to garages, carports, pergolas, decks, pool covers, sheds and the like.”
 - 2. “The appropriateness of accessory structures shall be measured by the guidelines applicable to new construction. The structure should complement the design and scale of the main building.”
- C. Scope of Work:
 - 1. Retain a metal canopy whose height extends beyond the eave of the house and the top of the rear wall.
 - 2. Retain a waterfall fountain occupying the four eastern bays of the pavilion’s northern elevation.

STAFF ANALYSIS

The canopy projects and extends from a wall abutting the property's rear lot line. While barely visible from the street, the height of the canopy exceeds the height approved by the Board. The waterfall fountain is not visible from the street. Designed in a contemporary manner, the canopy and the fountain provide a non-jarring visual contrast to the main house.

STAFF RECOMMENDATION

Given the minimal visibility of the canopy and lack of visibility of the fountain from the public right of way, Staff does not believe this application impairs the architectural or historical character of the house or the district. Based on B (1) and B (2), Staff recommends approval of this application.

PUBLIC TESTIMONY

Stephen Carter was present to discuss the application. Mr. Oswald asked Mr. Carter if he had clarifications to make or comments to add with regard to the Staff Report. Mr. Carter thanked the Staff for their assistance. He told the Board that the crew installing the fence did not follow his instructions regarding the height of the fence. Mr. Carter said he addressed the height increase with Staff as soon he saw the canopy.

BOARD DISCUSSION

Mr. Gant recused himself. No discussion ensued.

FINDING OF FACT

Mr. Karwinski 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. Karwinski 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: 2/03/11

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

2013--CA: 1250 Old Shell Road
Applicant: Douglas B. Kearley for Restore Mobile
Received: 1/15/10
Meeting: 2/03/10

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way
Classification: Contributing
Zoning: R-1
Project: Restore the façade. Alter the fenestration on the west elevation.

BUILDING HISTORY

This house dates from the 1890s. Combining a center hall plan with an asymmetrical façade, this house is characteristic example of house type marrying regional planning solutions with fashionable stylistic treatment.

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 MHDC’s Restore Mobile revolving fund purchased the property in January 2010.
- 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 historic character of a property shall be retained and preserved. The removal of historic materials or alteration of the features and spaces that characterize a property shall be avoided.”
 - 2. “The exterior material of the building helps define its style, quality and historic period. Replacement of exterior finishes, when required, must match the original in profile, dimension and material.”
- C. Scope of Work (Per Submitted Plans):
 - 1. Restore the façade.
 - A. Reconfigure the columns to replicate the originals.
 - 1. Add a strip of molding to replicate the lost drip molding.
 - 2. Add molding to the columnar bases to match the pilasters.
 - 3. Add moldings to the columnar capitals to match the pilasters
 - B. Install a picket balustrade between the porch piers.
 - C. Reopen the windows to the east and west of the front door.
 - D. Add a 1” by 1” piece of molding to divide the porch’s entablature.
 - E. Remove the later louvered extension of the porch pediment’s louvered lunette.

- F. Install siding to match the existing profile, scale, and dimension in the area below the lunette.
 - G. Reinstall a sill below the lunette.
 - H. Install a picket railing between the front porch piers.
2. Alter the fenestration on the West Elevation.
- A. Remove three six-over-six windows.
 - B. Install 2 two light transom windows in place of the six-over-six windows.
 - C. Install and feather siding to match the existing.

STAFF ANALYSIS

Prior to its recent purchase by the Restore Mobile revolving fund, the façade of this house experienced a number of unsympathetic alterations. The reopening of windows, reconfiguration of the lunette, and application of moldings to the columns would recapture the visual and historical integrity of the house. The proposed railings and entablature molding are in keeping with style and period of the house.

The house's west elevation is situated close to the property line. Not only are the windows not visible from the street, but they are also located in the rear corner. The proposed removal of the sash windows, which are too low to the ground, and their replacement with higher transom windows would provide privacy and security without lessening the integrity of the house.

STAFF RECOMMENDATION

The proposed restoration of the façade and alteration of the west elevation's fenestration do not impair the architectural or historical character of the house or the district. Based on B (1), Staff recommends approval of the work to the façade. Based on building's location on the site and location of the windows on the building, Staff recommends approval of the alterations to the west elevation's fenestration.

PUBLIC TESTIMONY

Keri Coumanis was present to discuss the application. Mr. Bemis explained to the Board that the application was on behalf of Restore Mobile, a revolving fund of the Mobile Historic Development Commission. He informed the Board that he and Ms. Coumanis sit on the Restore Mobile board.

BOARD DISCUSSION

The board discussion took place concurrently with the public testimony. Mr. Karwinski and Mr. Roberts asked Ms. Coumanis about the proposed alterations to the west elevation's fenestration. Ms. Coumanis addressed their questions. She said the location of the windows and the particulars of the plan motivated and warranted the request.

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 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: 2/03/11