

**ARCHITECTURAL REVIEW BOARD MINUTES**  
**January 6, 2010 – 3:00 P.M.**  
**Pre-Council Chambers, Mobile Government Plaza, 205 Government Street**

**A. CALL TO ORDER**

The Chair, Jim Wagoner, called the meeting to order at 3:03.

1. Cart Blackwell, MHDC Staff, called the roll as follows:

**Members Present:** Gertrude Baker, Carlos Gant, Kim Hardin, Bill James, Thomas Karwinski, Bradford Ladd, Harris Oswalt, Craig Roberts, and Jim Wagoner.

**Members Absent:** Janetta Whitt-Mitchell and Barja Wilson

**Staff Members Present:** Devereaux Bemis, Cart Blackwell, Keri Coumanis, and John Lawler.

2. Mr. Oswalt moved to approve the minutes of the December 2, 2009 meeting. The motion received a second and passed unanimously.

3. Mr. Karwinski moved to approve the midmonth COAs granted by Staff. The motion received a second and passed unanimously.

**B. MID MONTH APPROVALS: APPROVED**

**1. Applicant: Wayne Gardener**

a. Property Address: 25 Lee Street

b. Date of Approval: 11/30/09

c. Project: Paint house per submitted Mobile Paint color scheme. The body will be Stuyvesant Grove. The trim will be Hopewell.

**2. Applicant: Teddy Lee**

a. Property Address: 273 Dauphin Street

b. Date of Approval: 10/26/09

c. Project: Paint the door and brick per submitted Mobile Paints color scheme. The door will be Sagebrush. The brick will be Rosemary.

**3. Applicant: Sankay Meador Contractor**

a. Property Address: 204 Houston Street

b. Date of Approval: 11/23/09

c. Project: Repair termite damage: Remove and replace damaged siding. Paint repairs as necessary. All repairs to match existing in profile, dimension and materials.

**4. Applicant: Randy Curry**

a. Property Address: 401 Church Street

b. Date of Approval: 11/21/09

c. Project: Repair the roof. All work is to match the existing.

**5. Applicant: Beth Hill**

a. Property Address: 1110 Selma Street

b. Date of Approval: 11/23/09

c. Project: Repaint house per existing color scheme. Repair rotten woodwork where necessary. The work is to match the existing in profile, dimension, and material.

**6. Applicant: Dixie Carlson**

a. Property Address: 1653 Dauphin Street

b. Date of Approval: 11/30/09

c. Project: Paint house per submitted Valspar color scheme. The body will be Hotel St. Francis Fawn. The trim and accents will be Flaming Torch. The shutters will be La Fonda Sante Fe Brown. The columns and balustrade will be Pillar White. Repair any rotten siding and woodwork. All repair and replacement will match the existing in profile, dimension, and material. Reroof house using three-tab architectural shingles. Remove later (installed by current owner) fretwork within apex of the front facing gable.

- 7. Applicant: Jimmy Stauter**
  - a. Property Address: 1753 Hunter Avenue
  - b. Date of Approval: 11/30/09
  - c. Project: Reroof with 3-tab shingles to match the existing. Remove small, deteriorated chimney stack on the rear roof slope (not a free-standing shaft).
- 8. Applicant: Edward Inge**
  - a. Property Address: 200 South Cedar Street
  - b. Date of Approval: 12/01/09
  - c. Project: Repair and replace wood siding to match the existing. Repaint per the existing color scheme. Make minor repairs to the fence.
- 9. Applicant: Trey Littlepage**
  - a. Property Address: 54 South Catherine Street
  - b. Date of Approval: 11/30/09
  - c. Project: Stabilize the roof over porch and, finish the porch foundation and install tongue-and-groove decking. Repair/replace front windows to match existing.
- 10. Applicant: Michael Stricklin**
  - a. Property Address: 1125 Church Street
  - b. Date of Approval: 12/01/09
  - c. Project: Paint the house white with Spruce Green accents.
- 11. Applicant: Susan Colson for Colson Roofing**
  - a. Property Address: 1203 Government Street
  - b. Date of Approval: 12/02/09
  - c. Project: Reroof the house with 3-tab Timberline shingles.
- 12. Applicant: Cheryl Zafiris**
  - a. Property Address: 1711 Hunter Avenue
  - b. Date of Approval: 12/02/09
  - c. Project: Install 3' picket fence along from front corners of house to side lot line; install gate at driveway to match picket fence; install temporary mesh fencing for dog.
- 13. Applicant: Steve Conner**
  - a. Property Address: 61 North Ann Street
  - b. Date of Approval: 12/02/09
  - c. Project: Remove damaged chimney stack from body of roof.
- 14. Applicant: Jonathan DeWitt**
  - a. Property Address: 1008 Savannah Street
  - b. Date of Approval: 12/02/09
  - c. Project: Replace tongue-and-groove decking on front porch.
- 15. Applicant: Jonathan DeWitt**
  - a. Property Address: 1008 Savannah St.
  - b. Date of Approval: 12/02/09
  - c. Project: Amend COA of 20 October 2009 to allow a 12' x 16' deck as opposed to the previously approved 8 x 12' deck.
- 16. Applicant: Thad and Bonnie Stephens**
  - a. Property Address: 200 South Georgia Avenue
  - b. Date of Approval: 12/03/09
  - c. Project: Install a six foot fence in the backyard. Paint the fence white with black detailing to match the color scheme of the house. The fence will have a pedestrian entrance off South Georgia Avenue. A sliding vehicular gate will open off Selma Avenue. Lamps will be affixed to the top of some of the fence posts.
- 17. Applicant: Mark Sarhan**
  - a. Property Address: 16 North Reed Street
  - b. Date of Approval: 12/09/09

- c. Project: Remove the existing six foot wooden rear lot privacy fence and replace said deteriorated fence with six foot wood interior fence. The fence is to occupy the same position as the old fence.
- 18. Applicant: Margaret Donald**
- Property Address: 1560 Luling Avenue
  - Date of Approval: 12/07/09
  - Project: Install two parallel metal railings (either iron or aluminum) painted black on the front steps per the drawing submitted.
- 19. Applicant: Chris Miller**
- Property Address: 1004 Selma Street
  - Date of Approval: 12/09/09
  - Project: Reroof the house. Paint trim and siding. Repair and replace woodwork to match the existing.
- 20. Applicant: Cheryl Zafiris**
- Property Address: 1711 Hunter Avenue
  - Date of Approval: 12/07/09
  - Project: Paint exterior, body, Sherwin Williams "Toasty" and trim, "Navajo White." Detail trim to be either maroon or black.
- 21. Applicant: Pat Woolf**
- Property Address: 1115 Church Street
  - Date of Approval: 12/08/09
  - Project: Construct rear deck per submitted plan.
- 22. Applicant: David Dickerson**
- Property Address: 913 Texas Street
  - Date of Approval: 12/10/09
  - Project: Repair leaking roof and replace rotten woodwork where necessary. The latter is to match the existing in profile, dimension, and material.
- 23. Applicant: Guo Dian Jiang**
- Property Address: 102 Dauphin Street
  - Date of Approval: 12/16/09
  - Project: The sign will measure 24" x 173" (2' x 14.42'). The total square footage amounts to 28.83 feet. An apoxy will secure the sign to the wall face.
- 24. Applicant: Robert and Sheri Allen**
- Property Address: 959 Augusta Street
  - Date of Approval: 12/16/09
  - Project: Reissue of COA from March 16, 2009 for a rear addition not visible from the street.
- 25. Applicant: Wrico Signs for the Iberia Bank**
- Property Address: 2 South Water Street
  - Date of Approval: 12/16/09
  - Project: Affix a 16.84 non-illuminated aluminum sign to the upper compartment of the recently approved monument sign located on the property. The sign face features the name of the bank and the address.
- 26. Applicant: Cathy Hayes**
- Property Address: 26 Hannon Avenue
  - Date of Approval: 12/16/09
  - Project: Repaint in original color scheme. Install simple plumber's pipe rail at front steps. Paint to match body
- 27. Applicant: Gils Painting**
- Property Address: 1709 Hunter Avenue
  - Date of Approval: 12/17/09

- c. Project: Repaint house white, replace rotten wood to match original in profile and dimension.

**28. Applicant: Gils Painting**

- a. Property Address: 1709 Hunter Avenue
- b. Date of Approval: 12/17/09
- c. Project: Repair and replace deteriorated windows. Work is to match the existing in profile, dimension, and material. Temporarily board two window units not visible from the street (one on the rear and one on the west elevation) for six months when repairs will proceed.

**C. APPLICATIONS**

1. 01-10: 453 Dauphin Street
  - a. Applicant: Douglas Kearley for Luke Fondren
  - b. Project: Alterations to Previously Approved Plans – The balcony will not be constructed. The second story French doors will not be installed. The façade will not be stuccoed.  
**APPROVED AS AMENDED. CERTIFIED RECORD ATTACHED.**
2. 02-10: 263 South Broad Street
  - a. Applicant: Dharam Parnu
  - b. Project: After the fact approval – demolish a chimney.  
**DENIED. CERTIFIED RECORD ATTACHED.**
3. 03-10: 665 Dauphin Street
  - a. Applicant: Wendell Quimby
  - b. Project: Develop a vacant lot. Install a fence. Construct a porch.  
**TABLED. CERTIFIED RECORD ATTACHED.**
4. 04-10: 1219 Selma Street.
  - a. Applicant: Mr. and Mrs. William Hannum
  - b. Project: Construct an addition.  
**TABLED. CERTIFIED RECORD ATTACHED.**
5. 05-10: 505 Saint Francis Street.
  - a. Applicant: Ormandos Mark Jackson
  - b. Project: Install wooden six-over-six double-paned windows.  
**APPROVED AS AMENDED. CERTIFIED RECORD ATTACHED.**
6. 06-10: 23 Lee Street
  - a. Applicant: Wayne Gardener
  - b. Project: Demolish a house.  
**DENIED. CERTIFIED RECORD ATTACHED.**

**D. OTHER BUSINESS**

1. Guidelines
2. Discussion

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

**01-09-CA:** 453 Dauphin Street  
**Applicant:** Luke Fondren  
**Received:** 12/14/09  
**Meeting:** 01/06/10

**INTRODUCTION TO THE APPLICATION**

Historic District: Lower Dauphin  
Classification: Contributing  
Zoning: B-1  
Project: Alterations to Previously Approved Plans – The balcony will not be constructed. The second story French doors will not be installed. The façade will not be stuccoed.

**BUILDING HISTORY**

According to the will of John Toulme, this building was completed in 1855. The neighboring building at 451 Dauphin Street was constructed contemporaneously.

**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 August 20, 2008. The Board approved renovations to the façade. The scope of work included the construction of an iron gallery, the installation of French doors, and the stuccoing of the façade. The applicant returns to the Board with mid and post construction alterations to approved plans. Instead of installing French doors in place of the two innermost second story windows, the applicant replaced the six-over-six windows. Consequently, the applicant proposes not to construct the balcony which would have been accessed by the doors. The applicant also requests approval to paint, not stucco, the façade. The areas below the second story’s innermost windows are the only parts of the façade to have been stuccoed.
- B. The state, in pertinent part:
  - 1. “The exterior of a building helps define its style, quality, and historic period. Replacement of exterior finishes, when required, must match the original in profile, dimension and material. Particular care must be taken with masonry. Consult with Staff concerning the mortar mixture for re-pointing brick. Bricks and mortar should match the original in color, finish (strike) and thickness. The finish and the scoring of new stucco work should match the original.”
  - 2. Painting of unpainted brick is inappropriate in most cases.”
  - 3. “Original windows should be retained as well as original window sashes and glazing. Where windows cannot be repaired, new windows should be compatible with the existing.”
- C. Scope of Work:

1. Post and mid construction approval to previously approved plans (per submitted scope of work).
  - A. French doors will not be installed in the two innermost bays of the second story.
  - B. The six-over-six windows occupying the innermost bays of the second story will be replaced.
  - C. The wall expanses below the innermost second story windows will be refaced with stucco.
  - D. The balcony which would have been accessed by the French Doors will not be executed.
  - E. The remainder of the façade, those sections excluding the spaces below the innermost windows, will be painted not stuccoed.

## **STAFF ANALYSIS**

Like many mid 19<sup>th</sup>-century commercial buildings, 453 Dauphin Street was remodeled during the course of the 20<sup>th</sup> Century. The 1901 Sanborn Maps indicate that wooden galleries fronted both 451 and 453 Dauphin Street. As evidenced by the earliest dateable photographs in Staff files, the galleries were removed by 1970s. The removal of the galleries and the installation of the awnings damaged the bricks beneath the second story windows. The facade was either stuccoed or re-stuccoed to give the building a modern appearance in addition to covering the damaged brickwork. A stuccoed façade appears in the aforementioned 1970s photographs, but by 1994 the brick was exposed at the second story level (excepting portions of the wall under the windows).

Restored commercial storefronts in the Lower Dauphin Commercial District feature stuccoed, exposed brick (painted and unpainted), and combination (brick and stucco) façade treatments. Unfortunately the bricks on this façade are in deteriorated state, many having lost their faces. Additionally, the repointing was done in a less than satisfactory manner. The painting of brick is not ordinarily recommended, but on account of the condition of the bricks, Staff believes that the Board and the architect should discuss the appropriate course of action regarding the treatment of the façade's wall surface.

Staff recommends approval of the portion of the application for not constructing the gallery and the consequent revised fenestration treatment. When the façade was altered at mid-century, the inner bays of the second story were converted to windows. The earliest photographs in Staff files show four six-over-six windows on the second story. Without a gallery, French door would not serve a purpose. Staff does not believe the changes impair the architectural integrity of the building or the district.

## **PUBLIC TESTIMONY**

Luke Fondren was present to discuss the application.

## **BOARD DISCUSSION**

The board discussion took place concurrently with the public testimony. Mr. Wagoner asked Mr. Fondren if he had any comments to add or corrections to make with regard to the Staff Report. Mr. Fondren explained to the Board why the project was not executed according to the approved plans. He stated that only upon commencing work was the full decay of the brickwork revealed. Repointing the bricks cost more than he expected so he did not execute the balcony.

Mr. Wagoner asked Staff about the historical evolution of the building's façade, particularly what portions of the façade were or were not stuccoed. Mr. Blackwell explained to the Board that the whole façade was stuccoed at one time. He displayed a 1970s image of the façade showing the wall faces of both stories covered with stucco. Mr. Blackwell then showed the Board a 2008 photograph showing stucco beneath the innermost, second story windows only.

Mr. Roberts asked Mr. Fondren why the areas beneath the second story windows were the only portions of the second story to receive a new coat of stucco. Mr. Fondren told the Board that the brickwork was more deteriorated in those locations than on other portions of the façade. He added that it was not within his means to stucco the remainder of the façade. Mr. Fondren said he would like to paint the whole of the façade.

Mr. Karwinski asked Mr. Fondren why he did not return to the Board once he realized the work would not be completed according to approved plans. Mr. Coumanis informed the Board that when Mr. Fondren requested a Certificate of Occupancy Staff was notified of the discrepancies between the approved plans and the completed project. Mr. Wagoner asked the audience if there was anyone to speak in favor of or in opposition to the application. He then closed the period of public comment.

Mr. Ladd addressed his fellow Board members saying the applicant could either paint, stucco, or seal the brick. Mr. Ladd asked Staff which of the alternatives they would recommend. Ms Coumanis told the Board that stuccoing the brick was the preferred course of action. She said painting the brick would provide less protection and possibly cause further deterioration. A discussion of painting options ensued. The Board asked the applicant and Staff about repointing. Ms Coumanis and Mr. Fondren told the Board that lime based mortar was used to repoint the bricks. Mr. James recommended a latex paint. Mr. Karwinski recommended a primer of sealcrete. Mr. Wagoner asked Mr. Fondren if he would like to amend his application to use sealcrete and latex paint. Mr. Fondren answered yes.

## **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, amending fact C.1.E. to state the façade will receive a coat of sealcrete and be painted with latex paint.

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: 1/06/11**

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

**02-09-CA:** 263 South Broad Street  
**Applicant:** Dharam Pannu  
**Received:** 12/03/09 \* 311 of November 8, 2009  
**Meeting:** 01/06/10

**INTRODUCTION TO THE APPLICATION**

Historic District: Oakleigh Garden  
Classification: Contributing  
Zoning: R-3  
Project: After the fact approval – Demolish a chimney

**BUILDING HISTORY**

The physical history of this house is unclear. According to the 1901 Sanborn Maps, a house occupying this lot and location faced Augusta Street. If the present dwelling is the same structure, it has been extensively remodeled.

**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. Over a year ago, the applicant demolished a chimney on the house’s southern elevation. The demolition occurred without the issuance of a Certificate of Appropriateness. Staff was notified of the unapproved work via a 311 call made on November 8, 2009. The applicant appears before the Board with a request to retain the replacement siding that covers the walls space previously occupied by the chimney shaft.
- 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:
  - 1. Approve the demolition of the chimney formerly located on the south elevation.
  - 2. Retain wood siding installed over the wall expanse occupied and covered by the chimney.

**STAFF ANALYSIS**

This building has undergone numerous renovations over the course of many years. The renovations have been both sympathetic and unsympathetic to the character and fabric of the building. The exact date on



which the south elevation chimney was demolished remains unknown. The applicant failed to obtain a building permit to demolish the chimney. Staff was not consulted. A Certificate of Appropriateness was not issued. The Board does not approve the demolition of chimneys when they are engaged to the walls of a buildings exterior. Staff believes the unauthorized demolition of the chimneys impairs architectural and historical integrity of the building and the district and therefore does not recommend approval of this application.

### **PUBLIC TESTIMONY**

No one was present to discuss the application.

### **BOARD DISCUSSION**

Mr. Wagoner asked if there was anyone from the audience who would like to make a comment or ask a question regarding the application. Mr. Oswalt asked Staff what would happen if the Board denied the application. Mr. Bemis informed the Board that the work was unauthorized. He said the applicant would be issued a ticket and it would be for the court to decide.

### **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. Karwinski 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 motion received a second and was unanimously approved.

### **DENIED**

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

**03-09-CA: 665 Dauphin Street**  
**Applicant: Wendell Quimby**  
**Received: 12/15/09**  
**Meeting: 01/06/10**

**INTRODUCTION TO THE APPLICATION**

Historic District: Lower Dauphin  
Classification: Non-Contributing  
Zoning: B-4  
Project: Develop an empty lot. Install a fence. Construct a covered porch. Pave the lot

**BUILDING HISTORY**

This vacant lot occupies a prominent corner lot location at the intersection of Dauphin and Washington Streets. The commercial storefront occupying the eastern section of this property dates from the 1890s. The former automotive shop to the south of the property dates from the middle of the 20<sup>th</sup> 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 has never appeared before the Architectural Review Board. The applicant proposes the construction of a porch and the installation of a fence on the vacant lot adjacent to 9 South Washington Street for purposes of outdoor dining and entertainment.
- B. The Design Review Guidelines for Mobile’s Historic Districts state in pertinent part:
  - 1. Fencing “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. “Modern paving materials are acceptable in the historic districts. However, it is important that the design, location and materials be compatible with the property.”
  - 3. “Landscaping can often assist in creating an appropriate setting. Asphalt is inappropriate for walkways. Gravel and shell are preferred paving materials; however, a variance from the Board of Zoning Adjustment is required for commercial applications. Hard surface materials may also be acceptable.”
  - 4. “Proposed lighting should be designed to avoid invading surrounding areas.”
  - 5. “New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new shall be differentiated from the old shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.”
  - 6. “New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.”

C. Scope of Work (per submitted plan):

1. Construct two types of fencing around the perimeter of the vacant lot.
  - A. A 3' steel fence atop two foot brick faced base will extend 7' 5" along the south property line, 58' 4" along the west property line, and 13' 4" along the northern property line.
    1. A double iron gate measuring 16' will be located 12' from the south lot line, interrupting the rhythm of the fence, but continuing the height line of the fencing
  - B. A 5' iron fence will extend 30' 8" along the north lot line. This iron fence will commence where the brick and iron fence stopped and will terminate at the northeast corner of the building.
    1. A second double gate will provide means of ingress and egress from Dauphin Street.
2. Construct a covered porch along the north wall of the building located at 9 South Washington Street (per submitted plan)
  1. The porch will rest upon a 6" concrete foundation featuring a brick ledge.
  2. The porch will measure 29' 2" x 12' in plan
  3. Four steel columnar posts will support a half-hipped standing seam metal roof.
3. Reopen the infilled double and single doors on the north elevation of 9 South Washington Street (The Garage).
4. Pressure wash the north elevation of 9 South Washington Street.
5. Pave the lot.

**Clarifications**

1. What is the design of the doors for the north elevation of 9 South Washington Street?
2. What type of paving will be used to cover the site?
3. Are there any provisions for landscaping the site?

**Staff Analysis**

The proposed site for the enclosed courtyard and porch is a vacant lot located at the intersection of three busy streets. The lot is bordered by two popular commercial establishments. One of those properties is located within the historic district, while the other is not.

Typically, courtyards in downtown settings were areas of private retreat. While the proposed courtyard is intended for commercial purposes, the prominent location requires that the courtyard be treated in manner in keeping with the historical and architectural integrity of the district. The applicant did not provide a landscape plan. Staff recommends that the use of heavy perimeter plantings and a paving treatment, such as brick pavers or stained and patterned concrete, will create a visual appeal more appropriate to the prominent location.

The proposed fence design is based on a similar fence at the southeast corner of Dauphin and Dearborn Streets. That fence encloses courtyard dining at another restaurant (Café 615). The prototype fence features a three foot stuccoed base whereas the proposed fence at 663 Dauphin Street features a two foot brick faced base. Staff recommends approval of the fencing as submitted.

With regard to the porch, Staff believes that the columns, with their high pedestals, constitute an atypical columnar treatment which creates a visual disconnect with the relatively plain elevations of 9 South Washington Street. Staff believes a more contemporary design, such as that utilized at 2 South Water Street, would be more appropriate to the setting. With regard to the porch, raw concrete is not an appropriate surface material. Staff recommends that the concrete, if used should be stained and patterned to match the surface treatment of the courtyard paving.

## **PUBLIC TESTIMONY**

There was no representative present to discuss the application. Two individuals from the audience voiced their concerns regarding the application. Mr. William Poole and Mr. Ross Holladay addressed the Board. Mr. Holladay informed the Board that while he had no problem with the Garage or its owner, he did have several concerns with regard to the lighting and the use of the property. Mr. Holladay requested that if cooking was to be conducted on the site that the Board make approval conditional on the submission of a lighting plan and a HVAC plan. Mr. Holladay further specified that the HVAC plans should be made in compliance with municipal and federal codes. He added that he did not want to see an exhaust vent protrude beyond the parapet wall.

## **BOARD DISCUSSION**

Mr. Wagoner addressed Mr. Holladay's requests by saying that while his concerns are legitimate the Board can only address the application as submitted. He said the Board has jurisdiction over some issues, but not others. Ms Coumanis clarified Mr. Holladay's concerns by saying that the Garage might be expanding its services by offering dining, but no plans have been submitted at the present time.

Mr. Bemis informed the Board that while the lot at 665 Dauphin Street is in the Lower Dauphin Commercial District, the Garage is not. If a PUD was created, the Garage would become part the Lower Commercial District.

Mr. Ladd made a motion to table the application for lack of information.

The motion received a second and passed unanimously approved.

**TABLED**

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

**TABLED.**

**04-09-CA:** 1219 Selma Street  
**Applicant:** Lucy Barr for Mr. and Mrs. Woody Hannum  
**Received:** 12/14/09  
**Meeting:** 01/06/10

**INTRODUCTION TO THE APPLICATION**

Historic District: Oakleigh Garden  
Classification: Contributing  
Zoning: R-1  
Project: Construct a rear addition.

**BUILDING HISTORY**

This Arts and Crafts inspired house situated at the southeast corner of Selma Street and Regina Avenue dates from 1924. The house features a complicated roofline marked by multiple gables and a prominent front terrace accessed by an entrance porch.

**STANDARD OF REVIEW**

Section 9 of the Preservation Ordinance states “the Board shall not approve any application proposing a Material Change in Appearance unless it finds the change...will not materially impair the architectural or historic value of the building, the buildings on adjacent sites or in the immediate vicinity, or the general visual character of the district...”

**STAFF REPORT**

- A. This property last appeared before the Architectural Review Board on March 15, 1993. On that date, the Board approved the construction of a small rear addition and rear porch/side deck. The applicants return to the Board with a proposal for another addition.
- B. The Secretary of the Interior’s Standards for Rehabilitation state, in pertinent part:
  - 1. “New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new shall be differentiated from the old shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.”
  - 2. “New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.”
- C. Scope of Work (per submitted plans):
  - 1. Build a Rear Addition.
  - 2. Brick foundation piers and lattice skirting will match the existing.
  - 3. Wood siding will match the existing.
  - 4. Corner posts will demarcate the transition to the addition.
  - 5. Window surrounds will match the existing.
  - 6. The roof pitch and eave brackets will match the existing.
  - 7. The roof shingles will match the existing
  - 8. The West Elevation (Regina Avenue) measures 46’ 6” in length.

- A. The addition's west elevation commences with a slightly recessed bay articulated by six-over-one window.
  - B. A cross gable extending from the body of the gabled roof addition features a fixed shuttered window.
  - C. A longer bay occupying the same plan as the recessed northern bay features a fixed shuttered window.
9. South Elevation (Rear) measures 22' 7" in length.
- A. The addition's south elevation features a projecting gabled ell without fenestration (a storage room located within).
  - B. A relocated six-over-six window occupies the eastern section of the elevation.
10. East Elevation (Interior Lot) measures 46' 3" in length.
- A. The east elevation features a porch located beneath the body of the addition's gabled roof.
  - B. Two square section columnar posts support the porch.
  - C. A picket railing extends between the columnar across a small deck located at the juncture of the addition and the existing house.
  - D. A six-over-one window overlooks the deck.
  - E. Two fifteen light French doors open onto the porch.
  - F. An inner bay featuring a fixed shuttered window and a southern blind bay (the storage room) terminate the east elevation.

**Clarifications**

- 1. Has the applicant contacted Urban Forestry with regard to the trees which would have to be removed from the site of the proposed addition?

**STAFF ANALYSIS**

According to the Secretary of the Interior's Standards for Historic Rehabilitation, additions to historic structures should be differentiated from yet compatible to the existing building. The proposed addition to 1219 Selma Street draws stylistic details from and observes proportional relationships of the main house. That said, the addition is made distinct from the historic fabric by way of corner posts and setbacks that successfully allow the addition to "read" as a later expansion to a historic house. An existing privacy fence will further obscure the proposed addition. Staff does not believe this application impairs the architectural or historic character of the house or the district therefore recommends approval of the proposed addition.

**PUBLIC TESTIMONY**

No one was present to discuss the application.

**BOARD DISCUSSION**

Noting the proposed additions close proximity to the sidewalk, Mr. Karwinski questioned the setback requirements. Ms Coumanis and Mr. Roberts raised concerns as to how the addition's roof would tie into the rear elevation's dormer.

Mr. Roberts made a motion to table the application for clarification and lack of information.

The motion received a second and passed unanimously approved.

**TABLED.**

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

**05-09-CA:** 505 St. Francis Street  
**Applicant:** Ormandos Mark Jackson  
**Received:** 12/16/09  
**Meeting:** 01/06/10

**INTRODUCTION TO THE APPLICATION**

Historic District: Lower Dauphin  
Classification: Contributing  
Zoning: B-4  
Project: Install windows.

**BUILDING HISTORY**

This side hall house was constructed in 1901. Circa 1910, an addition was made to the rear of the house.

**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 October 7, 2009. The approved extensive renovation and reconstruction work stemming from deferred maintenance and unauthorized work. In the course of the buildings restoration, all the original windows, deteriorated and salvageable, were removed. The applicant returns to the Board with a request to install six-over-six double-paned glass windows.
- B. The Secretary of the Interior’s Standards for Rehabilitation state, in pertinent part:
  - 1. “The type, size and dividing light 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 additions and alterations should be compatible with the general character of the building.”
- C. Scope of Work (per submitted plans):
  - 1. Install six-over-six double-paned wooden windows.

**STAFF ANALYSIS**

This property is a contributing structure in the Lower Dauphin Commercial District. The house has appeared before the Board on three times in 2009. As a result of deferred maintenance by previous owners and unauthorized work by the present applicant none of the original windows remain. The applicant proposes the installation of six-over-six double-paned windows. While six-over-six windows wooden windows constituted the original window type and configuration, the Board does not ordinarily approve double-paned windows. Staff believes this application impairs the architectural integrity of the

house and district therefore does not recommend approval of this application. Staff suggests the use of single pane 6/6 windows with an interior storm.

## **PUBLIC TESTIMONY**

Ormandos Mark Jackson was present to discuss the application.

## **BOARD DISCUSSION**

The board discussion took place concurrently with the public testimony. Mr. Wagoner asked Staff about the designation of contributing and non-contributing buildings. He then asked Mr. Jackson if he had any corrections to make or comments to add with regard to the Staff Report.

Mr. Jackson told the Board that he had seen an example of a double-paned window in Staff offices that he thought was approved for use in the historic districts. He explained to the Board that he would like to submit an alternative option, a one-over-one wooden double-paned window. Mr. Jackson informed the Board that other homes of comparable date featured one-over-one windows.

Mr. Wagoner asked Mr. Jackson if he would like to amend his application to request one-over-one double-paned windows. Mr. Jackson answered yes. He said he did not believe the proposed windows impaired the integrity of the district.

Mr. Roberts addressed Mr. Jackson saying that he admired him for returning before the Board. He told Mr. Jackson that the window he saw in Staff offices was one that he provided as a demonstration window differentiating true-divided-light and double-paned windows. Mr. Roberts said that while the window mimics the appearance of true-divided-light window it is neither authentic nor inexpensive. He told Mr. Jackson that the demonstration window would cost more than the six-over-six window and the one-over-one window.

Mr. Wagoner told the Board that the proposed window is not historically or visually appropriate to the house. Ms. Baker asked Staff if the windows in the recently constructed houses in Church Street East were true-divided-light windows. Mr. Roberts said that since this building is a contributing building he understood the Staff Recommendation.

Mr. Gant asked about the existing and proposed Guidelines. He said requests for more energy efficient double-paned windows would only increase in the future. Ms. Coumanis agreed. Mr. Gant said that the existing Guidelines do specifically deem double-paned windows as inappropriate. He said the Board has ruled against them such in times past. Mr. Bemis said the new Guidelines specifically deemed double-paned windows as an inappropriate window option. Mr. Jackson told the Board that he cannot afford true-divided-light wooden windows. He said he would like to use double-paned one-over-one windows. Since one-over-one windows are found in houses of comparable period and style he said there was nothing inappropriate with their use of this house. Mr. Jackson said he installed a period appropriate door on house where one previously did not exist. He told the Board the same principle should apply with windows.

Mr. Bemis stated that circa 1900 window panes were limited in size by manufacturing capabilities. Mr. Roberts asked Staff where the applicant could purchase true-divided-light windows. Ms Coumanis informed the Board that two local concerns sold true-divided-light windows. She added that they could



also be ordered from elsewhere. Mr. Jackson repeated that he could not afford true-divided-light windows.

Mr. Jackson repeated that the one-over-one windows he was proposing mimicked the appearance of other windows in the district. Staff clarified the difference between known and conjectural features. Mr. Blackwell told the Board that unlike the aforementioned door, whose exact appearance was unknown, the original window type on this house was known. The windows were six-over-six true-divided-light windows. The replacement door was approved because the original door treatment was not known, thus a one of comparable period and style was a suitable replacement. The professional practice is when an original feature is known, as with the windows, that the feature or features should be replaced in kind. Mr. Jackson pointed out an aluminum window on the west elevation. Mr. Blackwell told Mr. Jackson and the Board that the particular window to which Mr. Jackson alluded was a later replacement. He pointed to 1990s photographs showing the six-over-six windows. Mr. Jackson asked the Board if the new Guidelines could be more specific.

Mr. Karwinski informed the Board that based on his experience in landmark surveys he considered this building only marginally contributing. Mr. James said that since this building is a contributing structure, form and detail were important concerns. Mr. Jackson said all the original windows had to be removed because of termite infestation. Mr. James reiterated that the building was contributing nonetheless. A discussion of window treatments and options ensued. Mr. Jackson repeated that the one-over-one windows he proposed could be seen across the district. Mr. Wagoner explained for a second time that double-paned windows are not appropriate for the house or the historic districts.

Ms. Baker reminded her fellow board members, staff, and the applicant that the application had been amended to request one-over-one double-paned windows.

## **FINDING OF FACT**

Mr. Oswalt 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 fact C 1. to call for one-over-one double-paned wooden windows.

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.

Mr. James and Ms Harden voted in opposition.

**Certificate of Appropriateness Expiration Date: 1/06/11**

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

**06-09-CA:** 23 Lee Street  
**Applicant:** Wayne Gardener for the Dauphin Way United Methodist Church  
**Received:** 11/27/09  
**Meeting:** 1/06/10

**INTRODUCTION TO THE APPLICATION**

Historic District: Old Dauphin Way  
Classification: Non-Contributing  
Zoning: R-1  
Project: Demolition a house. Remove a chain link fence.

**BUILDING HISTORY**

The nucleus of this house dates from 1920s. According to Sanborn Maps, the house achieved its present form prior to 1955.

**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 October 7, 2007. At that time, the applicant for the Dauphin Way United Methodist Church requested demolition approval for this house as well as houses located at 30 and 31 Lee Streets. The three demolition requests were denied. 31 Lee Street has since been sold and rehabilitated. 30 Lee Street reappeared before the Board on June 17, 2009 as a single demolition request. The Board approved the demolition of the deteriorated structure. The Church’s representative comes before the Board with a second demolition request for 23 Lee Street. If granted, the post demolition plan for the lot calls for planting of grass and installation of landscaping. The greenspace would serve as unpaved, overflow parking for the church.
- B. In regards to demolition, the Guidelines read as follows: “Proposed demolition of a building must be brought before the Board for consideration. The Board may deny a demolition request if the building’s loss will impair the historic integrity of the district.” However, our ordinance mirrors the Mobile City Code, see §44-79, which sets forth the following standard of review and required findings for the demolition of historic structures:
  1. *Required findings; demolition/relocation.* The board shall not grant certificates of appropriateness for the demolition or relocation of any property within a historic district unless the board finds that the removal or relocation of such building will not be detrimental to the historical or architectural character of the district. In making this determination, the board shall consider:
    - i. The historic or architectural significance of the structures;  
This building is a contributing structure within the Old Dauphin Way Historic District.

- ii. The importance of the structures to the integrity of the historic district, the immediate vicinity, an area, or relationship to other structures;
  - 1. While not an exemplar of a particular architectural style or building type, this house, by virtue of its date and location, is vital component of the streetscape along northern Lee Street. A parking lot extends to the north of the building. The house at 30 Lee Street, just southwest of the property, was demolished in the summer of 2009. 23 Lee Street is then a physical anchor within this portion of the Old Dauphin Way Historic District.
- iii. The difficulty or the impossibility of reproducing the structure because of its design, texture, material, detail or unique location;
  - 1. The building materials are capable of being reproduced.
- iv. Whether the structure is one of the last remaining examples of its kind in the neighborhood, the county, or the region or is a good example of its type, or is part of an ensemble of historic buildings creating a neighborhood;
  - 1. The house at 23 Lee Street is not a surviving example of a single architectural style. The building does evidence the evolution and expansion of small one story single family dwelling over the last three quarters of the 20<sup>th</sup> Century.
- v. Whether there are definite plans for reuse of the property if the proposed demolition is carried out, and what effect such plans will have on the architectural, cultural, historical, archaeological, social, aesthetic, or environmental character of the surrounding area.
  - 1. If granted demolition approval, the applicant proposes removal the removal of all paved surfaces on the property. The lot would be planted with grass, along with additional landscaping features.
- vi. The date the owner acquired the property, purchase price, and condition on date of acquisition;
  - 1. The Dauphin Way United Methodist Church acquired this property December 12, 2004 for \$90,000.
- vii. The number and types of adaptive uses of the property considered by the owner;
  - 1. The Church has investigated two alternative courses of action regarding the property. Renovation has been considered, but that option was found to be cost prohibitive. Relocating the house was the other option considered. Due to the low grade and physical state of the house, this option was not deemed feasible.
- viii. Whether the property has been listed for sale, prices asked and offers received, if any;
  - 1. Not applicable.
- ix. Description of the options currently held for the purchase of such property, including the price received for such option, the conditions placed upon such option and the date of expiration of such option;
  - 1. Not applicable.
- x. Replacement construction plans for the property in question and amounts expended upon such plans, and the dates of such expenditures;
  - 1. Not given
- xi. Financial proof of the ability to complete the replacement project, which may include but not be limited to a performance bond, a letter of credit, a trust for completion of improvements, or a letter of commitment from a financial institution; and
  - 1. Check submitted.

- xii. Such other information as may reasonably be required by the board.
3. *Post demolition or relocation plans required.* In no event shall the board entertain any application for the demolition or relocation of any historic property unless the applicant also presents at the same time the post-demolition or post-relocation plans for the site.”

C. Scope of Work (per submitted plan):

6. Demolish the house at 23 Lee Street
7. Plant grass and install landscaping on the lot.

## **STAFF ANALYSIS**

Demolition requests are reviewed on a case by case basis. The significance of the building, nature of the proposed redevelopment, and the effect of the demolition on the streetscape are key concerns. This house is a contributing structure in the Old Dauphin Way historic district. While not an exemplar of a particular architectural style or a recognizable residential type, the house contributes to the physical density of a portion of Lee Street that has witnessed multiple demolitions in recent decades. A paved parking lot extends to the north of the lot. If granted approval, the lot would be planted with grass and the hedge of the neighboring parking lot would be extended. While the applicants do not plan to pave the lot, the further erosion of the built environment on Lee Street would impair the architectural and historical integrity of the district. Staff does not recommend approval of this application.

## **PUBLIC TESTIMONY**

Wayne Gardner was present to discuss the application. Diana Maly and the Reverend Kathy Jorgensen were also present.

## **BOARD DISCUSSION**

The board discussion took place concurrently with the public testimony. The Board and the applicant discussed the architectural merits and historical classification of the house. The Board asked Mr. Gardner about the intended use of the property. Mr. Gardener informed the Board that the Church plans to use the property as unpaved overflow parking. Mr. Karwinski asked Mr. Gardener if the Church had plans for further expansion and development. He pointed out the number of buildings the Church had demolished. Mr. Karwinski noted that these demolitions had an adverse affect on the district. Mr. Gardner told the Board that the Church had no further plans for expansion at this time. Mr. Gant questioned the proposed use of the property. When asked if the Church had considered moving the house Mr. Gardner said the building’s structure and physical condition made relocation impossible. A discussion of moving and donating the structure ensued. Ms. Maly and Reverend Jorgensen said they were amenable to donating the building to an interested party. Mr. Wagoner and Mr. James asked about landscaping. The Board suggested buffer plantings along the southern property line. Mr. Karwinski reiterated his concerns regarding the demolition.

## **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. Karwinski 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 be issued.

Mr. Roberts, Mr. Oswald, and Mr. James voted in opposition.

**DENIED.**