

**ARCHITECTURAL REVIEW BOARD AGENDA**  
**July 15, 2009 – 3:00 P.M.**  
**Pre-Council Chambers, Mobile Government Plaza, 205 Government Street**

**A. CALL TO ORDER**

1. The Chair, Jim Wagoner, called the meeting to order at 3:08. Mary Cousar, Bill James, Tom Karwinski, Harris Oswald, and Craig Roberts were in attendance.
2. Mr. Karwinski moved to approve the minutes of the July 1, 2009 meeting. Mr. Oswald moved to amend decision on Application 063-09-CA to read “the repair and replacement of wood siding and decking do not impair does not impair the integrity of the building or the district and COA be issued.” Mr. Oswald moved that door and foundation pier submissions do impair the historic integrity of the building and the district and that a Certificate of Appropriateness be issued subject to Staff approval of the doors.” The motion passed unanimously.
3. Ms. Cousar moved to approve the mid month COAs granted by Staff. The motion passed unanimously.

**B. MID MONTH APPROVALS      APPROVED**

**1. Applicant:      City of Mobile**

- a. Property Address:      200 Government St.
- b. Date of Approval:      06/24/09
- c. Project:      Reroof building matching existing in material and color. Repair awning to match the existing and paint repairs to match.

**2. Applicant:      Dorothy Curry for Murray House**

- a. Property Address:      1257 Government St.
- b. Date of Approval:      06/24/09
- c. Project:      Install 5 roller shade awnings on second story gallery. Awning hardware will be affixed to columns. Awning to be light grey in color.

**3. Applicant:      Cherri Pacatte**

- a. Property Address:      454 South Broad St.
- b. Date of Approval:      06/24/09
- c. Project:      Repair and replace siding and porch decking. Replacements to match existing in profile, dimension, scale, and material. Paint house per submitted Lowe’s color scheme. Paint body Cincinnati Hotel Filson Blue. Paint accents Cincinnati Hotel Biggs Biege. Paint trim Jekyll Club Veranda Ivory.

**4. Applicant:      Bay Town Builders for Bill Hines**

- a. Property Address:      211 Rapier Ave.
- b. Date of Approval:      07/06/09
- c. Project:      Repair porch columns, replacing elements when needed. Replace deteriorated siding. Repair and replace balustrade and railing. Replace porch decking. Repaint per existing color scheme. All work to match existing in profile, dimension, and material

**5. Applicant:      Martha Henken**

- a. Property Address:      107 South Dearborn St.
- b. Date of Approval:      07/02/09
- c. Project:      Paint house per submitted color scheme. Body is to be grey. Trim is to be slate blue.

**C. APPLICATIONS**

1. 067-09:      2313 Spring Hill Avenue.

- a. Applicant: Lucy Barr for Mr. and Mrs. Raymond Clark
- b. Project: Addition to north elevation.  
**DENIED. CERTIFIED RECORD ATTACHED.**
- 2. 068-09: Median of St. Francis and St. Joseph Streets off Bienville Square
  - a. Applicant: Gary L. Jackson for the City of Mobile and Wave Transit System
  - b. Project: New Construction  
**APPROVED. CERTIFIED RECORD ATTACHED.**
- 3. 069-09: 453 Dexter Avenue.
  - a. Applicant: Bobby White for Jerry D. Kerley
  - b. Project: Demolition.  
**TABLED. CERTIFIED RECORD ATTACHED.**

**D. OTHER BUSINESS**

- 1. Guidelines
- 2. Windows
- 3. Discussion

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

**067-09-CA:** 2313 Spring Hill Avenue  
**Applicant:** Lucy Barr for Mr. and Mrs. Raymond Clark  
**Received:** 06/25/09  
**Meeting:** 07/15/09

**INTRODUCTION TO THE APPLICATION**

Historic District: Ashland Place  
Classification: Contributing  
Zoning: R-1  
Project: Addition to northeast side of house.

**BUILDING HISTORY**

This two-story Spanish Colonial Revival house with prominent stuccoed eaves was constructed in 1925.

**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. The applicant first submitted a proposal for this property on February 4, 2009. That application was tabled in order to convene a Design Review Committee and to allow for clarifications of the then-current proposal. A Design Review Committee was not convened at that time. The applicant returned with an alternate proposal for the addition, which provides for a master suite and laundry room. The main entrance to the house is on Spring Hill Avenue; thus, the facade faces Spring Hill Avenue. However, the home is situated on a corner lot in the Ashland Place subdivision and accordingly the owner (as well as the prior owner) accesses the home through a circular drive and side entrance on Levert Avenue. The proposal called for a northeast addition that would alter the original, historic façade of the home; albeit the change would only be minimally visible from the Levert Avenue elevation. The addition cannot be further setback from the main façade because of an existing swimming pool. On June 22, 2009, a Design Review Committee convened on site. The applicant now submits an altered proposal that incorporates suggestions made in the course of the meeting, including a regularized fenestration pattern on the north elevation and an overall reduction in height for the main block of the addition
- B. The Secretary of the Interior standards state, in pertinent part:
  - 1. “The goal of new construction should be to blend into the historic district, but to avoid creating a false sense of history.”
  - 2. “New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.”
  - 3. “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:

1. 49'-6" addition from east wall of home
  - A. North Elevation
    1. 16' hyphen with flat roof, downspouts and scuppers, window unit, materials and bracket detail to match existing building
    2. 33'6" hipped roof main block with three casement window
      - a. materials to match existing
  - B. East Elevation
    1. Features two casement windows
  - C. South Elevation
    1. 16' hyphen with flat roof, downspouts and scuppers, materials and bracket detail to match the existing
      - a. Features a bank of four 18 light French Doors (inner two fixed)
    2. 33'6" hipped roof main block featuring two pairs of French Doors (18 lights to each door) and projecting bay with a faux casement window

### **STAFF ANALYSIS**

This proposal adds 49'6" to the house's façade. The façade is currently 58' in length. The scale and location of the addition caused concern among staff and Board members during both the February 4<sup>th</sup> ARB meeting. This concern resulted in the June 22<sup>nd</sup> Design Review session. While the applicant simplified the fenestration of the east elevation and reduced the height of the addition, the size and placement of the addition still impair the architectural and historical character of the house and the district. Staff does not recommend approval of this application.

## **PUBLIC TESTIMONY**

Lucy Barr was present to discuss the application.

## **BOARD DISCUSSION**

The board discussion took place concurrently with the public testimony. Mr. Roberts alluded to the June 22, 3009 Design Review Committee. He asked Ms. Barr if she had given further thought to formalizing and landscaping the Levert Street entrance. Ms. Barr informed the Board that the homeowners were interested in making an application incorporating changes to the west elevation and the lawn. Mr. Roberts noted that Staff had concerns about the addition's affect on the Spring Hill Avenue façade. He believed formalizing the west elevation would alter his judgment of the application. Mr. Wagoner stated that this application involved more than simply allowing an addition. He added that while the Levert Street elevation might be utilized as a main entrance, the north or Spring Hill elevation still constituted the historic façade. The issue at hand involved site orientation and historical reality. Mr. Wagoner informed the Board that he would vote against the application because the addition would permanently impair the historic integrity of the house and district.

Ms. Barr told the Board she could possibly alter the scale and the proportions of the addition. Mr. Roberts asked Ms. Barr if the applicants had considered removing the pool, thus setting back the addition. Ms. Barr said she mentioned this possible solution to the homeowners during the beginning phases of the design process. She reiterated that the applicants would like to make the west entrance off Levert Avenue more formal through the use of stair railings, coping walls, and additional landscape features. Ms. Barr closed by saying the applicants do not want to impair the architectural or the historical integrity of their home. They want to maintain the house's historic character. When further questioned about removing the pool, Ms. Barr said the applicants were not amenable to that possible solution. Mr. Wagoner told Ms. Barr that combining the desires of homeowners with the character of a historic house cannot always be accomplished.

Mr. James informed the Board and the applicant that while he respects Staffs' recommendation, he does not believe the addition would impair the house. The addition would make the house more livable. He noted that the addition would barely be discernable from Spring Hill Avenue. Altering the size of the addition, Mr. James noted, would adversely affect the proportional relationship between the addition and the house. He asked Ms. Barr and Staff if any neighbors were opposed to the addition. Staff and Ms. Barr replied that they had received no complaints. Mr. Roberts and Mr. Oswalt said they would possibly rule in favor of the addition if measures were taken to alter the west elevation.

## **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.

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.

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

**068-09-CA: Median of St. Francis and St. Joseph Streets off Bienville Square**  
**Applicant: Gary L. Jackson for the City of Mobile and Wave Transit System**  
**Received: 06/29/09**  
**Meeting: 07/15/09**

**INTRODUCTION TO THE APPLICATION**

Historic District: Lower Dauphin Commercial  
Classification: Non-Contributing New Construction  
Zoning:  
Project: Construct a new bus terminal.

**BUILDING HISTORY**

An earlier bus terminal occupied this median.

**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. The proposed design was the favored design of five proposals presented to the Board at the June 17, 2009 meeting. During the meeting, the Board expressed its concern over the glazed upper panels. Several members were concerned about ventilation. The applicants have altered their plan by inserting louvered vents around the whole of the structure.
- B. The Design Guidelines for New Commercial and Residential Construction and the Design Guidelines for Lower Dauphin Street Commercial District state in pertinent part:
  - 1. “The exterior of a building helps define its style, quality and historic period. New materials which are an evolution of historic materials, such as cement fiber board siding (used in place of lap siding) , or a simulated stucco finish (instead of true stucco), should suggest the profile, dimension and finish o historic materials. Authentic materials such as brick, wood siding, or true stucco are encouraged. Some synthetic materials may be appropriate in individual cases as approved by the Review Board.”
  - 2. “Sign materials should complement the materials of the building. Simple designs are most effective and encouraged. Painted wood, fabric and metal are encouraged. Internally lighted plastic signs are not allowed. Signs are limited to 1.5 square feet per linear front foot of the building, with a 64 square foot maximum.”
  - 3. Lighting “fixtures should be simple in design and appropriate to the design of the building.”
  - 4. “Consider the context. Evaluate the character that is established in the block.”
  - 5. “Include consideration for similarities of materials, façade treatment, and streetscape features that might visually connect in buildings in the neighborhood.”
  - 6. “Most new construction in the historic district will be ‘infill’ in which the design is a link between existing structures with related features.”

7. "The ARB will not impose any architectural style, traditional or modern, as a precedent for approval."
- C. Scope of Work:
1. Construct an aluminum Bus Shelter with low-e glass windows and a copper roof within the City's median at the corner of St. Francis Street and St. Joseph Street (per submitted plan).
    - A. Terminal to measure 6' by 31' in plan
    - B. Terminal to measure roughly 10' in height
      1. Including copper roof crowned with a monitor
    - C. East and West elevations have 12 bays
      1. Outer bays are curved and feature exterior benches which wrap around to the North and South Elevations
      2. Third and tenth bays function as doorways
      3. Remaining bays feature shallow arched unites with tripartite divisions comprised of open panels- solid panels-glazing topped by a band louvered vents
    - D. North and South Elevations
      1. Feature a three bay division with curved outer bays with suspended seating flanking central doorways
        - a. Bay articulation same as East and West Elevations

#### **STAFF ANALYSIS**

Of the five submissions presented to the Board on June 17<sup>th</sup>, 2009, this submission was the favored design. The applicants instituted changes recommended by the Board. Staff does not believe this application impairs the architectural or historical character of the district and therefore recommends approval.

## **PUBLIC TESTIMONY**

Ben Cummings, Gary Jackson, Nicholas Thomas, Tyrone Parker, and Gerald Alfred were present to discuss the application

## **BOARD DISCUSSION**

The board discussion took place concurrently with the public testimony. Mr. Roberts asked Mr. Jackson if the City had any plans to improve the area around the station. Mr. Jackson answered yes. Ms. Cousar disclosed that she works in a building facing the square. Mr. Bemis added that Ms. Cousar had spoken with Staff and the Transit representatives regarding the terminal's design and location. Mr. Wagoner asked Mr. Cummings if he had anything to add or clarify. Mr. Cummings said he agreed with Staff's recommendation.

## **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.

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.

**Certificate of Appropriateness Expiration Date: 07/15/10**

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

**069-09-CA:** 453 Dexter Avenue  
**Applicant:** Bobby White for Jerry D. Kerley  
**Received:** 06/16/09  
**Meeting:** 07/15/09

**INTRODUCTION TO THE APPLICATION**

Historic District: Leinkauf  
Classification: Contributing  
Zoning: R-1  
Project: Demolition

**BUILDING HISTORY**

This house brick house, with a projecting entrance vestibule and a recessed side porch (since filled in), dates from the 1920s.

**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 house is part of the new Leinkauf expansion. On March 12, 2009, an attic fire caused severe structural damage to the home. While not apparent from the street, the internal damage to the house was extensive. The applicant’s insurance fails to cover the full reconstruction of his home. The applicant, for reasons of ill health, is represented by Mr. White. On account of his physical condition and financial straits, the applicant requests permission to demolition his home.
- 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:
  - a. *Required findings; demolition/relocation.* The board shall not grant certificates of appropriateness for the demolition or relocation of any property within a historic district unless the board finds that the removal or relocation of such building will not be detrimental to the historical or architectural character of the district. In making this determination, the board shall consider:
    - i. The historic or architectural significance of the structure;  
This building is a contributing structure within the Leinkauf Historic District. Architecturally, the house reflects the local absorption of popular 1920s builder’s catalogs.
    - ii. The importance of the structure to the integrity of the historic district, the immediate vicinity, an area, or relationship to other structures;

1. This house is a contributing structure in the Leinkauf historic district. Similar catalog inspired houses and bungalows comprise this block as well as the block just north on Dexter Avenue. They comprise a streetscape defined by small front lawns, side drives, and overhanging trees.
  - iii. The difficulty or the impossibility of reproducing the structure because of its design, texture, material, detail or unique location;
    1. The brick facing of the east (rear) elevation collapsed as result of the fire. Brick on the front and side elevations has cracked. The brick is no longer manufactured.
  - 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. Similar catalog inspired houses and bungalows comprise this block and create a street scene of which this is integral as well as the block just north on Dexter Avenue.
  - 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 owner of the house would like to extend the existing concrete block wall that currently ties into northeast corner of the house across the lot. The area to either side of the wall would be landscaped. The applicant would continue to live in the garage/guest house located in the rear of the property.
- b. *Content of applications.* All applications to demolish or remove a structure in a historic district shall contain the following minimum information:
- i. The date the owner acquired the property, purchase price, and condition on date of acquisition;
    1. The applicants acquired the property in 1995.
  - ii. The number and types of adaptive uses of the property considered by the owner;
    1. The applicant plans to demolish the house or allow the house to decay.
  - iii. Whether the property has been listed for sale, prices asked and offers received, if any;
    1. The property has not been listed for sale.
  - iv. 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.
  - v. Replacement construction plans for the property in question and amounts expended upon such plans, and the dates of such expenditures;
    1. None other than the creation of the front wall.
  - vi. 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. See attached paperwork.
  - vii. Such other information as may reasonably be required by the board.
- c. *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.”

d. In case of denial, the applicant has submitted an application for financial hardship.

C. Scope of Work:

1. Demolish House
2. Extend existing concrete block wall across lot
3. Landscape property

D. Clarifications

1. Will there be a gate?
2. Will the wall extend over the existing drive?

**STAFF ANALYSIS**

Before the fire, this house was in excellent condition. The fire resulted in the almost complete loss of the internal roofing system. It also caused extensive damage to the internal wall structure. Based on the condition of the house, Staff recommends approval of the demolition request. Staff does not recommend approval of the proposed fence. The Design Review Guidelines for Mobile's Historic Districts lists unfinished concrete blocks as an appropriate fencing material. Additionally, the fence exceeds the height limits set by the Guidelines. Staff recommends that the applicant retain the west and south elevations of the house as a wall. They were the least damaged by the fire. Utilizing the two elevations as wall, would preserve the house's two most prominent elevations and maintain the rhythm of the streetscape.

## **PUBLIC TESTIMONY**

Bobby White was present to discuss the application.

## **BOARD DISCUSSION**

The board discussion took place concurrently with the public testimony. Mr. Wagoner and Mr. Bemis disclosed their friendship with Mr. Kerley. Both shared their concern for his health. Mr. Wagoner then informed Mr. White that the Board cannot approve the fence because of the material and height. Mr. Roberts added that the fence cannot be taller than six feet. He asked Mr. White if Mr. Kerley had considered selling or renovating the house. Mr. White said Mr. Kerley will not consider these options. Mr. Bemis informed the applicant and the Board that the Neighborhood Association was concerned about the use of the lot if the house was demolished. Mr. White said, given Mr. Kerley's health and finances, there was no alternative, but demolition. He said the height of the proposed fence could be reduced to comply with guidelines. Salvaged bricks from the house would be used instead of the proposed concrete blocks. A gabled entrance using the door and taking design cues from the house's vestibule would provide access and accent to the wall. Board discussion ensued. Mr. Karwinski moved that application be tabled for lack of information. . During the discussion, the Board suggested that the vestibule, front door, and chimney be maintained and the door reinstated. A wall made of materials and of a height acceptable to the Guidelines could extend to either side. The Board asked the applicant to submit an application, with an accompanying site plan, that takes these suggestions into account. The applicant agreed.

**A motion was made to table the request by Mr. Karwinski was unanimously approved.**