

ARCHITECTURAL REVIEW BOARD MINUTES

June 15, 2011 – 3:00 P.M.

Pre-Council Chambers, Mobile Government Plaza, 205 Government Street

A. CALL TO ORDER

1. The Chair, Bradford Ladd, called the meeting to order at 3:00. Cart Blackwell, MHDC Staff, called the roll as follows:
Members Present: David Barr, Thomas Karwinski, Bradford Ladd, Harris Oswalt, Craig Roberts, and Janetta Whitt-Mitchell.
Members Absent: Gertrude Baker, Carlos Gant, Kim Harden, Bill James, Jim Wagoner, Janetta Whitt-Mitchell, and Barja Wilson.
Staff Members Present: Cart Blackwell and Keri Coumanis.
2. Mr. Oswalt moved to approve the minutes of the May 18, 2011 and June 1, 2011 meetings. The motion received a second and passed unanimously.
3. Mr. Oswalt moved to approve the midmonth COA's granted by Staff noting a correction to midmonth #7. The motion received a second and passed unanimously.

B. MID MONTH APPROVALS: APPROVED

1. **Applicant: Robert Ovarstrom**
 - a. Property Address: 965 Selma Street
 - b. Date of Approval: 5/26/11
 - c. Project: Install an interior lot privacy fence. This six foot fence will extend along the eastern lot line stopping at the front plane of the house. A picket fence will pick up where the privacy fence stops. The picket fence will extend along the northern and western lot lines.
2. **Applicant: Lucy Barr for Jeff & Appleton Weston**
 - a. Property Address: 114 Ryan Avenue
 - b. Date of Approval: 5/26/11
 - c. Project: Remove an existing concrete walkway located between the front entrance and the sidewalk. Install a new walk with a brick border. Repair and replace windows (where necessary) to match.
3. **Applicant: Michael & Valerie Blakenship**
 - a. Property Address: 311 North Joachim Street
 - b. Date of Approval: 5/27/11
 - c. Project: Install window screens.
4. **Applicant: Wrico Signs for One Main Financial**
 - a. Property Address: 1500 Government Street
 - b. Date of Approval: 5/31/11
 - c. Project: Install an aluminum signage. The signage will not exceed 17.94 square feet. The signage will be affixed to building's façade. Said signage will not feature illumination.
5. **Applicant: Donald B. Hadley for HCS Construction for the Society of 1842**
 - a. Property Address: 110 South Claiborne Street
 - b. Date of Approval: 5/31/11
 - c. Project: Replace deteriorated woodwork to match the existing in profile, dimension, and material. Repaint to match the exiting color scheme.
6. **Applicant: Fred South for Susan Rhodes**
 - a. Property Address: 22 South Ann Street
 - b. Date of Approval: 5/26/11

- c. Project: Reissue of a Certificate of Appropriateness dating from August 9, 2009 calling for the construction of a deck and the completion of a garage.
- 7. Applicant: Annette Ball**
- a. Property Address: 150 Houston Street
 - b. Date of Approval: 6/1/11
 - c. Project: Paint the house per the submitted color scheme. The body will be medieval Forest (green) and the trim will be White Castle or Castle Path.
- 8. Applicant: Richard Brown with Building and Maintenance Company for Mr. & Mrs. Richard Cotterall**
- a. Property Address: 166 South Georgia Avenue
 - b. Date of Approval: 6/1/11
 - c. Project: Repaint the house to match the existing color scheme. Repair any deteriorated woodwork that might be encountered. Replacement of woodwork will match the existing in profile, dimension, and composition.
- 9. Applicant: Hunter Marsh**
- a. Property Address: 210 Marine Street
 - b. Date of Approval: 6/2/11
 - c. Project: Replace tongue-and-groove porch decking to match the existing in profile, dimension, and material. Replace siding to match the existing. Touch up paint work to match the existing.
- 10. Applicant: Linda Olin**
- a. Property Address: 1758 New Hamilton Street
 - b. Date of Approval: 6/2/11
 - c. Project: Replace tongue-and-groove porch decking to match the existing. Touch up the color scheme to match the existing.
- 11. Applicant: Derek Thomas for Fort Conde**
- a. Property Address: 150 South Royal Street
 - b. Date of Approval: 6/2/11
 - c. Project: Reroof to match the existing.
- 12. Applicant: Lester J. and Rosie Ellen Stanbery**
- a. Property Address: 262 McDonald Avenue
 - b. Date of Approval: 6/4/11
 - c. Project: Install a wooden storage shed in the backyard. Install interior lot fencing. The fencing replaces existing wooden fencing. The fencing does not exceed six feet in height.
- 13. Applicant: Douglas B. Kearley**
- a. Property Address: 805 Church Street
 - b. Date of Approval: 6/3/11
 - c. Project: Replace and adjust a doorway. The replacement will match the existing.
- 14. Applicant: T & E Grub**
- a. Property Address: 1252 Government Street
 - b. Date of Approval: 6/6/11
 - c. Project: Install a six foot interior lot fence along the eastern lot line. The fence will not extend beyond the front plane of the building. The fence will then step down to three feet in height as it approaches Government Street. Install a six foot fence around the property's dumpster pad. The dumpster pad is located in the northeast corner of the lot.
- 15. Applicant: Paul Howen**
- a. Property Address: 19 McPhillips Avenue
 - b. Date of Approval: 6/6/11
 - c. Project: Repaint the house per the submitted Sherwin Williams color scheme. The body will be Weathered Shingle. The trim will be Roycroft Vellum.

C. APPLICATIONS

1. 2011-39-CA: 1565 Fearnway

- a. Applicant: Douglas B. Kearley for Celie & Desi Tobias
- b. Project: New Construction – Construct a rear addition.

APPROVED AS AMENDED. CERTIFIED RECORD ATTACHED.

2. 2011-40-CA: 1120 Palmetto Street

- a. Applicant: Douglas B. Kearley for Floyd Hendricks
- b. Project: New Construction – Construct a rear addition.

APPROVED. CERTIFIED RECORD ATTACHED.

3. 2011-41-CA: 250 Dauphin Street

- a. Applicant: David Lindsay for David Naman & Bill Monahan
- b. Project: Renovations - Alter a later balcony; Alter a parapet; Alter Fenestration.

4. 2011-42-CA: 77 South Lafayette Street

- a. Applicant: Julia Stallings for Anthony J. Stallings
- b. Project: After-the-Fact-Approval – Retain replacement windows.

APPROVED. CERTIFIED RECORD ATTACHED.

D. OTHER BUSINESS

- 1. Alternative Decking Treatments

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

2011-39-CA: 1565 Fearnway
Applicant: Douglas B. Kearley for Celie & Desi Tobias
Received: 5/26/11
Meeting: 6/15/11

INTRODUCTION TO THE APPLICATION

Historic District: Fearnway
Classification: Contributing
Zoning: R-1
Project: New Construction – Construct a rear addition.

BUILDING HISTORY

This 1923 Colonial Revival dwelling is informed (formally and atmospherically) by French, Dutch, and Georgian stylistic traditions.

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 January 14, 2002. At that time the Board approved the alteration to rear fenestration. In this application, the current owners propose the construction a small rear/side addition.
- B. The Secretary of the Interior’s Standards for Historic Rehabilitation and Design Review Guidelines for Mobile’s Historic Districts state, in pertinent part:
 - 1. “New additions, exterior alteration, 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.”
 - 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 site plan):**
 - 1. Construct a single story side/rear addition.
 - a. The addition measures 11’ by 22’ in plan.
 - b. The addition will extend from the southernmost portion of the west elevation.
 - c. The addition’s brick foundation treatment will match that found on the body of the house.
 - d. The addition’s “Dutch Lap” wood siding will match that found on the body of the house.
 - e. The addition will feature low pitched hipped roof that will fall below West Elevation’s second story windows.
 - f. The roof’s eave and cornice treatment will match the existing.
 - g. The addition will feature one of two proposed fenestration treatments.

- h. Fenestration Plan A calls for the installation of wooden sash window. A single six-over-one window will be located on the South Elevation. A single six-over-one window a paired four-over-one window unit will be located on the West Elevation.
- i. Fenestration Plan B calls for the installation of wooden ribbon windows. These four light units would extend across the length of the South Elevation and over half of the West Elevation.

STAFF ANALYSIS

This application calls for the construction a small one-story side/rear addition. The rear elevation has been altered on at least two occasions. The house is set back within an elevated lot. The proposed new construction would be minimally visible from the street.

The Secretary of the Interior's Standards for Historic Rehabilitation state that new additions and/or alterations should be differentiated from yet compatible to the historic building. The proposed addition's height and roofing treatment will allow it to "read" as a later alteration to an existing structure. The foundation, siding, eave, and roof shingles will match the existing. The applicants have submitted two fenestration schemes. Both schemes meet the design and material standards outlined in the Design Review Guidelines for Mobile's Historic Districts.

On account of the siting of the house, the existence of previous alterations, and the proposed design, Staff does not believe this application will impair the architectural or the historical integrity of the property or the district.

STAFF RECOMMENDATION

Based on B (1-2), Staff does not believe this application impairs the architectural or the historical character of the building or the district. Staff recommends approval of this application.

PUBLIC TESTIMONY

Douglas B. Kearley was present to discuss the application.

BOARD DISCUSSION

The board discussion took place concurrently with the public testimony. Mr. Ladd welcomed the applicant's representative. He asked Mr. Kearley if he had any comments to add, questions to ask, or clarifications to make with regard to the Staff Report. Mr. Kearley answered no.

Mr. Ladd asked his fellow Board members if they had any questions to ask the applicant's representative. Mr. Roberts asked Mr. Kearley which of the proposed plans the applicants had selected. Mr. Kearley told the Board that the applicants selected plan A. No further Board discussion ensued.

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

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 facts to note that plan A would be utilized.

The motion received a second and was unanimously approved.

DECISION ON THE APPLICATION

Mr. Oswalt 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: 6/15/12

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

2011-40-CA: 1120 Palmetto Street
Applicant: Douglas B. Kearley for Floyd Hendricks
Received: 5/26/11
Meeting: 6/15/11

INTRODUCTION TO THE APPLICATION

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

BUILDING HISTORY

This house dates from circa 1895. The two-story side hall plan was the favored urban unit of Mobile's Nineteenth-Century elite, as well as popular rental form. This example features a small single story front porch and a small rear ell.

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 as second story over and to the side of an existing single story rear wing and the construction of two-tiered rear gallery.
- B. The Secretary of the Interior's Standards for Historic Rehabilitation and the Design Review Guidelines for Mobile's Historic Districts state, in pertinent part:
 - 1. "New additions, exterior alteration, 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."
 - 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:
 - 1. Construct a rear addition.
 - a. The addition will be located atop an existing single story rear wing and on the site of lost side/rear porch. The addition will feature a porch.
 - b. The existing rear wing's eave brackets will be removed and reused.
 - c. The first floor of portions of the addition (located on the site of the lost side porch) will rest atop brick foundation piers.

- d. Boxed, framed, and suspended lattice skirting will be located between the foundation piers.
 - e. The addition will feature reused or matching wooden windows.
 - f. A architrave-like band differentiating the first and second stories of main house be employed on the rear addition.
 - g. Corner posts will be employed to differentiate old and new.
 - h. The addition will feature wooden siding matching the existing.
 - i. The addition's eave treatment will match that found on the body of the house.
 - j. The aforementioned brackets will be reused.
 - k. The addition will be surmounted by a hipped roof.
 - l. The roofing shingles will match those found on the body of the house.
 - m. The East Elevation will feature a single two-light transom window and a one-over-one window.
 - n. The first story of the reconfigured North or Rear Elevation will feature two wooden French doors with surmounting transoms and a paired two-over-one window unit.
 - o. The second story of the North or Rear Elevation will feature two wooden French doors.
 - p. A two-tiered rear gallery will extend the length of the expanded rear wing.
 - q. The tetrastyle gallery will feature square section wooden piers.
 - r. A plain picketed wooden railing will enclose the second story gallery.
 - s. Tongue-and-groove wooden porch decking will sheath the porch floors.
 - t. A flight of fanning pyramidal wooden steps will access the first floor gallery.
 - u. The first story of the West Elevation will feature a single two-over-two window.
 - v. The second story of the West Elevation will feature a single two-over-two window.
 - w. The West Elevations porch bays will feature lattice screening.
2. Alter fenestration on the body of the house.
- a. Replace a small six-over-six wooden window on the East Elevation with a two-over-two
 - b. Replace a two-over-two window on the West Elevation with a diamond window.

STAFF ANALYSIS

This application involves the construction of rear addition. The addition would be located atop and to the side of an existing rear ell. The work will be minimally visible from the street.

The Secretary of the Interior's Standards for Historic Rehabilitation state that additions and alterations to historic buildings should be differentiated from yet compatible to the historic building. The proposed addition will feature a hipped roof like that surmounting the body of the house. Said roof will maintain the pitch but will be lower in height than the existing. In addition to the lowered roof height, the use of corner posts will further differentiate the old from the new. The foundation treatment, window type, eave treatment, and roofing shingles will match the existing.

On account of its location and design, Staff does not believe this application impairs the architectural or the historical integrity of the property or the district. The replacement of secondary windows will not impact the historic integrity of the house.

STAFF RECOMMENDATION

Based on B (1-2), Staff does not believe this application impairs the architectural or the historical character of the building or the district. Staff recommends approval of this application.

PUBLIC TESTIMONY

Douglas B. Kearley was present to discuss the application.

BOARD DISCUSSION

The board discussion took place concurrently with the public testimony. Mr. Ladd welcomed the applicant's representative. He asked Mr. Kearley if he had any comments to add, questions to ask, or clarifications to make with regard to the Staff Report. Mr. Kearley answered no.

Mr. Ladd asked his fellow Board members if they had any questions to ask the applicant's representative. Mr. Karwinski said that he had several questions to ask and comments to make. He pointed out that a window on the East Elevation was being replaced. Mr. Kearley answered yes. Mr. Karwinski said that a second window was being replaced on the West Elevation. Mr. Kearley again answered yes. Mr. Karwinski asked if the replacement was necessary. Mr. Kearley stated that in order to accommodate the bathroom, it was best that window, one not visible from the street, be replaced. Mr. Karwinski said that the replacement would take away the symmetry of the elevation.

Mr. Karwinski said that he had one final general comment. He said that this application amounted to the demolition of an original portion of a contributing house. Mr. Karwinski stated that while the Secretary of the Interior's Standards called for compatibility between new and old work they do not mandate identical treatment. He said that though the addition is recessed behind the body of the house and the roof drops down in height, the detailing of the addition is the same as that of the main house. Mr. Karwinski suggested the use of a more modern design for the addition.

Mr. Roberts responded to Mr. Karwinski's observations. He said that additions to historic buildings pose theoretical dilemmas. Mr. Roberts reminded Mr. Karwinski that it has been the Board practice to approve like treatment on the condition of delineation between the old and the new. Mr. Ladd concurred. Mr. Blackwell stated that the rear wing would not be demolished but enlarged only. He reminded the Board of numerous instances of rear additions to historic residential structures. Mr. Roberts acknowledged Mr. Karwinski's concerns. He suggested the Board vote on the matter. Mr. Ladd asked if there was anyone from the audience who wished to speak either for or against the application. Upon hearing no response, Mr. Ladd closed the period of public comment. No further Board discussion ensued.

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 approved 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: 6/15/12

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

2011-41-CA: 250 Dauphin Street
Applicant: David Lindsey for David Naman & Bill Monahan
Received: 5/31/11
Meeting: 6/15/11

INTRODUCTION TO THE APPLICATION

Historic District: Lower Dauphin Commercial
Classification: Non-Contributing
Zoning: B-4
Project: Renovation - Alter a later balcony; Alter a parapet; Alter fenestration.

BUILDING HISTORY

This two-story stuccoed building was constructed in 1866. The façade was remodeled in 1904 and the 1950s. The upper portion of the façade and the East Elevations were partially restored 1999. A wrap iron gallery was installed at that time.

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 7, 1999. At that time the Board approved the partial restoration of the building’s South and East Elevations. A wrap around gallery was also approved. The applicant’s return to the Board with a proposal calling for the addition of cast iron supports and a roof on the aforementioned gallery, as well as, the alteration of the roof parapet, the installation of awnings, the alteration of later fenestration, and the installation of awnings.
- B. The Design Review Guidelines for Mobile’s Historic Districts, the Lower Dauphin Commercial District Design Guidelines, and the Sign Design Guidelines Mobile’s Historic Districts and Government Street in pertinent part:
 - 1. “The porch is an important regional characteristic of Mobile architecture. Historic porches should be maintained and repaired to reflect their period. Particular attention should be paid to handrails, lower rails, balusters, decking, posts/columns, proportions and decorative details.”
 - 2. “The form and shape of the porch should maintain their historic appearance. The materials should blend with the style of the building.”
 - 3. “Fabric awnings provide weather protection and create interest. These may be operable or fixed.”
 - 4. “The overall design of all signage including the mounting framework shall relate to the design of the principal building on the property.”
 - 5. “The size of the sign shall be in proportion to the building and the neighboring structures and signs.”

6. “The total maximum allowable square footage for all signs is one and one half square feet per linear foot of the principal building, not to exceed 64 square feet.”
7. “For double faced signs, each side shall be counted toward the maximum allowable square footage.”
8. “Internally lit signs are prohibited.”
9. “Lighted signs shall use focused, low intensity illumination. Such lighting shall not shine into or create glare at pedestrian or vehicular traffic nor shall it shine into adjacent areas.”
10. Flashing, blinking revolving, or rotating signs are not permitted.”

C. Scope of Work:

1. Alter the building’s later balcony.
 - a. Install decorative iron supports atop the wrap around galleries upper railing.
 - b. The supports will correspond with and match the intermediate iron panels (those atop above the ground floor iron posts).
 - c. Additional ironwork will occupy the frieze-like zone atop the supports.
 - d. The ironwork will support a concave metal roof featuring a copper-finished roof.
2. Alter the parapet.
 - a. Increase the height of the southeast corner wraparound parapet.
 - b. The height increase will be stepped in form, roughly five feet at its highest point.
 - c. The composition and finish of the parapet will match the existing.
3. Alter the first story’s fenestration.
 - a. Remove the existing ground floor later multi-light window sashes.
 - b. Install four light wooden windows.
 - c. Reopen two infilled windows on the building’s East Elevation.
 - d. The treatment of the aforementioned windows will match the proposed windows.
4. Repaint to match the existing color scheme.
5. Install awnings.
 - a. Two black canvas awnings will extend before the paired window units flanking the building’s main south facing entrance.
 - b. A black canvas awning will be extend before the East Elevation’s open fenestration.
 - c. Two further black canvas awnings will extend over the East Elevation’s two secondary points of entry.
 - d. The awnings will project six feet from the building.
 - e. The name of the establishment will be printed on the establishment three times. Several dining aspects will be equidistantly space on the awnings as well. All letterings will be restricted to awnings located beneath the second story gallery. Said letterings are factored into the total signage packet.
6. Attach a double-faced, L-shaped sign to the southeast corner of the building.
 - a. The metal sign will feature neon lighting.
 - b. The total square footage of the double-faced sign will measure 42 square feet.
 - c. The aluminum facing will be rendered in colors complementary to the building’s color scheme.

STAFF ANALYSIS

This building located at the northwest corner of Dauphin and Joachim Streets has been significantly altered at least three times over the course of the Twentieth Century. The South and West elevations were reconfigured in 1904, refaced in 1950s, and partially restored and renovated in 2000. This application

involves the alteration to a later balcony, the extension of a parapet, the alteration of later fenestration, the installation of awnings, and the installation of signage.

The wrap around gallery was approved on September 7, 1999. This application entails the construction of a covering and supports atop the unroofed second story portion of the gallery. The Board has approved the construction and/or reconstruction of numerous balconies, tiered and single. Examples include: 20 Royal Street (Hargrove & Associates); 208 Dauphin Street (Crescent Theatre); and 228 Dauphin Street (Three George's). The pattern of the proposed ironwork will match existing iron components. The roof form and overall design is appropriate to the corner site and the conditions of building, one which has been extensively altered.

The existing parapet was extended as part of the 1950s remodeling. The applicant's propose heightening the parapet. The height increase would be restricted to the northeast corner of the building. At its highest point, the parapet will be increased roughly five feet. The construction of the covered umbrage outlined above would counteract the increased height of the already heightened façade.

Awnings remain a characteristic feature of urban areas and "main streets." Their presence is evidenced in numerous 19th and 20th century images and accounts of Dauphin Street. The subject building once featured awnings. The valances of the proposed awnings will not be lower than 7', the clearance required by the office of Right of Way.

The proposed signage would be restricted to two locations, the southeast corner of the building and the proposed canopies. Neon signage is reviewed on a case by case basis. Precedent for Neon signage in Lower Dauphin Commercial or Entertainment district abounds. Several period examples from the 1930s and 1950s survive. On October 7, 2009, the Board approved the installation of the neon signage at 251 Dauphin Street. While the latter building, a 1960s design by architect Thomas Cooper Van Antwerp, always featured neon signage, the subject property though dating from 1860s has been altered on numerous occasions. Neon signage has been installed on other 19th-century buildings, both restored and altered in form. The proposed signage meets the design, material, and size requirements outlined in the Sign Design Guidelines for Mobile's Historic Districts. The number of signs requires approval from the Board of Zoning.

Staff does not believe this application impairs the architectural or the historical integrity of the historic district.

STAFF RECOMMENDATION

Based on B (1-10), Staff does not believe this application impairs the architectural or the historical character of the district. Staff recommends approval of this application. Approval of the signage portion of the proposal is dependent upon approval of the Board of Zoning's review of the number of signs.

PUBLIC TESTIMONY

David Lindsey, David Naman, and Bill Monahan were present to discuss the application.

BOARD DISCUSSION

The board discussion took place concurrently with the public testimony. Mr. Ladd welcomed the applicants and their representative. He asked Mr. Lindsey if he had any comments to add, questions to ask, or clarifications to make with regard to the Staff Report. Mr. Lindsey answered no.

Mr. Ladd asked his fellow Board members if they had any questions to ask the applicants or their representative. Mr. Roberts asked Mr. Lindsey about the windows. Mr. Lindsey said that replacements of the later windows would be operable, unlike the existing. Mr. Roberts complimented Mr. Lindsey on his design.

Mr. Karwinski said that he had several questions to ask and comments to make. He asked Mr. Lindsey what type windows would be used. Mr. Lindsey responded saying that the windows would be casement in type. Mr. Karwinski asked in which direction the windows would open, inward or outward. Mr. Lindsey answered inward. Mr. Karwinski asked Mr. Lindsey why awnings were proposed for a space covered by a balcony. He told Mr. Lindsey, the applicants, and his fellow Board members that the use of awnings in this instance might be appropriate for West Mobile but not downtown. Mr. Karwinski then asked about the signage on the awnings.

Mr. Lindsey addressed Mr. Karwinski concerns. He said that it was the applicant's intention to use the sidewalk for outside dining space. The awnings would generate more shade, increase weather protection, and provide a greater sense of intimacy. Mr. Ladd asked Mr. Karwinski the nature of his objection. Excepting the awnings beyond the balcony, notably the handicap ramp, Mr. Karwinski said that the awnings served no purpose. Mr. Lindsey stated that awnings would break the twelve foot height expanse between the sidewalk and the gallery decking. He reiterated the other reasons for their inclusion. Mr. Karwinski said that the awnings were a mall-like treatment that was not suitable for downtown.

Addressing the signage and the parapet, he stated that stepped form of the parapet was more appropriate to the adjacent Art Deco structure, not the subject building. Mr. Karwinski said that a simple cornice would be more appropriate. Mr. Lindsey said that the signage proposal was designed to take into account the corner location.

Mr. Roberts addressed Mr. Karwinski saying that he was cognizant of his concerns but reminded all assembled that the building had been altered on numerous occasions. Mr. Roberts said that primary concern in this instance was to stop alterations to the modified non-contributing building. He said that the proposed alterations would not harm the building only negotiate earlier approved changes. Returning the discussion to the signage, Mr. Karwinski said that the balcony would obscure the proposed signage.

Mr. Ladd acknowledged the applicants efforts and applauded them for their move downtown. He asked his fellow Board members if they had any further comments to ask the applicants or their representative. No further comments ensued.

Mr. Ladd asked if there was anyone from the audience who wished to speak either for or against the application. No questions ensued. Mr. Ladd closed the period of public comment.

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 as written.

The motion received a second and was unanimously approved.

DECISION ON THE APPLICATION

Mr. Oswalt moved that, based upon the facts as approved 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. Mr. Karwinski voted in opposition.

Certificate of Appropriateness Expiration Date: 6/15/12

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

2011-42-CA: 77 South Lafayette Street
Applicant: Julia Stallings for Anthony J. Stallings
Received: 5/26/11
Meeting: 6/15/11

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way
Classification: Contributing
Zoning: R-1
Project: After-the-Fact-Approval – Retain replacement windows.

BUILDING HISTORY

This Colonial Revival residence adopts the character of a one-and-one half 18th century 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 has never appeared before the Architectural Review Board. A 311 call was made on March 29, 2011. Vinyl windows were installed without the issuance of Certificate of Appropriateness or building permit. A Notice of Violation was issued. The applicant’s representative appears before the Board with a request to retain the replacement windows.
- B. The Design Review Guidelines for Mobile’s Historic Districts state, in pertinent part:
 - 1. “The type, size, and dividing lights of windows and their location and configuration (rhythm) on the building help establish the historic character of a building. Original window openings should be retained as well as original window sashes and glazing.”
 - 2. “Where windows cannot be repaired, new windows must be compatible to the existing. The size and placement of new windows for additions or alterations should be compatible with the general character of the building.”
- C. **Scope of Work (per submitted site plan):**
 - 1. After-the-Fact-Approval – Retain vinyl replacement windows.

STAFF ANALYSIS

This application involves the After-the-Fact-Approval of vinyl replacement windows. The original windows were removed and the current windows installed without the issuance of either a Certificate of Appropriateness or a building permit. While the window configuration of the replacement windows match the original six-over-one windows, the material composition of the replacements is deemed inappropriate by the Design Review Guidelines. The Design Review Guidelines for Mobile’s Historic Districts state that historic windows should be retained and repaired. If repair is not possible, replacement windows should be compatible with the existing. The Guidelines do not allow the replacement of wooden windows with vinyl windows.

STAFF RECOMMENDATION

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

PUBLIC TESTIMONY

No one was present to discuss the application. Mr. Blackwell informed the Board that the applicant's representative requested that the application be heard at the July 7, 2011 meeting.