

ARCHITECTURAL REVIEW BOARD MINUTES

June 18, 2008 – 3:00 P.M.

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

A. CALL TO ORDER – Chair

The meeting was called to order by the chair Tilmon Brown at 3:05.

The Introductory Statement was read by the staff.

The members present were Tilmon Brown, Tom Karwinski, Bunky Ralph, Craig Roberts, Jim Wagoner, and Mary Couser.

Staff present was: Devereaux Bemis; John Lawler; and Gabriel Jones (Intern).

The Minutes of the previous meeting were held over to the next meeting.

The Mid-Month Requests were approved as submitted per a motion of Bunky Ralph and a second of Tom Karwinski.

B. MID-MONTH APPROVALS

1. **Applicant's Name:** American Roofing and Construction
Property Address: 8 N. Lafayette
Date of Approval: June 2, 2008
Reroof with 3 tab shingles in Burnt Sienna blend
2. **Applicant's Name:** Melanie Bunting
Property Address: 34 South Lafayette Street
Date of Approval: June 6, 2008
Repair any rotted wood throughout the exterior with wood to match existing in material, profile and dimension. Extend the existing rear deck by 8'-0" (it will not be seen from the street). Finish the existing privacy fence to match existing (add gate). Paint in the following Sherwin-Williams colors:
Body – Downing Sand, SW2822
Trim – Classical White, SW2829
Accents – Roycroft Copper Red, SW2839
Door – Brown Red Stain
3. **Applicant's Name:** Don Williams
Property Address: 115-117 North Julia Street
Date of Approval: June 6, 2008
Changes to the original ARB approved plan: move the building 4'-0" forward 4'-0" and 5'-0" to the south. Reorient the parking area so the spaces are east/west and not north/south. The shape of the parking area will be altered, but the buffer landscaping will remain
4. **Applicant's Name:** Kathy Gifford
Property Address: 156 Roberts Street
Date of Approval: June 4, 2008
Repair damaged fence on the north side with new wood boards.
5. **Applicant's Name:** Melanie Bunting
Property Address: 204 Tuttle Avenue
Date of Approval: June 6, 2008

Remove inappropriate vinyl siding and repair any rotted wood throughout the exterior with wood to match existing in material, profile and dimension. Repair driveway. Construct a rear 10'-0" x 15'-0" wood deck with square balusters and lattice (it will not be seen from the street). Paint in the following Sherwin-Williams color scheme:

Body – Roycroft Suede, SW2842

Trim – Roycroft Vellum, SW2833

Accents – Black

6. **Applicant's Name:** Hermann, Carter and Van Antwerp/Wrico Signs
Property Address: 255 St. Francis Street
Date of Approval: June 4, 2008
Attach a 2.55 SF vinyl decal on the existing sign
7. **Applicant's Name:** Pamela Coffman
Property Address: 262 Stocking Street
Date of Approval: June 6, 2008
Paint the residence white.
8. **Applicant's Name:** Pope Building and Renovation LLC
Property Address: 501 Government Street
Date of Approval: June 2, 2008
Rebuild the formerly standing wall. It will have a CMU center; brick veneer facing 503 Government, stucco facing 501 Government and iron railing on top.
9. **Applicant's Name:** KNC Builders
Property Address: 560 Dauphin Street
Date of Approval: May 20, 2008
Paint the doors Burnt Orange, the trim off-white.
10. **Applicant's Name:** Christy Pierce
Property Address: 913 Government Street
Date of Approval: June 4, 2008
This is a renewal of the COA dated 03/23/07: replace the current 3-tab shingle roof system with a new architectural shingle roof system in a similar dark color.
11. **Applicant's Name:** Louis and Patricia Felis
Property Address: 956 Palmetto Street
Date of Approval: June 4, 2008
Repair rotten wood boards on the eaves and the garage structure with new wood to match existing in material, profile and dimension. Reroof garage with rolled roofing to match existing in material, profile and dimension. Repaint in the following BLP color scheme:
Body – Magnolia Homestead, RC10
Trim – White
Accents – Exeter House, RC27
12. **Applicant's Name:** Amanda and Bill Bray
Property Address: 962 Dauphin Street
Date of Approval: June 6, 2008
Construct a 24'-0" x 10'-6" wood deck at the rear of the residence per the submitted drawing. It will have brick piers to match existing, a wood rail and a wheelchair ramp. It will not be seen from the street.
13. **Applicant's Name:** Steve May
Property Address: 1008-1010 Caroline Avenue
Date of Approval: June 4, 2008

Continue and add a gate to the existing 6'-0" privacy fence on the property per the submitted map.

14. **Applicant's Name:** Steve May
Property Address: 1104 Old Shell Road
Date of Approval: June 4, 2008
Paint residence in the following color scheme:
Body – Light Grey
Trim – White
Accents – Black
15. **Applicant's Name:** Your Handyman
Property Address: 1162 New Saint Francis Street
Date of Approval: June 6, 2008
Prep and paint gable in the existing color scheme.
16. **Applicant's Name:** Diana Allen
Property Address: 1223 Elmira Street
Date of Approval: June 4, 2008
Prep and paint in the existing color scheme.
17. **Applicant's Name:** Melanie Bunting
Property Address: 1413 Eslava Street
Date of Approval: June 6, 2008
Paint residence in the following color scheme:
Body – Light Grey
Trim – White
Accents – Black
18. **Applicant's Name:** David Naman
Property Address: 204-206 Dauphin Street
Date of Approval: June 6, 2008
Paint the painted brick on the rear and stucco on the front Lyndhurst Timber. Pain the window trim and burglar bars Fired Earth.
19. **Applicant's Name:** David Naman
Property Address: 300 St. Michael Street
Date of Approval: June 5, 2008
Paint the wood window trim Valspar Polar White

C. OLD BUSINESS

1. **061-08-CA:** 69 South Ann Street
Applicant: Gilbert and Nikki Tucker
Request: Construct a single-family residence.
Approved with conditions

D. NEW BUSINESS

1. **064-08-CA:** 1507 Springhill Avenue
Applicant: Hallmark Petroleum
Request: Install a 50 SF monument sign.
Approved & referred to Board of Zoning Adjustment

2. **065-08-CA:** 1416 Eslava Street
Applicant: Skip and Briley Shirah
Request: Remove metal siding and brick skirt from façade of house. Remove porch infill; remove circular brick steps. Repair and repaint wood siding and trim; install new 14-inch square wood columns; install new brick steps.
Approved
3. **066-08-CA:** 68 N. Monterey
Applicant: Douglas Kearley for Patrick & Althea Kingsmill
Request: Reroof house, repair siding and repaint; add a 10 foot wide addition at second floor partially enclosing rear upper porch; build new wood porch; remove existing porch; remove non-functioning and deteriorated chimney.
Approved with conditions
4. **067-08-CA:** 560 Dauphin Street
Applicant: Kimberly Knowles
Request: Paint the previously unpainted modern brick building.
Denied for lack of information
5. **068-08-CA:** 358 Michigan Avenue
Applicant: Cecil P. Diaz Jr. & Robert Duiett
Request: Install a fence.
Approved
6. **069-08-CA:** 505 St. Francis Street (formerly 119-06- CA)
Applicant: Della Adams
Request: Demolish the structure.
Withdrawn
7. **070-08-CA:** 507 St. Francis Street (formerly 120-06- CA)
Applicant: Della Adams
Request: Demolish the structure.
Withdrawn
8. **071-08-CA:** 13 N. Dearborn Street
Applicant: Jamie & Tilmon Brown
Request: Install fence and rollback gate as per submitted drawings. Wood panels painted green. Install exterior patio coverings using antique cast iron columns, standing seam roof. All painted green to match trim on building.
Approved

E. OTHER BUSINESS and ANNOUNCEMENTS

1. Discussion

F. ADJOURNMENT

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

061-08-CA: 69 South Ann Street
Applicant: Gilbert and Nikki Tucker
Received: 05/19/08 (+45 Days: 07/03/08)
Meeting: 06/04/08: Table, referred to Design Committee; 06/18/08

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way
Classification: Non-Contributing
Zoning: R-1
Project: Construct a single-family residence.

BUILDING HISTORY

This is currently an empty lot that once held a residential building.

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 empty lot on the east side of South Ann is approximately 78’-0” x 160’-0”. The applicants appeared at the June 4, 2008 meeting where the application was tabled and referred to design review.
- B. The Guidelines for New Residential and Commercial Construction state “the goal of new construction should be to blend into the historic district but to avoid creating a false sense of history.”
- C. The applicants met with the Design Review Committee on June 10. The results of that meeting are reflected in the notes below. A new drawing will be sent upon receipt by the office. The proposed plan includes the following:
 1. Construct a one-story single-family residence per the submitted plans.
 - a. The building will face South Ann and have a setback to match the neighboring residences, approximately 40 feet from the front and 8 feet from the north..
 - b. The ceiling and window heights will be 10’-0” and 8’-0” respectively to match the neighboring residences.
 - c. The roof will have a dual hipped pitch to match neighboring residences and have Weathered Wood architectural shingles.
 - d. The house will rest on a 32” continuous masonry foundation with brick tile .
 - e. The siding will be Hardi-plank Board and Batten.
 - f. The windows will be 2/2 wood sashes.
 - g. The west (front) elevation will feature a 1/2-lite wood entry door; a front porch to the left with a bay to the right and the house recessed further to the right. There will be square wood columns and brick steps; a double window hipped-roof dormer with wood windows will be on the front and two sides; a small window will be placed in the wall to the right side of the bay; the bay will have a front gable with broken return and a gable vent and paired 2/2 wood sash windows with a transom.
 - h. The south (right) elevation will have several windows and a wood six-panel side door.
 - i. The north (left) elevation will have 2/2 wood sash windows.
 - j. The east (rear) elevation will have paired 2/2 wood sash windows and a wood six-panel rear door leading to a rear deck.

- k. The trim, cornice, etc will be per the submitted drawings.
 - 1. There will be no shutters
 - 2. Construct a two-car garage per the submitted plans.
 - a. The structure will sit at the southeast corner of the lot and match the proposed residence.
 - b. It will have paneled garage doors with transoms.
 - c. A concrete ribbon driveway will lead to it.
 - 3. Install a 6'-0" wood privacy fence around the back yard and a gate at the driveway.
- D. Clarifications
 - 1. A site plan with the fence and a design for the fence.
 - 2. A site plan with the garage.
 - 3. A front door design.
 - 4. Design for the front transom window.
 - 5. There is a handrail design on the plans, but no place for a handrail.
 - 6. There is no sidewalk on the plan.
 - 7. Design for and number of front columns.
 - 8. Brick sample.

STAFF ANALYSIS

The new building follows the setback and orientation pattern of residences in the vicinity. Its massing and scale, including the raised foundation and footprint, are proportional to buildings typical of the district. It has a front porch, an "important regional characteristic of Mobile architecture," and other details that are in sympathy to the district. As such, it "relates to the historic context" of the district. The final plans will be necessary to determine the appropriateness of the building. These will be delivered as soon as they arrive.

The applicant will also need to contact Urban Forestry regarding the removal of any trees and Traffic Engineering and Right-of-Way regarding curb cuts.

PUBLIC TESTIMONY

Mr. and Mrs. Tucker were present to discuss the application. They thanked the Board and the Design Committee for working with them. There was considerable discussion about the design since the plans had been hastily drawn and were not correct. These details will be reflected in the Facts section of the report. Mrs. Fran Hoffman was present and thanked the Board members for their work on the design. She felt that the plan was much better and she hoped that the Tuckers were happy with it. She asked about the trees between the Tuckers property and hers and she asked about construction logistics. The Chair referred her to the Tree Commission for answers to those questions and Craig Roberts explained that though there would be a certain amount of debris, noise and inconvenience that accompanied the construction, there were laws on the books that governed these concerns. A man who had accompanied the Tuckers stood up and declared that Mrs. Hoffman had no right to be asking questions and that these were simply attacks on the Tuckers. He stated that she needed to leave them alone and they had a right to do anything they wanted adding that the Board had no power. He then left the room.

Mrs. Hoffman asked what colors the house would be painted. Councilman William Carroll then told her that she had no business asking questions about colors, that the Architectural Review Board had no power to review colors, and that she should not be speaking at the meeting.

Mrs. Hoffman replied that she felt she had been personally attacked by the first man and William Carroll and that it was her understanding that this was the appropriate forum to ask these questions.

The Chair thanked Mrs. Hoffman for her input and thanked the Tuckers for working with the Board and then closed the public hearing.

BOARD DISCUSSION

The Board discussion occurred concurrently with the beginning of the public hearing when details of the plan were worked out.

FINDING OF FACT

Craig Roberts moved that, based upon the evidence presented in the application and during the Board discussion, that the Board finds the facts in the Staff report and amends them as follows:

C1e replace "Board and Batten" with "lapped siding".

C1m: The front door to the house will be brought in line with the front wall of the main house.

C1n: The foundation will use a brick tile instead of a full size brick.

C1o: The chimney will use brick tile and be shortened.

C1p: A 4 light window will be added to the closet.

C1q: The dormer will be installed on the right side.

C1r: The front porch columns will be equidistant with attached half columns at the house and one column will be deleted.

C1s: The dormer windows will be four lights.

C1t: The columns will be Fypon, non-tapered, with a recessed panel.

C2d: There will be a pedestrian door added to the left side of the garage.

C2e: Rectangular wood vents like that on the house will be added to the front and rear gables of the garage.

Jim Wagoner seconded the motion which passed unanimously.

DECISION ON THE APPLICATION

Bunky Ralph 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 was seconded by Jim Wagoner and unanimously approved.

Certificate of Appropriateness Expiration Date: 6/18/09.

STAFF NOTES:

1) These meetings are public hearings. Mrs. Hoffman was correct in addressing her questions to the Architectural Review Board.

2) The ARB does review colors. Councilman Carroll was incorrect in his statements.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

135-06-CA: 1507 Springhill Avenue
Applicant: The Neon Zone for Hallmark Petroleum
Received: 06/03/06 (+45 Days: 07/18/08)
Meeting: 06/18/08

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way
Classification: Non-Contributing
Zoning: B-2
Project: Install a 50 sq. ft. monument sign.

BUILDING HISTORY

Currently a new filling station and convenience store is under construction at this site. The Board approved the new plans along with the demolition of the previous building.

STANDARD OF REVIEW

Section 9 of the Historic Preservation Ordinance states that “the Board shall not approve any application proposing a Material Change in Appearance unless it finds that the proposed 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 historic district...”

STAFF REPORT

- A. The Board had approved in February of 2007 a standard Texaco sign of 50 sq. ft. but of different materials and different height.
- B. The sign design guidelines state for materials: The structural materials of the sign should match the historic materials of the building. Wood, metal, stucco, stone or brick, is allowed. Plastic, vinyl or similar materials are prohibited.
- C. The request is for three signs:
 - 1. Monument Sign
 - a. Plastic face on aluminum frame
 - b. Brick base 2’6” tall
 - c. Plastic sign 3’6” x 7’ for a total of 49 square feet.
 - d. Sign will be black with white lettering, the Texaco logo; and changeable copy area for gas prices.
 - e. Ground lit.
 - 2. Canopy sign:
 - a. Plastic face, aluminum sides and back
 - b. Sign will be 8’11” wide, 1.5 feet tall for a total of 13.38 sq. ft.
 - c. Canopy mount is 16 feet high
 - d. Sign will be red Texaco letters
 - e. No lighting
 - 3. Building Signage
 - a. Plastic face, aluminum sides and back bolted to a plywood backer.
 - b. Sign will be 16’ x 2’ for a total of 32 sq. ft.
 - c. Sign will be on fascia of building, 16’ high
 - d. Sign will match the red lettering used elsewhere
 - e. Light will be by gooseneck lights attached to the building.

STAFF ANALYSIS

The Ordinance allows a maximum of 64 square feet of signage per tenant. The total signage is 94.38 square feet. The guidelines also restrict the use of plastic. The Board generally restricts the maximum height of monument signs to 5 feet. Staff sees no alternative but to deny the application and encourage the owners to resubmit another application.

PUBLIC TESTIMONY

Marcus Turner was present to discuss the application. He stated that the Food Mart and the Texaco were different tenants and each should be allowed 64 sq. ft. under the multi-tenant rule. Later, another tenant would come and ask for more signage for the remaining storefront. The Board asked if each item in the store should be considered a separate tenant. Mr. Turner agreed to lower the monument sign base by one foot.

BOARD DISCUSSION

Upon failure of a motion to pass the request, the Board reopened discussion. There was concern expressed by the members that there were not two separate tenants on the property. The Board members asked for clarification from the attorney. The attorney stated that this was a decision for the Board to make. The Board asked how Urban Development would treat the signage. With this question unanswered, the Board treated the request as though an appeal would have to go before the Board of Zoning Adjustment. The Board noted that the signage was typical for this type of business and that the amount was acceptable to the ARB if the Board of Zoning Adjustment had no objections.

FINDING OF FACT

Jim Wagoner moved that, based upon the evidence presented in the application and during the Board discussion, that the Board finds the facts in the Staff report amending fact C1b so the brick base would be 1'6" tall. The motion was seconded by Mary Couser and unanimously approved.

DECISION ON THE APPLICATION

Craig Roberts moved that, based upon the facts as amended by the Board, the application does impair the historic integrity of the district or the building and that a Certificate of Appropriateness be issued conditional upon a variance being obtained from the Board of Zoning Adjustment. The motion was seconded by Jim Wagoner and approved with one dissenting vote.

Certificate of Appropriateness Expiration Date: 6/18/09.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

058-08-CA: 1416 Eslava
Applicant: Douglas Kearley for Skip and Briley Shirah
Received: 06/03/08 (+45 Days: 07/18/08)
Meeting: 06/18/08

INTRODUCTION TO THE APPLICATION

Historic District: Leinkauf Historic District
Classification: Non-Contributing
Zoning: R-1
Project: Extensive renovations to the front of the house and removing the rear shed addition.

BUILDING HISTORY

The building would appear to be from circa 1930 but has had extensive inappropriate changes that make it non-contributing.

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 building is probably from around 1930 but has had numerous changes to it. Brick has been extended up the sides of the building and the original siding has been covered/replaced with metal siding. Windows and doors have been altered and the front porch has been enclosed.
- B. The Guidelines state that “The form and shape of the porch and its roof should maintain their historic appearance. The materials should blend with the style of the building.” “Historic porches should be maintained and repaired to reflect their period.” “Original window openings should be retained as well as original window sashes and glazing. ... The size and placement of new windows for additions or alterations should be compatible with the general character of the building.” “Original doors and openings should be retained along with any moldings, transoms and sidelights. Replacements should respect the age and style of the building.” “The original siding should be retained and repaired. Replacement of exterior finishes, when required, must match the original in profile dimension and material.”
- C. The applicant is proposing to
 - 1. Open up the porch and install two 14 inch square columns.
 - 2. Replace the front picture window with a double 3/1 window.
 - 3. Replace the front window to the right of the porch with a double 3/1 window (according to the owner, the drawing shows a 1/1)
 - 4. Install a half glass front door.
 - 5. Remove the metal siding and brick from the front of the house.
 - 6. Install chain brick foundation with salvaged brick.
 - 7. Install new steps.
 - 8. Renovate the triple vent.
 - 9. Remove the rear addition for a patio.
- D. Information needed
 - 1. Clarification on the windows.

2. Clarification on the rear.
3. Clarification on the vent.
4. Is the wood siding under the metal, or will new wood siding be used?

STAFF ANALYSIS

Staff believes that opening the front porch, removing the metal siding and brick from the front will improve the historic character of the building. Staff also believes this to be true of the rear addition. Therefore staff believes the work will not impair the integrity of the district and recommends approval.

PUBLIC TESTIMONY

Douglas Kearley was present to discuss the application and answer questions. He clarified that the windows would be wood 1/1; that an original window and door would be exposed when the rear addition is removed; the vent was existing and would remain; and there is wood siding beneath the metal that would be repaired.

BOARD DISCUSSION

The Board discussed the request. Several members mentioned that the Board would like to see the picture window replaced with paired wood 1/1 windows to match the new windows to the right.

FINDING OF FACT

Bunky Ralph moved that, based upon the evidence presented in the application and during the Board discussion, that the Board finds the facts in the Staff report. The motion was seconded by Tom Karwinski and unanimously approved.

DECISION ON THE APPLICATION

Bunky Ralph moved that, based upon the facts found by the Board, that the application does not impair the historic integrity of the district or the building and that a Certificate of Appropriateness be issued with the recommendation that paired, wood, 1/1 windows be installed in place of the picture window. The motion was seconded by Mary Couser and unanimously approved.

Certificate of Appropriateness Expiration Date: 6/18/09.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

135-06-CA: 68 N. Monterey
Applicant: Douglas Kearley for Patrick and Althea Kingsmill
Received: 06/03/08 (+45 Days: 07/18/08)
Meeting: 04/18/08

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way Historic District
Classification: Contributing
Zoning: R1
Project: Reroof house; repair siding and repaint; add 10 foot wide addition at second floor enclosing partially enclosed rear upper porch. Build new wood porch (removing existing porch). Remove non-functioning and deteriorated chimney.

BUILDING HISTORY

This is currently the home of Jamie &

STANDARD OF REVIEW

Section 9 of the Historic Preservation Ordinance states that “the Board shall not approve any application proposing a Material Change in Appearance unless it finds that the proposed 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 historic district...”

STAFF REPORT

- A. The building is a large two story, classical revival structure from 1909. It is located in a section of North Monterey known for its large scale homes and wide street.
- B. The guidelines say of porches: “The porch is an important regional characteristic of Mobile architecture. Historic porches should be maintained and repaired to reflect their period.... Where rear or side porches are to be enclosed, one recommended method is to preserve the original con-figuration of columns, handrails, and other important architectural features.”
- C. The plans call for changes to the rear:
 - 1. The addition would be on the second floor and extend over the current first floor extension, enclosing the small glassed in porch on the second floor.
 - 2. There are two variations submitted for the rear of the house.
 - 3. Plan A uses two sets of French doors from the current kitchen and a single door from the new kitchen.
 - 4. Plan B replaces one of the current kitchen windows with a door and has a double door from the extension.
 - 5. The porch uses a hipped roof mimicking the slope of the house roof.
 - 6. Columns are clustered on the porch with an intervening handrail.
 - 7. The first floor extension windows are altered.
 - 8. Remove a chimney.
 - 9.
- D. Clarifications
 - 1. The plans were submitted by email and have been difficult to read. None of the notes are legible and need to be clarified.
 - 2. It is also difficult to tell what happens with the second story additions roof.
 - 3. Materials are unknown

4. Roofing materials are unknown.
5. Details need clarification.
6. Location of the chimney needs clarification.
7. Will the whole roof be modified to accommodate the addition?

STAFF ANALYSIS

The poor condition of the submission makes it difficult to accurately judge the effect of the changes. Generally, this type of addition is acceptable to the Board. However, the Board usually requires that some evidence of the original configuration of the building remain in order that the history of the house can be read and that a future restoration could accurately go back to the original.

Also, the Board has on occasion requested that the handrails remain to indicate the loss of the porch. It is the opinion of the staff that retaining the handrails would be counterproductive to the use of the second floor room. It appears that the new porch will be matching the historic features of the current porch allowing that portion of the historic character to remain. Staff would suggest the use of corner boards or some other device be employed to differentiate the new from the original.

Often the Board refuses to allow the demolition of chimneys. Clarification of the request may indicate the proper action to be taken. Overall, staff does not believe the request would impair the historic character of the district or the building. However, the use of materials, the roofline, details of the columns and balustrade, among other concerns need to be completely understood before a COA is granted.

PUBLIC TESTIMONY

Douglas Kearley was present to discuss the application. He clarified the questions in the staff report. The rear roof line will be restructured and extended and utilize the attic vent. The exterior will be wood to match the current. A shingle to match the existing will be used for the roof. The porch rail will be used from the original second floor porch. The columns will be evenly spaced.

BOARD DISCUSSION

The Board discussed the request.

FINDING OF FACT

Mary Couser moved that, based upon the evidence presented in the application and during the Board discussion, that the Board finds the facts in the Staff report. The motion was seconded by Tom Karwinski and unanimously approved.

DECISION ON THE APPLICATION

Bunky Ralph moved that, based upon the facts found by the Board, that the application does impair the historic integrity of the district and the building and the request to remove the chimney be denied, but that a Certificate of Appropriateness be issued for the other proposed work. The motion was seconded by Tom Karwinski and unanimously approved.

Certificate of Appropriateness Expiration Date: 6/18/09.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

058-08-CA: 560 Dauphin
Applicant: Kimberley Knowles
Received: 06/06/08 (+45 Days: 07/21/08)
Meeting: 06/18/08

INTRODUCTION TO THE APPLICATION

Historic District: Lower Dauphin Street Commercial District
Classification: Non-Contributing
Zoning: B4
Project: Paint previously unpainted brick.

BUILDING HISTORY

The building would appear to be from circa 1950 and is one of several storefronts.

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 building is comprised of five storefronts which have been painted without permission over a number of years. This is the easternmost portion of the building. There appear to be two different kinds of brick.
- B. While the painting of unpainted brick is generally not allowed on historic buildings, the Board has and does approve painting brick on non-historic buildings. The guide that the Board uses is the impact of the painting on the surrounding historic buildings and neighborhood.
- C. The applicant is proposing to paint the unpainted brick Bayou Shade; the door Jekyll Club Cherokee Rust; and the trim Jekyll Club Veranda Ivory.

STAFF ANALYSIS

Though the use of paint on bricks is discouraged it is allowed on non-contributing buildings when it does not impair the historic integrity of the district. In this case, the building is composed of a number of storefronts that are/were substantially harmonious within itself. The illegal painting of the first two portions of the building has created a structure that injects itself more into the historic district. Staff believes that adding yet another paint scheme to a building which already impairs the district would be to compound the problem. Therefore the staff believes the request would impair the historic character of the district. The staff would not object to all of the building be painted in a consistent paint scheme.

PUBLIC TESTIMONY

No one was present to discuss the application.

BOARD DISCUSSION

The Board discussed the appropriateness of having multiple paint schemes on a single building. There were also questions about the plans for the storefront. The Board asked if the owner of the property knew about the request and what his plans might be for the rest of the structure.

FINDING OF FACT

There was no finding of facts.

DECISION ON THE APPLICATION

Bunky Ralph moved that the application be denied for lack of information. The motion was seconded by Mary Couser and unanimously approved.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

058-08-CA: 358 Michigan
Applicant: Cecil P. Diaz Jr. and Robert Dueitt
Received: 06/06/08 (+45 Days: 07/21/08)
Meeting: 06/18/08

INTRODUCTION TO THE APPLICATION

Historic District: Leinkauf Historic District
Classification: Contributing
Zoning: R-1
Project: Install 6 foot, dog-eared wood, privacy fence.

BUILDING HISTORY

This is a large two story house constructed in 1907, perhaps as rental property.

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 building is a large two story classical revival house built about 1907. It is currently a rental property divided into several apartments.
- B. The Guidelines state fences “should complement the building and not detract from it. Design, scale, placement and materials should be considered along with their relationship to the Historic District.”
- C. The applicant is proposing to construct a 6 foot, dog-eared privacy fence along the south property line. The fence will run from the front corner of the side bay back to the rear outbuilding. There will be a four foot wide gate.

STAFF ANALYSIS

Six foot fences of a similar nature are found throughout the historic districts. This is appreciably no different than those previously approved. Staff does not believe it will impair the historic quality of the district or the building.

PUBLIC TESTIMONY

No one was present to discuss the application.

BOARD DISCUSSION

The Board discussed the request and its relationship to the rear building.

FINDING OF FACT

Bunky Ralph moved that, based upon the evidence presented in the application and during the Board discussion, that the Board finds the facts in the Staff report. The motion was seconded by Mary Couser and unanimously approved.

DECISION ON THE APPLICATION

Bunky Ralph moved that, based upon the facts found by the Board, that the application does not impair the historic integrity of the district or the building and that a Certificate of Appropriateness be issued. The motion was seconded by Craig Roberts and unanimously approved.

Certificate of Appropriateness Expiration Date: 6/18/09.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

WITHDRAWN

119-06-CA: 505 St. Francis Street
Applicant: Della Adams
Received: 11/02/06 (+45 Days: 12/17/06)
Meeting: 11/27/06

INTRODUCTION TO THE APPLICATION

Historic District: Lower Dauphin
Classification: Contributing
Zoning: B-4
Project: Demolish residence and sell vacant lot.

BUILDING HISTORY

This one-story frame dwelling was built circa 1900 in what was once a vibrant residential district. It sits across from the 1878 Hunter House, which is a National Register property, and next to the 1834 Dade House. Around the corner on Cedar a series of similar houses is undergoing renovation.

STANDARD OF REVIEW

Section 44-79 of the Mobile City Code – Demolition/Relocation of structures within the Historic Districts:

- (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:
- (1) The historic or architectural significance of the structure;
 - (2) The importance of the structure to the integrity of the historic district, the immediate vicinity, an area, or relationship to other structures;
 - (3) The difficulty or the impossibility of reproducing the structure because of its design, texture, material, detail or unique location;
 - (4) 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;
 - (5) 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.
- (b) *Content of applications.* All applications to demolish or remove a structure in a historic district shall contain the following minimum information:
- (1) The date the owner acquired the property, purchase price, and condition on date of acquisition;
 - (2) The number and types of adaptive uses of the property considered by the owner;
 - (3) Whether the property has been listed for sale, prices asked and offers received, if any;
 - (4) 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;
 - (5) Replacement construction plans for the property in question and amounts expended upon such plans, and the dates of such expenditures;

- (6) 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
 - (7) 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.

STAFF REPORT

A. Demolish Residence

1. Currently, 505 St. Francis Street is in a decrepit state. The City recently declared the property a public nuisance, and it has directed that the owner repair or demolish the building.
2. In considering demolitions, the Design Review Guidelines refer to **Section 44-79 of the Mobile City Code**, discussed above. There are a number of points which have not been satisfied:
 - a. The owner has not considered any adaptive uses for the building.
 - b. Since December of 2006, the owner has attempted to sell the building for \$30-\$35000. There have been inquiries but no offers were made.
 - c. The owner has not considered other alternatives to demolition.
 - d. The owner has not made any replacement construction plans.
 - e. The owner states vagrants keep breaking into the house.
 - f. The owner received the house as a bequest and has no money in the property.
 - g. The owner says the house is beyond repair according to her contractor.

B. Sell Vacant Lot

C. Analysis according to the **Section 44-79 of the Mobile City Code**

- (1) **The historic or architectural significance of the structure:** the building is a one story, frame Victorian that was an integral part of the post Civil War recovery of the 1880s through the first decade of the twentieth century. Its form, materials, and construction are typical of the time. It is a contributing building in the district.
- (2) **The importance of the structure to the integrity of the historic district, the immediate vicinity, an area, or relationship to other structures:** This is one of about eight or so residential buildings that remain in the area. As such, it and the adjacent buildings, are integral to the street scene and represent one of the few groups of historic small houses in the Hank Aaron Loop north of Dauphin Street.
- (3) **The difficulty or the impossibility of reproducing the structure because of its design, texture, material, detail or unique location:** Though faux Victorian has been a popular style for the last several decades the ability to reproduce a true Victorian would be highly expensive and virtually impossible. The use of true dimensional lumber and old growth woods is never done in a building of this size. The likelihood of this building being accurately reproduced would be highly unlikely.
- (4) **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:** This is an excellent example of the modest Victorian house of the turn of the 20th century. Its importance as one of an ensemble of structures is paramount. Its removal, along with the one next door, would result in an isolation of the Betty Hunter House which is individually listed on the National Register of Historic Properties. Now it serves as one of a group of four and as a bridge to the four houses around the corner on Cedar St.
- (5) **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.** There are no plans for the property except to sell the empty lot.

STAFF ANALYSIS

The current absentee owner has left this building abandoned for a number of years, having made no attempt to improve upon or reuse the property or sell the residence. In addition, there are no definite post-demolition plans. The deteriorated condition is the responsibility of the current owner who has owned the building since July of 2000 and has neglected it. There have been several inquiries for the property and the lack of a firm price may have contributed to the lack of a sale.

Although the building has been neglected, it is one of the few residences left in this once thriving neighborhood. Allowing it to remain and be restored gives context to both the Hunter House across the street and the Dade House next door. In addition two buildings around the corner on Cedar Street have been recently renovated bringing this small enclave of historic houses back. Retaining this house also avoids yet another empty lot, which the MHDC is working hard to prevent. Additionally, new businesses and residents in downtown Mobile are helping to revive the area.

As a contributing building to the Lower Dauphin Street Historic District, the demolition or removal of this building would result not only in an impairment of the historic structure, but also the historic district. Staff recommends denial of this application.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

WITHDRAWN

120-06-CA: 507 St. Francis Street
Applicant: Della Adams
Received: 11/06/06 (+45 Days: 12/21/06)
Meeting: 11/27/06

INTRODUCTION TO THE APPLICATION

Historic District: Lower Dauphin
Classification: Contributing
Zoning: B-4
Project: Demolish residence.

BUILDING HISTORY

This one-story frame dwelling was built circa 1900 as a small, two-story duplex in what was once a vibrant residential district. According to neighbors, the second story was lost in Hurricane Frederick. It sits across from the 1878 Hunter House, which is a National Register property. Around the corner on Cedar a series of similar houses is undergoing renovation.

STANDARD OF REVIEW

Section 44-79 of the Mobile City Code – Demolition/Relocation of structures within the Historic Districts:

- (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:
- (1) The historic or architectural significance of the structure;
 - (2) The importance of the structure to the integrity of the historic district, the immediate vicinity, an area, or relationship to other structures;
 - (3) The difficulty or the impossibility of reproducing the structure because of its design, texture, material, detail or unique location;
 - (4) 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;
 - (5) 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.
- (b) *Content of applications.* All applications to demolish or remove a structure in a historic district shall contain the following minimum information:
- (1) The date the owner acquired the property, purchase price, and condition on date of acquisition;
 - (2) The number and types of adaptive uses of the property considered by the owner;
 - (3) Whether the property has been listed for sale, prices asked and offers received, if any;
 - (4) 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;

- (5) Replacement construction plans for the property in question and amounts expended upon such plans, and the dates of such expenditures;
 - (6) 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
 - (7) Such other information as may reasonably be required by the board.
- (d) *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.

STAFF REPORT

A. Demolish Residence

- 1. Currently, 507 St. Francis Street is in a state of disrepair. The City recently declared the property a public nuisance, and it has directed that the owner repair or demolish the building.
- 2. In considering demolitions, the Design Review Guidelines refer to **Section 44-79 of the Mobile City Code**, discussed above. There are a number of points which have not been satisfied:
 - h. The owner has not considered any adaptive uses for the building.
 - i. Since December of 2006, the owner has attempted to sell the building from \$30-40,000. There have been inquiries but no offers were made.
 - j. The owner has not considered other alternatives to demolition.
 - k. The owner has not made any replacement construction plans.
 - l. The owner states vagrants keep breaking into the house.
 - m. The owner received the house as a bequest and has no money in the property.

B. Sell Vacant Lot

C. Analysis according to the **Section 44-79 of the Mobile City Code**

- (1) **The historic or architectural significance of the structure:** the building is a one story, frame Victorian that was an integral part of the post Civil War recovery of the 1880s through the first decade of the twentieth century. Its form, materials, and construction are typical of the time. It is a contributing building in the district. The building did suffer damage during Hurricane Frederick when a second floor was destroyed. In addition the front porch was altered, probably in the 1930s, when the original Victorian porch was replaced with a more bungalow design. The porch has achieved historic importance but an attached Victorian post remains should it be desired to restore to that period.
- (2) **The importance of the structure to the integrity of the historic district, the immediate vicinity, an area, or relationship to other structures;** This is one of about eight or so residential buildings that remain in the area. As such, it and the adjacent buildings, are integral to the street scene and represent one of the few groups of historic small houses in the Hank Aaron Loop north of Dauphin Street.
- (3) **The difficulty or the impossibility of reproducing the structure because of its design, texture, material, detail or unique location:** Though faux Victorian and faux bungalow have been popular styles for the last several decades the ability to reproduce them would be highly expensive and virtually impossible. The use of true dimensional lumber and old growth woods is never done in a building of this size. The likelihood of this building being accurately reproduced would be highly unlikely.
- (4) **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;** The importance of this building is in being one of an ensemble of structures. Its removal, along with the one next door, would result in an isolation of the Betty Hunter House which is individually listed on the National Register of Historic Properties. Now it serves as one of a group of four and as a bridge to the four houses around the corner on Cedar St.
- (5) **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. There are no plans for the property except to sell the empty lot.

RECOMMENDATION

The current absentee owner has left this building abandoned for a number of years, having made no attempt to improve upon or reuse the property or sell the residence. Previous correspondence with the property owner resulted in no action. In addition, there are no definite post-demolition plans. The deteriorated condition is the responsibility of the current owner who has owned the building since July of 2000 and has neglected it. There have been several inquiries for the property and the lack of a firm price may have contributed to the lack of a sale.

Although the building is in an extreme state of neglect, it is one of the few residences left in this once thriving neighborhood. Allowing it to remain and be restored gives context to the Hunter House across the street and the Dade House two doors down. In addition two buildings around the corner on Cedar Street have been recently renovated bringing this small enclave of historic houses back. It also avoids yet another empty lot, which the MHDC is working hard to prevent. Additionally, new businesses and residents in downtown Mobile are helping to revive the area.

As a contributing building to the Lower Dauphin Street Historic District, the demolition or removal of this building would result not only in an impairment of the historic structure, but also the historic district. Staff recommends denial of this application.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

135-06-CA: 13 N. Dearborn
Applicant: Tilmon & Jamie Brown
Received: 06/04/08 (+45 Days: 07/19/08)
Meeting: 04/08/08

Conflicts of Interest: Tilmon Brown the Chair announced as owner of the property he had a conflict of interest and left the room. Devereaux Bemis announced that he had been involved in some of the design issues as a friend of the applicant. Due to the staff shortage he had to do the Staff Analysis, but would not make a recommendation. He is however taking the minutes and will prepare them for the Board.

INTRODUCTION TO THE APPLICATION

Historic District: Lower Dauphin Street Commercial
Classification: Contributing
Zoning: B-4
Project: Install fence and rollback gate as per submitted drawings. Wood panels painted green (same green as Portier House fence). Install exterior patio covering using antique cast iron columns; standing seam roof; painted green to match existing structure.

BUILDING HISTORY

This is currently the home of Jamie &

STANDARD OF REVIEW

Section 9 of the Historic Preservation Ordinance states that “the Board shall not approve any application proposing a Material Change in Appearance unless it finds that the proposed 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 historic district...”

STAFF REPORT

- A. This building is from the 1868 and was originally constructed as the Creole Fire Station. The fire station closed in the early part of the 20th century and the building was adapted for business use. The current owner uses it as his residence. The current fence is all wood, 8 feet tall. The patio cover will go in the place previously occupied by an addition to the firehouse.
- B. The guidelines say of accessory structures: “The appropriateness of accessory structures shall be measured by the guidelines applicable to new construction. The structure should complement the design and scale of the main building.” If treated as an addition, the Secretary of the Interior Standards say: “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.” For fences the guidelines say: These 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. The height of solid fences in historic districts is generally restricted to six feet, however, if a commercial property or multi-family housing adjoins the subject property, an eight foot fence may be considered.”
- C. The plans call for a Fence and a Patio Cover
 - 1. The fence will be wood with a radius top between piers to match the radius of the doorways.

2. The piers will be stucco block columns with pyramidal caps and be 7 feet 6 inches tall.
3. The stucco columns will be 6½ inches square.
4. The wood will range in height from 7 feet tall to 7 feet 6 inches.
5. The home abuts a commercial structure to the west.
6. The gate will be beaded board with a decorative spandrel.
7. The spans of wood fencing will be 8 feet wide.
8. The fence will be painted green.
9. The outbuilding will be an open air cooking area.
10. It will be hipped, attached to the building and resting on two historic cast iron columns.
11. The roof will be a green standing seam metal.
12. It will be 10 feet from ground to soffit, 16 feet wide and 16 feet deep.
13. The fascia and posts will be painted green to match the fence.
14. The cement slab will be tiled.

STAFF ANALYSIS

This will be a small addition to the rear of the building and a fence. Being an open air building, it can be addressed as an accessory structure or an addition. The guidelines to judge either by are located in section B as well as the guidelines for the fence. Staff has been very involved in the development of these plans and will not make a recommendation on the requests.

PUBLIC TESTIMONY

Jamie Brown was present to discuss the application. In response to questions from the Board, she stated that the overall fence design would go completely around the yard per the submitted design; the piers would use a true stucco system; and the colors would utilize the colors already present on the house. She also corrected the facts by stating the stucco columns would be 16½ inches square.

BOARD DISCUSSION

The Board discussed the request.

FINDING OF FACT

Craig Roberts moved that, based upon the evidence presented in the application and during the Board discussion, that the Board finds the facts in the Staff report amending fact C.3. to read, "The stucco columns will be 16½ inches square." The motion was seconded by Mary Couser and unanimously approved.

DECISION ON THE APPLICATION

Craig Roberts moved that, based upon the facts as amended by the Board, that the application does not impair the historic integrity of the district or the building and that a Certificate of Appropriateness be issued. The motion was seconded by Jim Wagoner and unanimously approved.

Certificate of Appropriateness Expiration Date: 6/18/09.