ARCHITECTURAL REVIEW BOARD MINUTES June 20, 2012 – 3:00 P.M. Pre-Council Chambers, Mobile Government Plaza, 205 Government Street

A. CALL TO ORDER

- The Chair, Harris Oswalt, called the meeting to order at 3:00. Cart Blackwell, MHDC Staff, called the roll as follows: Members Present: Gertrude Baker, Kim Harden, Nick Holmes III, Thomas Karwinski, Andrew Martin, Harris Oswalt, Craig Roberts, and Jim Wagoner. Members Absent: Carlos Gant, Bradford Ladd, and Janetta Whitt-Mitchell. Staff Members Present: Cart Blackwell and John Lawler.
- 2. Mr. Karwinski moved to approve the minutes of the June 6, 2012 meeting. The motion received a second and passed unanimously.
- 3. After questioning midmonth # 8, Mr. Karwinski moved to approve the midmonth COA's granted by Staff. The motion received a second and passed unanimously.

B. MID MONTH APPROVALS: APPROVED

1. Applicant: Chuck Weems

- a. Property Address: 1653 Government Street
- b. Date of Approval: 5/30/12
- c. Project: Repaint the building per the existing color scheme.

2. Applicant: Kyle Taylor

- a. Property Address: 357 Charles Street
- b. Date of Approval: 5/29/12
- c. Project: Install an 8' by 10' storage shed (per the submitted brochure). The shed will be minimally visible from the public view.

3. Applicant: City of Mobile

- a. Property Address: 104 South Lawrence Street
- b. Date of Approval: 5/31/12

c. Project: Paint the house in the same color scheme. Repair/replace rear steps and rails matching the existing in profile, dimension and materials. Repair fence, replacing pickets as needed matching the existing in profile, dimension and materials. All repairs to be painted to match existing color scheme.

4. Applicant: Conley Reilly

- a. Property Address: 15 North Reed Avenue
- b. Date of Approval: 5/31/12

c. Project: Repaint the house per the submitted Valspar color scheme. The body will be Woodlawn Colonial Gray. The trim will be Woodlawn Bedroom White. The door will be La Fonda Midnight. Repair and when necessary replace deteriorated woodwork to match the existing with regard to materials, profile, and dimension.

5. Applicant: Chris Huff

- a. Property Address: 11 Semmes Avenue
- b. Date of Approval: 5/29/12

c. Project: Repair and replace deteriorated woodwork and siding when and where necessary to match the existing in profile, dimension, and material. Replace porch columns to match the existing. Repaint the house per the existing color scheme. Repair sections of roofing. The shingles will match existing.

6. Applicant: Janie Dunlap

- a. Property Address: 55 North Georgia Avenue
- b. Date of Approval: 6/1/12

c. Project: Install a six foot high privacy fence along the southern lot line, one which will not extend beyond the front plan of the house. A three foot high section of fencing will extend between the sidewalk and the aforementioned fence.

7. Applicant: Terry Lamb

- a. Property Address: 20 McPhillips Street
- b. Date of Approval: 6/4/12
- c. Project: Reroof the house.

8. Applicant: Ben Cummings for the Oakleigh Garden District Society

- a. Property Address: across district
- b. Date of Approval: 6/4/12
- c. Project: Replace historic district signage.

9. Applicant: Nancy Henken

- a. Property Address: 163 Roberts Street
- b. Date of Approval: 6/5/12
- c. Project: Reroof the house with architectural shingles.

10. Applicant: Susan Rhodes

- a. Property Address: 22 South Ann Street
- b. Date of Approval: 6/5/12
- c. Project: Remove and install concrete walkways and drives.

11. Applicant: Debra Cary

- a. Property Address: 22 South Conception Street
- b. Date of Approval: 6/6/12
- c. Project: Suspend a hanging metal sign from the underside of the building's balcony. The double-faced sign will be a total of 12 square feet and will meet overhead restrictions. The sign will feature the name of the business establishment.

12. Applicant: Brian Weeks

- a. Property Address: 350 Michigan Avenue
- b. Date of Approval: 6/6/12
- c. Project: Remove existing roof and reroof Timberline dimensional shingle in Pewter Grey.

13. Applicant: Michael Strickland

- a. Property Address: 255 McDonald Avenue
- b. Date of Approval: 6/6/12
- c. Project: Reroof with charcoal gray shingles and paint house white with gray trim.

14. Applicant: Sara Hoeb

- a. Property Address: 251 Dexter Avenue
- b. Date of Approval: 6/6/12
- c. Project: Replace asphalt roof shingles to match and replace chimney flashing. Repair rotten wood on porch to match.

15. Applicant: Chris Bowen

- a. Property Address: 129 Bush Avenue
- b. Date of Approval: 6/6/12
- c. Project: Replace rotten wood as necessary and paint to match.

16. Applicant: Philip Nabb

- a. Property Address: 104 Bradford Avenue
- b. Date of Approval: 6/8/12
- c. Project: Repair and replace deteriorated woodwork to match the existing in profile, dimension, and material. The work will match the existing.

17. Applicant: Downtown Mobile Alliance

- a. Property Address: 260 Dauphin Street
- b. Date of Approval: 6/7/12

c. Project: Correct previous COA allowing a three month temporary banner.

Banners are restricted by ordinance to 30 day. Applicants have permission install a 30 day banner at the site.

18. Applicant: Mack Lewis

- a. Property Address: 158 South Jefferson Street
- b. Date of Approval: 6/8/12

c. Project: Repair / replace porch decking as needed and remove non-conforming plate glass window at rear of house and replace with a 2-over-2 double hung window to match existing.

C. APPLICATIONS

b.

1. 2012-41-CA: 1009 Augusta Street

- a. Applicant: Ben Cummings for Mr. & Mrs. Bay Haas
 - Project: New Construction Construct a garden shed.

APPROVED AS AMENDED. CERTIFIED RECORD ATTACHED.

2. 2012-42-CA: 254 Saint Anthony Street

- a. Applicant: Thomas Latham with Clark, Geer, Latham and Associates for the Society of 1868
- b. Project: New Construction Construct an outdoor fireplace.

APPROVED. CERTIFIED RECORD ATTACHED.

3. 2012-43-CA: 11 North Lafayette Street (Staff files list the address as 1450 Dauphin Street.)

- a. Applicant: Thomas Latham with Clark, Geer, Latham and Associates for McGill-Toolen Catholic High School
- b. Project: Fencing Install fencing around additional areas of the school complex.

APPROVED AS AMENDED. CERTIFIED RECORD ATTACHED.

D. **OTHER BUSINESS**

- 1. 20 South Catherine Street
- 2. Discussion

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS CERTIFIED RECORD

2012-41-CA:1009 Augusta StreetApplicant:Ben Cummings for Bay HaasReceived:6/4/12Meeting:6/20/12

INTRODUCTION TO THE APPLICATION

Historic District:	Oakleigh Garden
Classification:	Contributing
Zoning:	R-1
Project:	New Construction - Construct a garden shed.

BUILDING HISTORY

This Italianate residence dates from 1871. It is one of three wooden side hall houses with recessed wings that that line southern side of Washington Square.

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 June 11, 1998. At that time, the Board approved the construction of a rear porch. This application calls for the construction of an ancillary structure.
- B. The Design Review Guidelines for Mobile's Historic Districts state, in pertinent part:
 - 1. "An ancillary structure is any construction other than the main building on the property. It includes, but is not limited to garages, carports, pergolas, decks, pool covers, sheds and the like. The appropriateness of ancillary structures shall be measured by the guidelines applicable to new construction. The structure should complement the design and scale of the main building."
- C. Scope of Work (per submitted plans):
 - 3. Construct a wooden garden shed.
 - a. The garden shed will measure 12' in width and 12' feet in depth.
 - b. A 4' deep pergola supported by four square section post will front the gabled roofed building. Lattice panels will connect the two posts.
 - c. The building will rest atop a concrete slab.
 - d. Wooden siding will sheath the building.
 - e. A 5-V crimp metal roofing sheets will cover the roof.
 - f. The North Elevation will feature a pair of wooden, six light French doors (located behind the pergola).
 - g. A circular window will punctuate the North Elevation's gable.
 - h. The East Elevation will feature an open fenestrated bay.

- i. The South Elevation will feature a four light wooden window.
- j. The West Elevation will not feature fenestration

STAFF ANALYSIS

This application involves the construction of a garden shed. The garden shed would be minimally visible from the public and would meet setback requirements.

The Design Review Guidelines for Mobile's Historic Districts state that ancillary construction should complement the design of the property's principal building. Employing traditional materials and adopting a traditional form, the proposed building will add to the character of this historic residential ensemble.

STAFF RECOMMENDATION

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

PUBLIC TESTIMONY

Ben Cummings was present to discuss the application.

BOARD DISCUSSION

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

Mr. Oswalt asked his fellow Board members if they had any questions to ask the applicant's representative. Mr. Karwinski said he had several questions to ask.

Addressing Mr. Cummings, Mr. Karwinski stated that there were several conflicts between the scope of work and the drawings. He said that while the drawings specified that the garden shed would have a corrugated metal roof, the scope of work (Section C of the Staff Report) listed a 5-V crimp metal roof.

Mr. Cummings responded by asking the Board which roof they would prefer. Mr. Karwinski directed Mr. Cummings to the 5-V crimp metal roofing saying that corrugated metal roofs, though not specified in the Guidelines, had been ruled against in earlier Board rulings.

Turning to another discrepancy between the drawings and the Staff Report, Mr. Karwinski asked how many lights would the doors feature. Mr. Cummings said that the number of lights would correspond to those illustrated by the elevation drawings. Mr. Blackwell informed the Board that this oversight, as well as the preceding, was on his part.

Mr. Oswalt asked if other Board members had any questions to ask the applicant's representative. Upon hearing no further queries or comments from the Board, Mr. Oswalt asked if there was anyone from the audience who wished to speak either for or against the application. No one from the audience spoke to the application. Mr. Oswalt closed the period of public comment.

FINDING OF FACT

Mr. Roberts moved that, based upon the evidence presented in the application and during the public testimony, the Board finds the facts in the Staff report, amending facts to note that the garden shed would feature a 5-V crimp metal roof and the French doors would feature twelve as opposed to six lights. The motion received a second and was unanimously approved.

DECISION ON THE APPLICATION

Mr. Roberst 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: 6/20/13

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS CERTIFIED RECORD

2012-42-CA:254 Saint Anthony StreetApplicant:Thomas Latham with Clark, Geer, Latham & Associates for the Society of 1868Received:5/30/12Meeting:6/20/12

INTRODUCTION TO THE APPLICATION

Historic District:	De Tonti Square
Classification:	Contributing
Zoning:	R-B
Project:	New Construction – Construct an outdoor fireplace

BUILDING HISTORY

Constructed in 1868, this house is one of Mobile's finest surviving side hall with wing houses. The Italianate residence features some of the City's finest iron work.

STANDARD OF REVIEW

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

STAFF REPORT

- A. This property last appeared before the Architectural Review Board on August 6, 2008. At that time, the Board approved alterations to the old service wing. The application at hand calls for the construction of an outdoor fireplace.
- B. The Design Review Guidelines for Mobile's Historic Districts and the Secretary of the Interior's Standards for Historic Rehabilitation state, in pertinent part:
 - 1. "New additions, exterior alterations, or related new construction shall not destroy the historic materials that characterize a property."
 - 2. "New additions and alterations 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 an outdoor fireplace (per submitted plans):
 - a. The fireplace will be located along the western lot and will be engaged into the existing brick wall.
 - b. The fireplace will be located approximately 5' 6" from the rear courtyard's western entrance and will extend slightly into the adjacent parking lot located to the west of the property.
 - c. The raised hearth, chimney breast, and chimney stack will be made of Old Mobile brick.
 - d. The hearth will surround will wrap around the chimney breast.
 - e. A flat arch will surmount the firebox.

- f. The chimney stack, one measuring 18' 6" in height, will be centered atop the chimney breast.
- g. Repoint existing brickwork when and where necessary using the appropriate mortar.

STAFF ANALYSIS

This application involves the construction of an outside fireplace.

The Design Review Guidelines for Mobile's Historic Districts do not specifically address outdoor fireplaces. The proposed fireplace would be set back into the lot and engaged into a brick wall; thereby independent of the historic residence. In accord with Secretary of the Interior's Standards, original historic features and elements that characterize the property would not be impacted. The fireplace would be made bricks matching those employed in the wall.

Similar outdoor features have been approved on other properties in the historic districts. Previously approved fireplaces have been located within porch additions. Though set back deep within the lot, the proposed freestanding chimney stack would be visible from the public view. Staff recommends that chimney be lowered in height to 8 to 12 feet.

STAFF RECOMMENDATION

Staff believes this application will impair the architectural and the historical character of the building or the district. Staff recommends that the chimney be lowered in height.

PUBLIC TESTIMONY

Thomas Latham were present to discuss the application.

BOARD DISCUSSION

The Board discussion took place concurrently with the public testimony. Mr. Oswalt welcomed the applicant's his representative.

Mr. Roberts asked Mr. Latham about the code related requirements affecting the heights of the chimnies

Mr. Latham explained to the Board the reasoning behind the design. Firstly, he told the Board that there was very little design literature regarding the construction of freestanding chimneys. He said that from what published material that was available the relationship between the height of a chimney should to be in relation to the size of the firebox. Mr. Latham then went on to detail the proportional relationship between the different parts of the fireplace.

Mr. Karwinski told Mr. Latham that he disagreed.. He said that based on his experience in remodeling buildings in the historic districts he believes that the relationship between the flue is more important than the height. He added that the one affects the other.

Mr. Latham said that while the flue does constitute an element affecting the working and design of a chimney, the American Brick Institute also includes the firebox as a principal consideration. Mr. Latham reiterated the proportional relationships and heights of the hearth, firebox, and chimney. He also described the chimney's relationship to the heights of the brick wall and the house.

Mr. Holmes disagreed with the premise of the Staff Recommendation. He stated that the fireplace would not only be an independent construction, but it would also be reversible.

Mr. Karwinski asked Mr. Latham about the ownership of the parking lot adjacent to the house lot. Noting that the chimney would step into the aforementioned lot, he and other Board members advised Mr. Latham that permitting problems might ensue.

Mr. Latham informed the Board that while the organization owns both the house and the adjacent lot and that they are aware of property related concerns stemming from the names listed on the titles.

Ms. Harden asked Mr. Latham if the applicants would be amenable to making the fireplace in plane with the wall. She told Mr. Latham this recommendation could be followed up upon if it necessary.

Mr. Holmes, Ms. Harden, and Mr. Roberts agreed that the height of the chimney was comparable to that of a one story ancillary structure or a one story addition.

Mr. Holmes and Mr. Karwinski entered into a discussion of freestanding and engaged chimneys. Mentioning an earlier project featuring a porch addition with a chimney, Mr. Holmes reiterated that the proposed work is both reversed and detached.

Mr. Oswalt asked if there were any questions to ask the applicant's representative. No further Board discussion ensued. Mr. Oswalt asked if there was anyone from the audience who wished to speak either for or against the application. No one from the audience spoke to the application. Mr. Oswalt closed the period of public comment.

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 approved. Mr. Karwinski and Mr. Martin voted in opposition.

Certificate of Appropriateness Expiration Date: 6/20/13

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS CERTIFIED RECORD

2012-43-CA:	11 North Lafayette Street (Staff files list the address as 1450 Dauphin Street.) And 1501 Old Shell Road
	1413 Old Shell Road
Applicant:	Thomas Latham with Clark, Geer, Latham and Associates for McGill Toolen
	Catholic High School
Received:	6/1/12
Meeting:	6/20/12

INTRODUCTION TO THE APPLICATION

Historic District:	Old Dauphin Way
Classification:	Non-Contributing
Zoning:	R-1
Project:	Fencing – Install fencing around additional areas of the school complex.

BUILDING HISTORY

The CYO Gymnasium dates from 1989.

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, a part of McGill Toolen Catholic High School, last appeared before the Architectural Review Board on July 20, 1989. At that time, the Old Dauphin Way Review Board approved the property's landscaping plan. McGill Toolen last appeared before the Board on October 1, 2009. On that occasion, the Board approved the construction of a New Student Center. This application calls for the installation of fencing on this property. The fencing would extend around two sides of the Gymnasium building and along the eastern and western sides of Lafayette Street onto other addresses of the McGill Toolen campus (1413 and 1501 Old Shell Road).
- B. The Design Review Guidelines for Mobile's Historic Districts state, in pertinent part:
 - 1. Fencing "should complement the building and not detract from it. Design, scale, placement and materials should be considered along with their relationship to the Historic District. The height of solid fences in historic areas 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. Scope of Work (per plans):

- 1. Install aluminum fencing
 - a. The six foot high powder coated, black painted aluminum fence will match fencing installed elsewhere on the property. At 1418 Dauphin Street (northeast corner of Dauphin Street and Lafayette Streets) for instance.

- b. The fence fronting 11 North Lafayette Street (also known as 1450 Dauphin Street) will be set back from Dauphin Street, within the lot.
- c. The fencing will extend in an easterly direction from western lot line.
- d. The fence will extend along the western side of Lafayette Street onto 1501 Old Shell Road passing in front of the Field House.
- e. The existing chain link fencing will be removed.
- f. The fencing will stop at the stuccoed wall located south of St. Mary's.
- g. One inward opening pedestrian and gates will punctuate the fence.
- h. Remove chain link fencing extending around portions of the playing field located just south of the Old Toolen Building (1413 Old Shell Road). The fencing will commence at the corner of the rear portion of the Mobile Theater Guild Building.
- i. The fence will extend to and along North Lafayette Street.
- j. The fence will fence will tie into the newer portion of the Toolen Building.
- k. One inward opening pedestrian gate and two sliding pedestrian gates will punctuate the fencing.

Staff Clarifications

- 1. What is the setback for the section of fencing extending along Dauphin Street?
- 2. Will a pedestrian gate be located at student cross walk?

STAFF ANALYSIS

This application involves the installation of fencing. The proposed fencing would be located on three lots of the McGill-Toolen complex. The six foot fence would match fencing installed elsewhere on the campus.

The Design Review Guidelines for Mobile's Historic Districts state that fencing designs should complement the principal building on a property. Ordinarily, the Board restricts the height of open fencing located beyond the front plan of a building to a height of four feet. Open fencing with a height exceeding four feet that is proposed for installation before the front of a building requires a variance from the Office of Urban Development.

Fencing of the same height and design has been installed elsewhere on the campus, notably the parking lots at 100 North Catherine Street, 1540 Old Shell Road, and 1418 Dauphin Street. The Board approved considerably taller fence that encloses part of the Alabama School of Math and Science.

The proposed fencing would be located on eastern and western sides of North Lafayette Street. A tunnellike effect would be introduced by such expansive sections of fencing. To reduce the amount fencing and counteract a tunneling effect, Staff recommends that the fencing located to the south and east of the CYO Hall and to the east of Field House not be installed (See notations on the recommended site plan.). A section of fence could extend between the southwest corner of the CYO Hall and the lot line, as well as a between the northeast corner of the CYO Hall to the section of fence extending to the south of the Field House. By removing the fencing located around the CYO Hall and in front the Field House, security could be provided without sacrificing the visual integrity of the streetscape. The addition of recessed planting breakers within the fencing fronting the eastern ball field would further soften the impact of the fencing.

STAFF RECOMMENDATION

Based on B (1), Staff believes the application as proposed impairs the architectural and the historical character of the district. Staff recommends that the sections of fencing that would wrap around the CYO Hall and that would extend in front of the Field House not be installed and that planting indentations be employed in the fencing extending along the eastern side of Lafayette Street.

PUBLIC TESTIMONY

Michelle Haas and Thomas Latham were was present to discuss the application

BOARD DISCUSSION

The Board discussion took place concurrently with the public testimony. Mr. Oswalt welcomed the applicant and her representative. He asked them if they had any comments to make, questions to ask, or clarifications to address with regard to the Staff Report.

Mr. Latham told the Board that when Father Shields initially spoke to Staff he was amendable to not extending fencing around CYO Hall. Mr. Latham state that since that time that they had reconsidered the initial reasons and concerns motivating the application. Ms. Haas told the Board that McGill-Toolen had recently acquired the CYO Hall. She said that during athletic events people frequently park on the property's lawn. She and Mr. Latham stated that the fencing would prevent further instances of that nature. They noted that the School had already begun upgrading the facility and that the fencing was part of the improvement campaign. Mr. Latham told the Board that as a compromise measure the School could install a four foot metal fence around the CYO Hall instead of the proposed six foot fence.

Mr. Holmes asked Mr. Latham if he understood the application correctly in that a chain link fence was being removed and metal fence was being installed. Mr. Latham answered yes. Mr. Holmes stated that the proposed fence was an aesthetic upgrade. He mentioned both residential and educational facilities in and around the historic districts employing metal fencing.

Ms. Harden addressed Ms. Haas and Mr. Latham. She informed them the School's representatives that she familiar with the parking situation on account of having a child attending St. Mary's. She recommended that the School consider bollards and chains as opposed to the proposed fencing for the area about the CYO Hall.

Mr. Karwinski told the applicants that he lives on Lafayette Street and that he is also knowledgeable about the parking situation during athletic events and on everyday occasions. He said that he agreed with Staff Report as per the tunneling affect of such a long expanse of fencing. Mr. Karwinski then recommended the use of trees to soften the effect of the fencing.

Ms. Haas and Mr. Latham told the Board that the School was amenable to the Staff recommendation concerning the fencing surrounding the CYO Hall. They added that at another date, an application for some sort of enclosure would possibly appear before the Board. Mr. Latham said that the School was not amenable to the recommendation regarding the planting breaks proposed for the eastern sections of fencing. Ms. Haas explained that the indentations would disturb activities in the playing field.

Mr. Oswalt asked his fellow Board member if they had any further questions to ask the applicant's representatives. No questions and comments ensued. Mr. Oswalt asked if there was anyone from the audience who wished to speak either for or against the application. No one from the audience spoke to the application. Mr. Oswalt closed the period of public comment.

FINDING OF FACT

Mr. Roberts moved that, based upon the evidence presented in the application and during the public testimony, the Board finds the facts in the Staff report, amending facts to note that the section of fencing extending to the south and east of the CYO Hall would not be installed.

The motion received a second and was unanimously approved.

DECISION ON THE APPLICATION

Mr. Roberts moved that, based upon the facts as amended by the Board, the application does not impair the historic integrity of the district or the building and that a Certificate of Appropriateness be issued.

The motion received a second and was unanimously approved.

Certificate of Appropriateness Expiration Date: 2/20/13