ARCHITECTURAL REVIEW BOARD MINUTES
March 6, 2013 – 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: Kim Harden, Nick Holmes III, Bradford Ladd, Thomas Karwinski, Harris Oswalt, Craig Roberts and Steve Stone.
   Members Absent: Gertrude Baker, Carolyn Hasser, Jim Wagoner, and Janetta Whitt-Mitchell.
   Staff Members Present: Devereaux Bemis, Cart Blackwell, and John Lawler.
2. Mr. Oswalt moved to approve the minutes of the February 6, 2013 and February 20, 2013 meetings. The motion received a second and passed unanimously.
3. 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: Integrity Roofing**
   a. Property Address: 401 Flint Street
   b. Date of Approval: 2/14/13
   c. Project: Reroof the house. The roofing shingles will match the existing.
2. **Applicant: Glynis Madison**
   a. Property Address: 1111 Dauphin Street
   b. Date of Approval: 2/8/13
   c. Project: Renew temporary signage approval for 30 days (A permanent sign is on order.).
3. **Applicant: Mobile History Museum**
   a. Property Address: 111 South Royal Street
   b. Date of Approval: 2/20/13
   c. Project: Repair, repair (to match the existing in profile, dimension, and material when necessary), and repaint windows.
4. **Applicant: Katharine Flowers**
   a. Property Address: 922 Conti Street
   b. Date of Approval: 2/21/13
   c. Project: Install an iron handrail of simple design on the front steps.
5. **Applicant: Mrs. Linda Cashman**
   a. Property Address: 251 South Georgia Avenue
   b. Date of Approval: 2/22/13
   c. Project: Reroof the house with asphalt shingles (asphalt/black in color).
6. **Applicant: Jennifer Greene**
   a. Property Address: 1260 Texas Street
   b. Date of Approval: 2/22/13
   c. Project: Remove and replace a front walk to match the existing in materials and dimension.

APPLICATIONS

1. **2013-14-CA: 501 Monroe Street**
   a. Applicant: Karlos Finley
   b. Project: After-the-Fact-Approval for Fencing – Retain a wall.
   APPROVED AS AMENDED. CERTIFIED RECORD ATTACHED.
2. **2013-15-CA: 1005 Augusta Street**
   a. Applicant: Carla M. Sharrow
   b. Project: Fencing – Install an 8' fence.
   WITHDRAWN. CERTIFIED RECORD ATTACHED.
3. **2013-16-CA: 201 Saint Joseph Street**
   a. Applicant: Patrick Tolbert with Dagley Engineers
   b. Project: Site Alterations for an unlisted building - Demolish a parking cover; level that portion of the site; pave the aforementioned; and install fencing to match the existing.
   APPROVED. CERTIFIED RECORD ATTACHED.

D. **OTHER BUSINESS**

1. 9 South Lafayette Street

Mr. Blackwell addressed the Board. He explained that Staff had approved on midmonth level the construction of an ancillary building at 9 South Lafayette Street. The Permitting Office authorized the construction of not only the ancillary building, but also the construction of a rear addition. Mr. Blackwell said that Staff had reviewed the plans and reached the consensus that the addition did not impair the architectural or the historical character of the building or the surrounding district. He told the Board that a sign had been posted, but no official notice had been placed in the agenda because it had already been posted. As with any application, Mr. Blackwell showed the Board, in the form of a PowerPoint presentation, views of the property as it now stands and drawings of the work. Discussion ensued as to the visibility of and treatment of the addition. It was inquired as to how Staff knew of the addition. Mr. Blackwell explained that Staff was notified of the work via a 311 call. Mr. Karwinski withdrew himself from the discussion and ruling Mr. Oswalt moved to approve the facts as articulated in the drawings and discussed during the meeting on the condition that if a metal roof was employed said roof would have to appear before the Board. Mr. Oswalt moved that the addition does not impair the architectural or the historical character of the building or the surrounding district. A Certificate of Appropriateness was issued.

2. 1507 Dauphin Street

Mr. Blackwell addressed the Board. He explained that the Old Dauphin Way Methodist Church would be celebrating its centennial during over the course of the calendar year. Mr. Blackwell said that representatives of the Church would like to install two 12' tall by 4' wide signs on sanctuary's façade. Said signs would highlight the milestone. He elaborated by saying that the signage would require a variance from Urban Development and that Architectural Review Board approval is required for temporary signage of this nature. Mr. Karwinski asked for clarification regarding the duration of the signage. Mr. Blackwell stated that it would be up for a period of one year. Ms. Harden moved approve the work as presented in the PowerPoint slide and discussed in meeting. She noted that the sign would be removed within a year's time.

Mr. Roberts moved that the temporary signage does not impair either the architectural or the historical character of the surrounding district. A Certificate of Appropriateness was issued.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

2013-14-CA: 501 Monroe Street
Applicant: Karlos Finley
Received: 2//13
Meeting: 3/6/13

INTRODUCTION TO THE APPLICATION

Historic District: Church Street East
Classification: Non-Contributing
Zoning: R-1
Project: After-the-Fact-Approval for Fencing – Retain a wall.

BUILDING HISTORY

This house was constructed in 1979.

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 April 4, 2009. At that time, the Board denied an application calling for the installation of 6' high privacy fence. The applicant returns before the Board requesting the after-the-fact-approval of six foot high wall.
B. The Design Review Guidelines for Mobile's Historic Districts state, in pertinent part:
    1. 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. The height of solid fences in historic districts is generally restricted to six feet, however, if a commercial property of multi-family housing adjoins the subject property, an eight foot fence may be considered. The finished side of the fence should face toward the public view. All variances required by the Board of Adjustment should be obtained prior to the issuance of a Certificate of Appropriateness."
    2. Under materials cited as inappropriate for fences, walls and gates "unstuccoed concrete block" treatments are listed.

C. Scope of Work (per submitted materials):
    1. Retain a six foot high concrete block wall.
        a. The six foot high concrete wall features a brick cap.
        b. The wall is painted to match existing expanses of wall. The wall is of the same design and treatment as the existing.
        c. The first section of the new wall commences at the southeast corner of the house and continues at an angle until it reaches the vehicular entrance.

d. The wall continues along the eastern lot line (along the inner edge of the Lawrence Street sidewalk) where it turns a corner and continues along southern lot line.

STAFF ANALYSIS

This application concerns the after-the-fact-approval of six foot high concrete block wall.

The wall extends from the southeast corner of the house (a rear corner) in an angled manner to the sidewalk where it extends along the eastern (Lawrence Street) and southern (inner lot) sides of the lot. Upon reaching a pedestrian entrance located farther into the lot on the southern lot line, the fence drops down in height to a little over three feet. The design, construction, and treatment of the fencing match existing fencing located on the property.

The Board reviewed a previous application calling for a six foot high wooden fence that was proposed for the same location as the wall which is now up for review. That earlier application was denied. The wall as constructed violates municipal setback requirements. Additionally, the Board has expressed concern over fencing located on corner lot properties. Unfinished concrete blocks are listed as an inappropriate fencing material in Mobile's historic districts (See B-2).

STAFF RECOMMENDATION

Based on B (2) and previous Board rulings, Staff believes this application impairs the architectural and the historical character of the building. Staff does not recommend approval of this application.

PUBLIC TESTIMONY

Karlos Finley was present to discuss the application.

BOARD DISCUSSION

The Board discussion took place concurrently with the public testimony. Mr. Ladd welcomed the applicant. He asked Mr. Finley if he had any comments to make, questions to ask, or clarifications to address.

Mr. Finley asked for clarification as to reasoning behind the Staff Recommendation. In response to Mr. Finley's question, Mr. Ladd referenced the Design Review Guidelines. He then stated that the application was a result of a 311 call.

Mr. Bemis interjected. He said that it should be noted that the fence does not violate setback requirements as stated in the Staff Report. Mr. Bemis explained that while the Church Street East Historic District is listed as R-1, it is treated as R-B. Areas under R-B designation allow for zero lot line construction.

Mr. Finley told the Board that the wall had been constructed on the lot line.

Mr. Ladd asked his fellow Board members if they had any questions to ask the applicant.

Mr. Karwinski stated that raw concrete blocks are inappropriate fencing materials for properties located in historic districts. Mr. Finley responded by saying that the blocks had an applied facing. Mr. Karwinski

said that the individual blocks could still be discerned. Mr. Finley said that he could apply additional facing.

Mr. Karwinski stated that he personally thought the wall needed a proper cap. Mr. Finley told the Board that the wall is capped by bricks that match the bricks of the main residence.

A discussion ensued as to how to treat the wall. Plantings in the form of fig vines and finishes in the material of stucco were discussed.

Mr. Roberts asked Mr. Finley to speak of his last appearance before the Board.

Mr. Finley stated that when he last appeared before the Board he had applied for fencing. In that earlier application, he had proposed wooden privacy fencing. Mr. Finley told the Board that at the earlier meeting a brick wall had been suggested. He told the Board that he had constructed a brick wall.

Mr. Roberts said that since Mr. Finley had appeared before the Board at an earlier date, he was then aware of the rules. He then went on to state that if he applied for the wall it would have been recommended for denial. Mr. Roberts said that proper channels should be observed.

Mr. Finley responded by saying that he understood Mr. Roberts' vantage point. He told the Board that when he submitted the earlier application for fencing he had became aware of just how much work is done in the historic districts that does not receive approval. Mr. Finley said that since a brick wall had been suggested, he constructed one.

Mr. Ladd redirected the discussion. He told his fellow Board members that they are called to review the work at hand not earlier actions. Moving forward, he asked if there was any further discussion that was germane to the wall up for review.

Discussion returned to how to treat the cap.

Mr. Holmes, Ms. Harden, and Mr. Roberts made suggests. Mr. Bemis did likewise.

Mr. Finley said he was amenable to constructing any cap the Board suggested. He stated that his primary concern was for the safety of his family.

Mr. Karwinksi redirected the discussion to the wall fields. He said that the color was too stark. Mr. Finley explained that the wall had been painted to match the house. He said that he would paint it whatever color the Board so chose. After additional discussion, it was decided that a color could be submitted to and approved by Staff.

Mr. Ladd asked his fellow Board members if they had final closing comments to make. No further discussion ensued. He asked if there was anyone from the audience who wished to speak either in favor of or in opposition to the application. No one from the audience commented on the application.

FINDING OF FACT

Mr. Stone 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 amended, noting that the fence would be faced with stuccoed, painted a color approved by Staff and capped in one of the following fashions: washed (raked or rounded), bricked (reused), or installation of a prefabricated cap.

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 not be issued.

The motion received a second and was unanimously approved.

Certificate of Appropriateness Expiration Date: 3/6/14

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
STAFF REPORT

2013-15-CA: 1005 Augusta Street
Applicant: Carla M. Sharrow
Received: 2/13/13
Meeting: 3/6/13

INTRODUCTION TO THE APPLICATION

Historic District: Oakleigh Garden
Classification: Contributing
Zoning: R-1
Project: Fencing – Install fencing.

BUILDING HISTORY

This house is the oldest surviving house on Washington Square. The evolution of the dwelling into its present form is interesting. Virginia Goelet built the nucleus of the house in 1868. Originally consisting of only the three easternmost bays, the house evolved from a single-story side hall house to a coastal cottage circa 1875 when the second owner, Columbia Randlette, lengthened the façade, altered the roof, and extended the porch.

STANDARD OF REVIEW

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

STAFF REPORT

A. This property last appeared before the Architectural Review Board on September 15, 1986. The owner/applicant appears before the Board with a proposal calling for the installation of an 8' fence.
B. The Design Review Guidelines for Mobile's Historic Districts state, in pertinent part:
    1. 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. The height of solid fences in historic districts is generally restricted to six feet, however, if a commercial property of multi-family housing adjoins the subject property, an eight foot fence may be considered. The finished side of the fence should face toward the public view. All variances required by the Board of Adjustment should be obtained prior to the issuance of a Certificate of Appropriateness."
C. Install fencing (per submitted site plan):
    1. Install an eight foot high fence.
        a. The design of the fence will match that of existing fencing enclosing other portions of the rear lot.
        b. The eight foot fence will commence at the property's vehicular gate (behind the front plan of the house on the eastern lot line) and extend parallel to and shield from view a neighboring chain link fence.
        The fence will tie into existing interior lot wooden fencing**.**

STAFF ANALYSIS

This application involves the installation of an interior lot privacy fence. Staff approved an eight foot fence, on the belief that one of the adjoining properties was multi-family. It now appears the occupied apartment is not a legal use of the lot which has been reported to the City's 311 system. The Design Review Guidelines restrict the height of solid fencing to a height of six feet unless the property adjoins a multifamily or commercial property. This property is surrounded by R-1 properties and staff does not believe an exception to the guidelines should be granted based on an illegal use.

STAFF RECOMMENDATION

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

PUBLIC TESTIMONY

Mr. Blackwell informed the Board that the applicant had withdrawn the application from the day's agenda.

Withdrawn.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
STAFF REPORT

2013-16-CA: 201 Saint Joseph Street
Applicant: Patrick Tolbert with Dagley Engineers
Received: 2/18/13
Meeting: 3/613

INTRODUCTION TO THE APPLICATION

Historic District:	DeTonti Square (a portion of the parcel)
Classification:	Not-Listed
Zoning:	B-4
Project:	Site Alterations - Demolish a parking cover; level that portion of the site; pave the aforementioned; and install fencing to match the existing.

BUILDING HISTORY

This automotive building was constructed circa sometime between 1925 and 1955.

STANDARD OF REVIEW

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

STAFF REPORT

A. This property has never appeared before the Architectural Review. Since a portion of the parcel upon which this building stands is part of the DeTonti Square Historic District, the whole of the parcel falls under the jurisdiction of the Architectural Review Board. The applicants would like to demolish a small two-bay vehicular wing that extends from the northeast corner of the property's northernmost building, the building that extends along State Street (See the City Map for reference.).

B. The regards to demolition, the Guidelines read as follows: "Proposed demolition of a building must be brought before the Board for consideration. The Board may deny a demolition request if the building's loss will impair the historic integrity of the district." However, our ordinance mirrors the Mobile City Code, see §44-79, which sets forth the following standard of review and required findings for the demolition of historic structures:

1. *Required findings; demolition/relocation.* The Board shall not grant certificates of appropriateness for the demolition or relocation of any property within a historic district unless the board finds that the removal or relocation of such building will not be detrimental to the historical or architectural character of the district. In making this determination, the board shall consider:
    i. <u>The historic or architectural significance of the structure(s);</u>
        1. This building is not officially listed in the Detonti Square Historic District Inventory. The building appears on the 1955 Sanborn Map, but is not depicted on the 1925 Sanborn Map. Dating from the middle third of the 20th Century, the building is representative of the numerous automotive and commercial established constructed during that period in

this area. Other surviving contemporary examples can still be found lining St. Louis and Saint Anthony Streets.

iii. The importance of the structures to the integrity of the historic district, the immediate vicinity, an area, or relationship to other structures;

1. While this building is listed as part of the DeTonti Square Historic District, the building contributes to the built density of area. The portion of the building in question engages extends along State Street, but engages the inner lot. With the exception of the fascia and a single window, this small vehicular wing is experienced as a wall when viewed from the street.

iv. The difficulty or the impossibility of reproducing the structure because of its design, texture, material, detail or unique location;

1. The building materials are capable of being reproduced.

v. Whether the structure is one of the last remaining examples of its kind in the neighborhood, the county, or the region or is a good example of its type, or is part of an ensemble of historic buildings creating a neighborhood;

1. As a complex, this buildings is one of two structures of what once an automotive repair facility. Other surviving contemporary examples can still be found lining St. Louis and Saint Anthony Streets. This example has been has been successfully reused for other purposes.

vi. Whether there are definite plans for reuse of the property if the proposed demolition is carried out, and what effect such plans will have on the architectural, cultural, historical, archaeological, social, aesthetic, or environmental character of the surrounding area.

1. The applicants want to demolish one small portion of the building. If granted demolition approval, the site of the small vehicular wing in question would be leveled, the concrete would be removed, asphalt would be installed, and fencing would be extended. The site would function as an extension of the existing parking lot.

vii. The date the owner acquired the property, purchase price, and condition on date of acquisition;

1. Not provided.

viii. The number and types of adaptive uses of the property considered by the owner;

1. The main part of the building in question will continue to serve its present use. Only the small wing would be demolished.

ix Whether the property has been listed for sale, prices asked and offers received, if any;

1. The owners do not want to sell the property.

x. Description of the options currently held for the purchase of such property, including the price received for such option, the conditions placed upon such option and the date of expiration of such option;

1. NA.

xi Replacement construction plans for the property in question and amount expended upon such plans, and the dates of such expenditures;

1. NA.

xii 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

2. Not Necessary.

xiii Such other information as may reasonably be required by the board.

1. See submitted Materials.

2. *Post demolition or relocation plans required.* In no event shall the board entertain any application for the demolition or relocation of any historic property unless the applicant also presents at the same time the post-demolition or post-relocation plans for the site."

C. Scope of Work (per submitted plans):

1. Demolish a small two-bay vehicular wing that extends from the northeast corner of the property's northernmost building, the one extending along State Street.
2. Remove concrete paving.
3. Level the affected area.
4. Install asphalt paving atop the affected area. Asphalt paving is installed elsewhere on the site.
5. Extend an existing fence along the sidewalk.

STAFF ANALYSIS

This application involves the demolition of a lower-one story vehicular wing that extends from the northeast corner of one of the property's two principal buildings. The buildings are not officially listed as being a part of the DeTonti Square Historic District, but are brought into the district through a re-subdivision of the property. As a consequence of a small portion of the larger parcel being part of Detonti Square Historic District, the whole property falls under the jurisdiction of the Architectural Review Board. This partial demolition involves review of the following: the architectural significance of the building; the condition of the building; the effect the demolition will have on the streetscape; and the nature of any proposed redevelopment.

The building is question is one of roughly two dozen surviving automotive building constructed in this area during the middle third of the 20th Century. As a cultural phenomenon, they are representative of the increased commercialized presence that eventually overwhelmed what had been one Mobile's most 19th-Century and early 20th- Century residential quarter quarters. Other examples line St. Louis and St Anthony Streets.

This portion of the building is in a good state of repair.

While this portion of the building in question extends along State Street, it engages the inner lot. With the exception of the fascia and a single window, this small vehicular wing is experienced as a wall when viewed from the street.

If granted demolition approval, the site of the small vehicular wing in question would be leveled, the concrete would be removed, asphalt would be installed, and fencing would be extended. The site would function as an extension of the existing parking lot.

STAFF RECOMMENDATION

Based on B (1-2), Staff does not believe this application will impair the architectural or the historical character of the historic district. Staff recommends approval of this application. Staff also recommends that owners relocate the fencing now fronting the vehicular enclosure proposed for demolition to areas with without matching fencing.

PUBLIC TESTIMONY

Patrick Tolbert with Dagley Engineers 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. Tolbert if he had any comments to make, questions to ask, or clarifications to address.

Mr. Dagley was asked the motivation behind the application. He explained that while it was not necessary, the owner of the property wanted to provide his tenants with additional parking. He said that the demolition of this small unutilized portion of the building would provide additional parking spaces for the larger complex.

Mr. Stone asked for clarification as to how the building's east wall would be treated. Mr. Dagley said that the same bricks that face the rest of the building face the wall expanse in question. He told the Board that the wall would remain the same.

No further Board discussion ensued.

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 and that a Certificate of Appropriateness be issued.

The motion received a second and was unanimously approved.

Certificate of Appropriateness Expiration Date: 3/6/14