

**ARCHITECTURAL REVIEW BOARD MINUTES**  
**May 18, 2011 – 3:00 P.M.**  
**Pre-Council Chambers, Mobile Government Plaza, 205 Government Street**

**A. CALL TO ORDER**

1. The Chair, Bradford Ladd, called the meeting to order at 3:00. Cart Blackwell, MHDC Staff, called the roll as follows:  
**Members Present:** Gertrude Baker, Kim Harden, Bill James, Bradford Ladd, Harris Oswalt, Craig Roberts, and Barja Wilson.  
**Members Absent:** Carlos Gant, Thomas Karwinski, 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 May 4, 2011 meeting. The motion received a second and passed unanimously.
3. Ms. Wilson 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: William Appling**
  - a. Property Address: 9 South Joachim Street
  - b. Date of Approval: 4/28/11
  - c. Project: Repaint per the existing color scheme.
2. **Applicant: John Bell**
  - a. Property Address: 13 South Lafayette Street
  - b. Date of Approval: 4/29/11
  - c. Project: Repaint the house in existing colors.
3. **Applicant: Deangelo Parker**
  - a. Property Address: 1015 Savannah Street
  - b. Date of Approval: 4/28/11
  - c. Project: Install a 10' by 10' storage shed. The wooden shed will feature vertical and horizontal siding matching that found on the house. The color scheme will be the same as the main house.
4. **Applicant: Phillip Holley**
  - a. Property Address: 1415 Brown Street
  - b. Date of Approval: 4/29/11
  - c. Project: Repair and replace siding to match the existing. Repair and replace the bases of the front porch's columnar piers to match the existing. Touch up the paint to match the existing color scheme.
5. **Applicant: Bob Caron with Lipford Construction for Bailey & Sam Slaton**
  - a. Property Address: 2254 Ashland Place Avenue
  - b. Date of Approval: 4/27/11
  - c. Project: Repair and replace deteriorated woodwork to match the existing. Repair and replace woodwork to match the existing. Replace shingles.
6. **Applicant: Walker Enterprises**
  - a. Property Address: 550-556 Dauphin Street
  - b. Date of Approval: 4/29/11
  - c. Project: Replace doors to match the existing.
7. **Applicant: Johnny Murray**
  - a. Property Address: 1258 Old Shell Road
  - b. Date of Approval: 5/2/11

c. Project: Install a three foot picket fence in the front yard. The fence will extend from the western corner of the front porch to the inner edge of the sidewalk then across of the front and eastern sides of the lot. A six foot wooden interior lot fence will extend around portions of the rear of the lot. The six foot interior lot fence will not extend beyond the front plan of the house. Paint the house per the submitted Valspar color scheme. The foundations will be Moss Mulch. The trim will be Sandy Cove. The body will be La Fonda Wild West Green (a mossy green color).

**8. Applicant: Glenda Snodgrass**

- a. Property Address: 1408 Eslava Street
- b. Date of Approval: 5/2/11
- c. Project: Install interior lot fencing. A section of six foot dog-eared fence will extend between the eastern corner of the house and the eastern lot line. Install a six foot wooden fence along the rear or north lot line along the alley. The fence will feature an inward opening vehicular gate. Install a small gravel entrance pad.

**9. Applicant: Historic Mobile Preservation Society**

- a. Property Address: 350 Oakleigh Place or 263 Roper Street
- b. Date of Approval: 5/3/11
- c. Project: Remove later hardscaping. Remove later masonry steps. Construct wooden steps accessing the exterior entries. Level and repoint the foundation piers. Repair and replace rotten wooden siding and woodwork to match the existing profile, dimension, and material. Remove later wooden doors. Install more historically appropriate wooden doors (replacement doors will match the four panel or board-and-batten doors). Repair and replace window sashes where necessary. The sash replacement and repair will match the existing. Reroof the building with either cedar shake or asphalt shingles. Repaint the building per the existing color scheme.

**10. Applicant: Albert Odom**

- a. Property Address: 1053 Caroline Avenue
- b. Date of Approval: 5/4/11
- c. Project: Bring porch work into compliance by removing brackets and board on east eave of porch. Match stair newel posts, paint all to match. Replace any rotten siding necessary on house to match existing in profile and dimension.

**C. APPLICATIONS**

**1. 2011-33-CA: 505 Eslava Street**

- a. Applicant: Dharam Pannu
- b. Project: Reissue of an expired Certificate of Appropriateness – install dormers.  
**APPROVED. CERTIFIED RECORD ATTACHED.**

**2. 2011-34-CA: 207 Lanier Avenue**

- a. Applicant: Lucy Barr for Mr. & Mrs. Angus Cooper
- b. Project: Fencing Approval – Retain a wall whose height exceeds height limits approved by the Staff and the Board.  
**CERTIFIED RECORD ATTACHED.**

**D. OTHER BUSINESS**

- 1. Guidelines

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

**2011-33-CA: 505 Eslava Street**  
**Applicant: Dharam Pannu**  
**Received: 4/28/11**  
**Meeting: 5/18/11**

**INTRODUCTION TO THE APPLICATION**

Historic District: Church Street East  
Classification: Non-Contributing  
Zoning: R-1  
Project: Renewal of an expired Certificate of Appropriateness – Install dormers on the East, West, and South Elevations.

**BUILDING HISTORY**

This brick residence constitutes infill construction. The building was constructed in 2008.

**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 8, 2005. At that time, the Board approved the installation of dormer windows on the building’s East, West, and South Elevations. Staff is only authorized to reissue Certificates of Appropriateness after two years. The applicant returns with the same request.
- B. The Design Review Guidelines for Mobile’s Historic Districts state, in pertinent part:
  - 1. “A roof is one of the most dominant features of a building. Original roof forms, as well as the original pitch of the roof should be maintained. Materials should be appropriate to the form, pitch, and color.”
- C. Scope of Work (per submitted plans):
  - 1. Reissue of an expired Certificate of Appropriateness dating from August 8, 2008 calling for the installation of dormer windows.
    - a. The dormers will be constructed of wood.
    - b. The dormers will be gabled in type.
    - c. The dormers will be sheathed in siding to match the siding on the house.
    - d. The dormers will feature multi-light wooden sash windows.
    - e. The dormers will be painted white.
    - f. Two dormers will be located East Elevation.
    - g. One dormer will be located on the South Elevation.
    - h. Two dormers will be located on the West Elevation.

## **STAFF ANALYSIS**

The application involves the reissue of an expired Certificate of Appropriateness. On August 8, 2008 the Board approved the installation of five dormers atop the roof of 505 Eslava Street. The house is non-contributing residential infill construction located within the Church Street East Historic District. Staff is only authorized by the Board to reissue expired Certificates of Appropriateness for a two year period. The previously approved dormers meet the design and the material standards set by the Design Review Guidelines for Mobiles Historic Districts as well as the New Construction Guidelines for Mobile's Historic Districts. These alterations are restricted to the side and rear elevations. Staff does not believe this application impairs the architectural or the historical integrity of the historic district.

## **STAFF RECOMMENDATION**

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

## **PUBLIC TESTIMONY**

Dharam Pannu 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. Pannu if he had read the Staff Report. Mr. Pannu answered yes. Mr. Ladd asked Mr. Pannu if he had any clarifications to make, comments to add, or questions to ask with regard to the Staff Report. Mr. Pannu answered no.

Mr. Ladd asked his fellow Board members if they had any questions to ask the applicant. No questions ensued from the Board. Mr. Ladd asked if there was anyone from the audience who wished to speak either for or against the application. Upon hearing no response, Mr. Ladd closed the period of public comment.

## **FINDING OF FACT**

Mr. Roberts moved that, based upon the evidence presented in the application and during the public testimony, the Board finds the facts in the Staff report as written.

The motion received a second and was unanimously approved.

## **DECISION ON THE APPLICATION**

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

The motion received a second and was unanimously approved.

**Certificate of Appropriateness Expiration Date: 5/18/12**

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

**2011-34-CA: 207 Lanier Avenue**  
**Applicant: Lucy Barr for Mr. & Mrs. Angus Cooper**  
**Received: 5/2/11**  
**Meeting: 518/11**

**INTRODUCTION TO THE APPLICATION**

Historic District: Ashland Place  
Classification: Contributing  
Zoning: R-1  
Project: Fencing Approval – Retain a wall whose height exceeds height limits approved by the Staff and the Board.

**BUILDING HISTORY**

This Mediterranean influenced house was built in 1912 according to the plans of C. L. Hutchisson, Sr.

**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 1, 2010. At that time the Board approved the construction of rear addition, the renovation an ancillary structure, and the construction of wall. On January 6, 2011, Staff issued a midmonth for the extension of the aforementioned wall. The combined sections of the six foot wall would all have been located behind the front plan of the house. Staff received a 311 notification on April 27, 2011 regarding the wall. As constructed, the wall measures roughly 7 1/2’ when viewed from the rear lot alley. The applicant’s representative returns to the Board with a request to retain the wall as constructed.
- 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 the historic districts is generally restricted to six feet, however, if a commercial or multi-family property adjoins the subject property, an eight foot fence may be considered. The finished side of the fence should face toward public view. All variances required by the Board of Zoning must be obtained prior to issuance of a Certificate of Appropriateness.”
- C. **Scope of Work (per submitted site plan):**
  - 1. Retain a stuccoed faced wall.
    - a. The wall extends from the southwest corner of the detached garage to the southwest corner of the property.
    - b. The wall then extends along the southern lot stopping behind the front plane of the house.
    - c. The wall measures roughly 7 1/2’ when viewed from the alley.

## **STAFF ANALYSIS**

This application involves the approval of sections of a stuccoed interior lot wall. A section of six foot wall was approved by the Board (part of larger application) on September 1, 2010. Staff issued a midmonth approval authorizing the extension of the wall on January 6, 2011. The wall is located along a portion of the western (rear) lot line and a portion of the southern (side) lot line of this large residential lot. No portion of the wall extends beyond the front plan of the house.

As constructed, the southernmost section of the western wall is located in a City owned alley. Urban Development, Traffic Engineering, and the Legal Department have come to the conclusion that the location of the wall does not significantly change either the accessibility or the usability of the alley.

The application comes to the Board on account of the wall's height. When viewed from the rear alley, the wall measures roughly 7 ½' feet. The Design Review Guidelines for Mobile's Historic Districts state that solid fencing is generally restricted to a height of six feet. When a property abuts commercial establishments or multi-family developments eight foot heights are considered. The subject property abuts other residential lots. Staff recommends that the fence be dropped in height to six feet.

## **STAFF RECOMMENDATION**

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

## **PUBLIC TESTIMONY**

Lucy Barr, Angus Cooper, and Nicholas H. Holmes, III was present to discuss the application.

## **BOARD DISCUSSION**

The board discussion took place concurrently with the public testimony. Mr. Ladd welcomed the applicant and his representatives. He asked Mr. Cooper, Ms. Barr, and Mr. Holmes if they had the opportunity to read the Staff Report. They answered yes. Mr. Ladd asked the applicant and his representatives if they had any comments to add, clarifications to make, and questions to ask.

Mr. Cooper stated that the wall is six feet in height when viewed from the street, but higher when viewed from the alley on account of changing grade. Mr. Holmes stated that other walls and fences abutting the alleys of Ashland Place, as well as other city alleys, are at a height consistent with the subject wall. He said that he had a list and could provide pictures of historic and non-historic examples. Mr. Holmes further noted the Board had approved eight foot high fences on residential properties not abutting multi-family or commercial properties in both Ashland Place and Church Street East. He told the Board that previous rulings and historical fact served as precedent for the wall. Mr. Holmes reiterated that he had documentary and pictorial evidence that substantiate his remarks.

Mr. Ladd thanked Mr. Holmes. He asked his fellow Board members if they had any questions to ask the applicant or his representatives. Mr. James asked for clarification regarding the varying heights of the wall. Mr. Blackwell stated that the wall measures six feet in height when viewed from the street. Mr. Cooper spoke to the varying heights of the wall as seen from the alley. He stated that in no place did the fence exceed 7 ½ feet. Mr. Ladd said that upon receiving the agenda in the mail, he visited the site. He stated that the height of the wall was consistent with the heights of other fences and walls located along the alley; therefore the fence does not stand out. He said that while the Guidelines constitute the standard of review, Board discretion allows consideration of individual conditions affecting a given site.

Ms. Barr stated that as a rule all alleys are lower in grade than the yards they abut. She said that the alleys of Ashland Place featured small knee walls. Ms. Barr said that fences and walls have been constructed atop the knee walls. Taking into account the grading, the knee walls, and the other fencing along the alley, the subject wall is not unprecedented or an impairment. Ms. Barr reiterated that the wall is six feet when viewed from the street.

Ms. Baker asked for clarification regarding the different portions of the fencing and their dates of approval. Mr. Blackwell addressed Ms. Baker's queries.

Ms. Baker asked what the alley was considered. Mr. Bemis stated that the alley was considered public right of way.

Mr. Ladd, Mr. Cooper, and Mr. Bemis entered into a discussion regarding the status of alleyways.

Mr. Roberts told the applicant, the applicant's representatives, and his fellow Board members that the Guidelines require that each proposal be reviewed on an individual basis. He stated that the proposed fence abuts an alley, not a street, and the proposal does not impair the property or the district.

Mr. James stated fencing heights should be measured from on the property.

Ms. Baker asked for clarification of the varying wall heights. Mr. Cooper addressed her concerns.

Mr. Ladd asked his fellow Board members if they had any further questions to ask or comments to make. No further comments or questions 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, amending facts to note that the street or interior facing wall does not exceed six feet.

The motion received a second and was unanimously approved.

#### **DECISION ON THE APPLICATION**

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

The motion received a second and was unanimously approved.

**Certificate of Appropriateness Expiration Date: 5/18/12**