

## ARCHITECTURAL REVIEW BOARD MINUTES

May 4, 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, Thomas Karwinski, Bradford Ladd, Harris Oswalt, Craig Roberts, Jim Wagoner, Janetta Whitt-Mitchell, and Barja Wilson.  
**Members Absent:** Carlos Gant.  
**Staff Members Present:** Devereaux Bemis, Cart Blackwell, Keri Coumanis, and John Lawler.
2. Mr. Oswalt moved to approve the minutes of the April 20, 2011 meeting. The motion received a second and passed unanimously.
3. Ms. Harden moved to approve the midmonth COA's granted by Staff as corrected by the Board. The motion received a second and passed unanimously.

### B. MID MONTH APPROVALS: APPROVED

1. **Applicant: Graham Roofing**
  - a. Property Address: 1557 Monterey Place
  - b. Date of Approval: 4/12/11
  - c. Project: Remove old roofing and replace with same color and type roofing but heavier weight.
2. **Applicant: Eddie Crabtree**
  - a. Property Address: 7 South Joachim Street
  - b. Date of Approval: 4/18/11
  - c. Project: Install a hanging metal sign from the underside of the building's balcony. The will feature the name of the establishment. The sign will measure five feet in length and 2 feet in height.
3. **Applicant: Trey Littlepage**
  - a. Property Address: 1509 Monroe Street
  - b. Date of Approval: 4/18/11
  - c. Project: Repair and replace rotten woodwork to match the existing. Repaint the house per the existing color scheme. Replace a later side door with a more historically and stylistically appropriate wooden door. Replace window panes where necessary. Reroof the house with architectural shingles.
4. **Applicant: Trey Littlepage**
  - a. Property Address: 1111 Old Shell Road.
  - b. Date of Approval: 4/18/11
  - c. Project: Replace deteriorated woodwork to match the existing. Replace broken window panes where necessary. Repaint the house.
5. **Applicant: Johnny Murray**
  - a. Property Address: 1258 Old Shell Road
  - b. Date of Approval: 4/18/11
  - c. Project: Repair and replace siding to match the existing in profile, dimension, and material. Reroof the house with 3-tab shingles.
6. **Applicant: Dearborn Construction**
  - a. Property Address: 203 South Georgia Avenue
  - b. Date of Approval: 4/18/11
  - c. Project: Repair and replace rotten woodwork and roofing to match the existing.

- 7. Applicant: Gary Jackson for the City of Mobile**
  - a. Property Address: 201 (or 109) Government Street
  - b. Date of Approval: 4/18/11
  - c. Project: Install a heavy duty metal chain between the posts demarcating the the enclosure's vehicular drive.
- 8. Applicant: Raphael Nichols with Alliance Contracting**
  - a. Property Address: 1050 Old Shell Road
  - b. Date of Approval: 4/19/11
  - c. Project: Repair and replace sills. Repair foundation piers. Face later concrete piers with brick.
- 9. Applicant: Goodwyn, Mills & Cawood**
  - a. Property Address: 107 Saint Francis Street / 31 North Royal Street
  - b. Date of Approval: 4/19/11
  - c. Project: Install teller windows within the inner portions of the drive through. Install pavers in the vestibules matching pavers found elsewhere on the complex.
- 10. Applicant: Douglas B. Kearley for Jones/Walker**
  - a. Property Address: 256 State Street
  - b. Date of Approval: 4/19/11
  - c. Project: Remove and replace iron shafts. Remove, clean, repaint, and reinstall ironwork. Repair the porch floor. All work will match the existing.
- 11. Applicant: Joe Pomeroy with Thomas Roofing for Big Zion AME Zion Church**
  - a. Property Address: 112 South Bayou Street
  - b. Date of Approval: 4/19/11
  - c. Project: Replace roofing shingles to match the existing.
- 12. Applicant: Rosemary Pettus**
  - a. Property Address: 404 Chatham Street
  - b. Date of Approval: 4/21/11
  - c. Project: Install a three foot picket fence. The fence will commence at the northeast corner of the lot. The fence will extend across the front of the lot. It will feature an inward opening wooden vehicular gate and a iron pedestrian gate. The fence tie into the south side of the house.
- 13. Applicant: Lorene Whiddon**
  - a. Property Address: 557 Church Street
  - b. Date of Approval: 4/20/11
  - c. Project: Repaint trim white as existing.
- 14. Applicant: Charles B. & Patricia Hunter**
  - a. Property Address: 210 Lanier Avenue
  - b. Date of Approval: 4/25/11
  - c. Project: Remove an existing interior lot fence. Replace the existing lattice fence with a six foot high wooden privacy fence. The fence will extend along the northern, eastern, and southern lot lines. The fence will be located behind the front plane of the house. The fence will feature an alley-facing vehicular gate.
- 15. Applicant: George V. Davis**
  - a. Property Address: 16 North Monterey Street
  - b. Date of Approval: 4/25/11
  - c. Project: Reissue a COA dating from 10/6/09 authorizing the construction of a storage shed.

**16. Applicant: Sue Stewart**

- a. Property Address: 205 Michigan Avenue
- b. Date of Approval: 4/26/11
- c. Project: Repair and replace rotten eaves. The work will match the existing. Reroof the house with architectural shingles.

**17. Applicant: Mike LaSarge**

- a. Property Address: 68 South Georgia Avenue
- b. Date of Approval: 4/21/11
- c. Project: Repaint as per existing. Repair woodwork as necessary to match existing. Add railings at steps to match 1910 photograph.

**18. Applicant: Allen Johnson**

- a. Property Address: 1006 Selma Street
- b. Date of Approval: 4/25/11
- c. Project: Replace rotten wood to match existing in profile and dimension and repaint as existing.

**19. Applicant: M. C. Roofing & Construction**

- a. Property Address: 1407 Government Street
- b. Date of Approval: 4/25/11
- c. Project: Reroof flat roof back porch with roll roofing and replace some decking as per existing. Replace any rotten siding necessary to match existing.

**C. APPLICATIONS**

**1. 2011-28-CA: 210 Roper Street**

- a. Applicant: Douglas B. Kearley for Dr. W. Christopher Patton
- b. Project: Ancillary Alteration – Enclose and extend an existing carport.

**APPROVED. CERTIFIED RECORD ATTACHED.**

**2. 2011-29-CA: 108 Conti Street**

- a. Applicant: Benjamin Cummings for Kress Investments, LLC
- b. Project: Inner Lot Alterations - Construct a pedestrian bridge and stair over a private alley.

**APPROVED. CERTIFIED RECORD ATTACHED.**

**3. 2011-30-CA: 959 Savannah Street**

- a. Applicant: William R. May
- b. Project: Roofing - Install a 5-V Crimp Metal roof.

**APPROVED. CERTIFIED RECORD ATTACHED.**

**4. 2011-31-CA: 65 Fearnway**

- a. Applicant: David B. Breikreuz
- b. Project: Extensive Renovation and New Construction - Reconfigure/reconstruct the house's infilled porch. Alter later fenestration. Convert an attached carport into an outdoor living area. Construct a garage.

**APPROVED AS AMENDED. CERTIFIED RECORD ATTACHED.**

**5. 2011-32-CA: 1452 Government Street**

- a. Applicant: Etheridge, LLC / Tree Investments, LLC
- b. Project: New Construction – Develop an empty lot by constructing a commercial building, installing hardscaping, and install landscaping.

**TABLED.**

**6. 2011-26-CA: 58 Bradford Avenue**

- a. Applicant: Bill Glover with Premier Windows of the Gulf Coast for Sam Au
- b. Project: Window Replacement – Replace aluminum windows with vinyl windows.

**APPROVED. CERTIFIED RECORD ATTACHED.**

**7. 2011-27-CA: 1507 Dauphin Street**

- a. Applicant: Wayne Gardner for the Dauphin Way United Methodist Church
- b. Project: Window Replacement – Replace wooden windows with double-paned wooden windows featuring a Low-E Glass coating.

**APPROVED. CERTIFIED RECORD ATTACHED.**

**D. OTHER BUSINESS**

- 1. Guidelines

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

**2011-28-CA: 210 Roper Street**  
**Applicant: Douglas B. Kearley for Dr. W. Christopher Patton**  
**Received: 4/15/11**  
**Meeting: 5/4/11**

**INTRODUCTION TO THE APPLICATION**

Historic District: Oakleigh Garden  
Classification: Contributing  
Zoning: R-1  
Project: Ancillary Alteration – Enclose and extend an existing carport.

**BUILDING HISTORY**

This house dates from circa 1900. Transitional in style, the house’s irregular massing attests to the lingering influence of the Queen Anne aesthetic while the chaste detail represents a resurgence of classical influences.

**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 May 8, 2006. At that time the Board approved the construction of a wall. The applicant’s representative appears before the Board with application that calls for the enclosure and expansion of an existing carport.
- B. The Design Review Guidelines for Mobile’s Historic Districts state, in pertinent part:
  - 1. “An accessory 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 accessory 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 site plan):**
  - 1. Ancillary Alteration – Enclose and extend an existing carport.
    - a. The open bays of the carport will be infilled with a stud wall faced with hardiboard siding.
    - b. The existing columnar posts will remain in place. The siding will be coped around the post’s capitals and bases (They will become anta-like pilasters).
    - c. The South or street-facing Elevation will feature a pair of double paneled and vertical boarded doors.
    - d. The East Elevation will feature a pair of paneled and vertical boarded doors.
    - e. The North Elevation will not feature fenestration.
    - f. A 4’ by 10’ 4” addition will be constructed off the carport’s west elevation.
    - g. The addition will feature two, four light clad-wood awning windows.
    - h. The architrave and the cornice of the addition will match the existing.
    - i. The asphalt shingles will match the existing.
    - j. The color scheme will match that of the main house.

## **STAFF ANALYSIS**

This application involves the alteration and expansion of an existing carport to create enclosed garage and storage spaces. The building was constructed in 1994. The applicant proposes the infill of the carport's open bays and the construction of a side addition.

The Design Review Guidelines for Mobile's Historic Districts state that ancillary construction should complement the design and scale of the main building. The proposed design calls for the retention of the carport's columnar piers, a character defining feature of the building. The stud construction and siding sheathing would be coped about the post's bases and capitals. The posts would function as pilasters demarcating the body of the building from the addition. The integrated asymmetry of the proposed addition is complementary to the main house and site location

The addition meets the setback requirements for Mobile's Historic Districts. The design and the materials for both the infill and the addition meet the requirements specified by the Design Review Guidelines. Staff does not believe this application will impair the architectural or the historical integrity of the district.

## **STAFF RECOMMENDATION**

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

## **PUBLIC TESTIMONY**

Douglas B. Kearley was present to discuss the application.

## **BOARD DISCUSSION**

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

Mr. Ladd asked his fellow Board members if they had any questions to ask the applicant's representative. No questions ensued.

Mr. Ladd asked if there was anyone from the audience who wished to speak either for or against the application. Upon hearing no response, he 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: 5/4/12**

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

**2011-29-CA: 108 Conti Street**  
**Applicant: Benjamin Cummings for Kress Investments, LLC**  
**Received: 4/15/11**  
**Meeting: 5/4/11**

**INTRODUCTION TO THE APPLICATION**

Historic District: Lower Dauphin Commercial  
Classification: Contributing  
Zoning: B-4  
Project: Inner Lot Alterations - Construct a pedestrian bridge and stair above a private alley.

**BUILDING HISTORY**

This three-story building comprised one of the four street elevations of downtown Mobile's Kress Department Store. Other Kress buildings faced Royal, Dauphin, and Saint Emanuel Streets. The Conti Street façade dates from 1950s. The building's flush window treatment and patterned brickwork are characteristic of the period and of the chain.

**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 portion of the former Kress Complex has never appeared before the Architectural Review Board. The applicant proposes linking this building with 20-26 Royal Street via a steel pedestrian bridge. The bridge would extend between the second stories of the two structures. A steel stair would allow access between the second and third floors of the subject building.
- B. The Secretary of the Interior's Standards for Rehabilitation and the Design Review Guidelines for Mobile's Historic Districts state, in pertinent part:
  - 1. "New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment."
  - 2. "New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired."
- C. Scope of Work:
  - 1. Construct a steel pedestrian bridge/connector between 108 Conti Street (wing of the Kress Building) and 20-26 South Royal Street (Old Neisner Building).
    - a. The bridge will be setback over 81' from the public right of way at the back of a private alley.



- b. The bridge will connect the second floor of the subject property with the second floor of the 20-26 South Royal Street.
  - c. A 3' 6" high steel railing will enclose the bridge/connector
2. Construct a stairs connecting the second and third floors of the 108 Conti Street.
  - a. The stairs will be affixed to the east elevation of the building.
  - b. The stairs, which will be located at the western side of the pedestrian bridge/connector, will ascend to intermediate landing before terminating at a final landing accessing the third floor.
  - c. The stairs will feature the same railing as that of the bridge/connector.

## **STAFF ANALYSIS**

This application involves the construction of a pedestrian bridge and an access stairs. Fire or access stairs were integral features of downtown buildings. The interrelated units will be located within the private alley that divides the larger building complex. While visible from the public view, the proposed bridge and stairs have been positioned within the rear third of the long alley.

The proposed stairs and bridge are sympathetic to yet differentiated from the simple industrial design of the main building. The stair and the bridge will thereby "read" as later alterations to a historic building. By virtue of their cantilevered and/or suspended construction, the plan of the alley will remain unaltered.

Based on the design and location of the bridge/stair configuration, Staff does not believe this application impairs the architectural or the historical integrity of the buildings.

## **STAFF RECOMMENDATION**

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

## **PUBLIC TESTIMONY**

Benjamin Cummings 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. Cummings if he had any comments to add, questions to ask, or clarifications to make with regard to the Staff Report. Mr. Cummings told the Board that the proposal involved the construction of a simple steel stair and bridge/connector. He explained to the Board that stairs would be similar to others found across the Lower Dauphin Commercial District. Mr. Cummings stated that stairs of this type were once located on the subject building. Mr. Ladd noted a comparable stair located in close proximity to the property.

Mr. Karwinski asked Mr. Cummings if the stairs and bridge were intended primarily for egress. Mr. Cummings answered yes, but only in part. He explained that the proposed stairs would allow for improved circulation within the subject property and larger complex, in addition to allowing for improved fire/safety evacuation.

Mr. Ladd if any other Board members had any questions to ask or comments to make. No further Board discussion ensued.

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

#### **FINDING OF FACT**

Ms. Whitt-Mitchell 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**

Ms. Whitt-Mitchell 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: 5/4/12**

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

**2011-30-CA: 959 Savannah Street**  
**Applicant: William R. May**  
**Received: 4/18/11**  
**Meeting: 5/4/11**

**INTRODUCTION TO THE APPLICATION**

Historic District: Oakleigh Garden  
Classification: Contributing  
Zoning: R-1  
Project: Install a 5-V crimp metal roof.

**BUILDING HISTORY**

This shotgun dwelling dates from circa 1900. The façade features turned porch posts and a shingled gable.

**STANDARD OF REVIEW**

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

**STAFF REPORT**

- A. This property has never appeared before the Architectural Review Board. The applicant proposes the installation of a 5-V crimp metal roof.
- B. The Design Review Guidelines for Mobile’s Historic Districts state, in pertinent part:
  - 1. “A roof is one of the most dominate features of a building. Original or historic roof forms, as well as the original pitch of the roof should be maintained. Materials should be appropriate to the form and pitch and color.”
- C. Scope of Work:
  - 1. Install a silver colored 5-V crimp metal roof.

**STAFF ANALYSIS**

This application involves the installation of a 5-V crimp metal roof. Applications for metal roofs are reviewed on a case by case basis. 5-V crimp metal roofs have been a common roofing treatment across the American South for over a century. Metal roofs of this type often sheathed shotgun dwellings.

The Guidelines state that roofing materials should be appropriate to a roof’s form, color, and pitch. This shotgun is surmounted by two gabled roofs. The roofing sheets will not have to adjust to projecting bays or wings. The color selected is the traditional metal roofing color. The pitch of the roof is typical to a two bay gable-roofed shotgun and the installation of metal roofing would not result in an inappropriateness of appearance.

Taking into account the house type, roof form, and roofing material, Staff does not believe this application impairs the architectural or the historical integrity of the building.

### **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**

William May 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. May if he had read the Staff Report. Mr. May answered no. Mr. Ladd told Mr. May that Staff recommended approval of his application, but suggested that he review the application. Mr. May quickly reviewed the Staff Report.

Mr. Ladd asked Mr. May if he had any comments to add, questions to ask, or clarifications. Mr. May answered no. No Board comment or discussion ensued.

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

### **FINDING OF FACT**

Ms. Whitt-Mitchell 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: 5/4/12**

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

**2011-31-CA: 65 Fearnway**  
**Applicant: David Breitzkreuz**  
**Received: 3/8/11**  
**Meeting: 4/6/11**

**INTRODUCTION TO THE APPLICATION**

Historic District: Old Dauphin Way  
Classification: Non-Contributing  
Zoning: R-1  
Project: Extensive Renovations and New Construction - Reconfigure/reconstruct the house's infilled porch. Alter later fenestration. Demolish/Convert an attached carport into an outdoor living area. Construct a garage.

**BUILDING HISTORY**

Fearnway was platted in 1909. This single-story Craftsman-influenced bungalow dates from 1918.

**STANDARD OF REVIEW**

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

**STAFF REPORT**

- A. This property has never appeared before the Architectural Review Board. The new owner/applicant proposes the reconstruction of the house's infilled front porch, the alteration of fenestration, the conversion of a carport, and the construction of a garage.
- B. The Secretary of the Interior's Standards for Historic Rehabilitation and Design Review Guidelines for Mobile's Historic Districts state, in pertinent part:
  1. "Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence."
  2. "The porch is an important regional characteristic of Mobile architecture. Historic porches should be maintained and repaired to reflect their period. Particular attention should be paid to the handrails, lower rails, balusters, decking, posts/columns, proportions and decorative details."
  3. "The type, size and dividing lights of windows and their location and configuration (rhythm) on the building help establish the historic character of the building. Original window openings should be retained as well as original sashes and glazing."
  4. The exterior of a building helps define its style and quality an historic period. The original siding should be retained and repaired."
  5. An accessory 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 accessory 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):**

1. Reconfigure/reconstruct the façade's infilled porch and addition.
  - a. Remove the infilled porch's eastern (façade) wall.
  - b. The lower portion of the continuous brick foundation, that section which occupies the location and height of the original, will remain intact.
  - c. Tongue-and-groove wooden decking will be installed on the porch.
  - d. Tongue-and-groove bead-board will be employed in the porch ceiling.
  - e. Reconfigure the porch's bay system to reflect the original bay divisions.
  - f. Four pairs of square section wooden porch posts featuring cloud lift brackets will rest atop wooden plinths. The end plinths will feature three posts.
  - g. The reconstructed/reconfigured porch will be faced with 1"x 6" wooden siding that will match the original.
  - h. The surviving wooden door will be returned to its original location.
  - i. A door surround featuring flanking sidelights and a surmounting transom will be installed about the original front door. The sidelights and transom will feature a diamond-paned light arrangement comparable to that found in the façade's dormer windows.
  - j. Two multi-light wooden windows with arched transoms will be installed to the south of the front door.
2. Alter fenestration.
  - a. Remove a later paired six-over-six window unit from the façade.
  - b. Install siding over the location of the aforementioned window. The siding will match the existing.
  - c. Remove later aluminum windows from the façade's recessed southern wing.
  - d. Install a multi-light window with arched transom in the location of the above. The window will match that proposed for the infilled porch area.
  - e. Remove three aluminum windows from the west elevation of the south wing.
  - f. Install a single multi-light wooden window and arched transom.
  - g. Remove a pair of four-over-four windows from the South Elevation.
  - h. Install a bank of four four-over-four wooden windows in the location of the above.
  - i. Remove non-conforming fenestration from the South and North Elevations of the later rear addition.
  - j. Install multi-light wooden windows with transoms above locations.
  - k. The South Elevation's brick dado will be reconfigured to run uninterrupted beneath the fenestration.
    - l. Remove a door from the later addition's West Elevation.
    - m. Install a double paneled and glazed door to replace the above.
3. Demolish/Convert an attached carport into an outdoor living area.
  - a. Demolish the multi-vehicular parking structure.
  - b. Reconfigure the carport's and later additions rear roof.
  - c. The new roof will extend over a portion of the formerly covered parking area.
  - d. A section of wooden screen wall will extend from the northwest corner of the remodeled addition. The screen wall will feature a cased opening.
  - e. Construct an attached wooden pergola to be located at the end of the reconfigured outdoor living.
  - f. Infill the South Elevation's grill.
  - g. For fenestration changes see C (2) g-j.
4. Attend to miscellaneous deferred maintenance on the main house.
  - a. Reroof portions of the building. The roofing shingles will match the existing.
  - b. Replace siding to match the existing in profile, dimension, and material.
5. Construct a one-and-one-half story garage in the southwest corner of the property.

- a. The garage will measure 24' in width and 34' in depth.
- b. The walls will be faced with wooden siding matching that found on the main house.
- c. The double car garage East Elevation will feature paneled and glazed steel "Carriage House" doors.
- d. A tripartite wooden window grouping with a diamond-shaped light configuration will be located above the garage doors.
- e. A louvered vent matching that found on the main house will be located within the apex of the East Elevation's gabled roof.
- f. The South Elevation will feature two banks of three four-over-four windows.
- g. The West Elevation will not feature fenestration.
- h. A louvered vent matching that found on the East Elevation will be located within the apex of the West Elevation's gable.
- i. The North Elevation will feature a glazed and paneled double wooden door and a bank of three four-over-four wooden windows.
- j. The garage's gable roof will be sheathed with shingles matching those found on the main house.

#### Clarification

1. Provide a photograph of the door proposed for the rear elevation.

#### **STAFF ANALYSIS**

This house was heavily remodeled during the later half of the Twentieth Century. The front porch was infilled, fenestration alterations were made, a brick veneer was added, and rear additions were made. This five part application involves the reclamation of an infilled porch, the alteration of later fenestration, the remodeling of a later rear carport/addition, the undertaking of miscellaneous repairs, and the construction of a garage.

The front porch was infilled during the 1960s or 1970s. The Secretary of the Interior's Standards for Rehabilitation state that the replacement of missing features should be based upon documentary, physical, or pictorial evidence. The plan of the porch remains intact. The restoration of the elevations is guided by contemporary photographs found in the collections of the University of South Alabama Archives. With certain exceptions (fenestration and balustrade), the applicants propose a complete restoration of the façade's front porch. The original door survives intact. The door surround, transoms and sidelight, is based on the original. The muntin pattern of the surround mimics that found in the façade's two dormer windows. The fenestrated bays located to the south of the relocated entrance are located in the approximate locations of the original French doors. While the proposed windows will not impair the architectural integrity of the historic district, they would affect the property's possible elevation to contributing status and Banner & Shield eligibility. Staff recommends that the applicants consider French doors with straight transoms for the porch.

The alteration of existing fenestration concerns the replacement of later windows installed on the main house and windows found on a post 1955 rear addition. With the possible exception of one window (one not visible from the street), all the aforementioned windows are not original to the building and non-conforming in nature. With regard to window replacements, window type, size, and light configuration are design matters of key concern. Staff's recommendation regarding the porch window treatment extends in part to the south wing's windows in that this house featured flat not arched fenestration. The remaining window replacements of the arched type are intended for the side elevation and later rear wing. All other window replacements meet the design and material standards.

The rear carport area dates from after the Second World War. This portion of the house is not visible from the public right of way. The design and construction of this parking cover is not of the same quality as that of the main house. The reduced size of the covered space will be augmented by an abutting pergola, a historically and aesthetically appropriate element for Arts and Crafts-inspired homes of the bungalow type.

The miscellaneous repairs will match the existing.

The proposed garage will be located atop the site of an earlier demolished garage. The Design Review Guidelines for Mobile's Historic Districts state that ancillary construction should complement the design and scale of a property's principal building. The wood frame construction, simple massing, and window types are appropriate to period of the main house's design and period. Some details, such as the two louvered vents, take design cue from the main house. The historic district overlay allows for the proposed setbacks.

Staff does not believe this application impairs the architectural or the historical integrity of the building, the property, or the district.

### **STAFF RECOMMENDATION**

Based on B (1-5), Staff does not believe that this application impairs the architectural or the historical character of the building, the property, or the district. Staff recommends approval of this application. However, Staff would encourage the owners to utilize horizontal transoms over the windows rather than integral arched transom units.

### **PUBLIC TESTIMONY**

David Breitreuz was present to discuss the application.

### **BOARD DISCUSSION**

The board discussion took place concurrently with the public testimony. Mr. Blackwell notified the Board that the applicant wanted to amend his application to allow a hipped roof over the later rear wing instead of the proposed flat roof indicated in the submitted drawings. He distributed to the Board revised drawings.

Mr. Ladd welcomed the applicant. He asked Mr. Breitreuz if he had any comments to add, questions to ask, or clarifications to make with regard to the Staff Report. Mr. Breitreuz told the Board that he and his fiancée had recently purchased the property. He said that they owned houses in Midtown. Mr. Breitreuz noted that if there was a house that could function as a poster child for why Architectural Review Board's are needed it was this property. He said that he looked forward to the Board's feedback saying that this was the first of what promised to be numerous dealings with the Board and Staff.

Mr. Ladd asked his fellow Board members if they had any questions to ask the applicant. Ms. Whitt-Mitchell asked Staff for clarification regarding the windows. Mr. Blackwell explained that while the proposed arched transom windows were period to the house, the house did not originally feature arched windows. He said the proposed windows would not impair the house or the district. Mr. Blackwell further noted that the house had undergone unsympathetic renovations over the course of the post Second World War decades. Mr. Bemis stated that though the windows were not objectionable they might prove a later stumbling block if the applicants applied for a banner and shield.



Mr. Breitkreuz acknowledged that the house never featured arched windows. He told the Board that the façade's original windows were removed during the post war renovations. Mr. Breitkreuz explained that period appropriate replacement windows were sourced units from a reputable dealer. He noted that the windows and their flanking shutters fit the restored bay system of the porch and the wall dimensions.

Ms. Harden asked Staff and the applicant for clarification regarding the composition of the replacement windows. Mr. Blackwell addressed Ms. Harden's concerns.

Mr. Breitkreuz told the Board that he and his fiancée found the windows beautiful and would like to use them on the house. Mr. Breitkreuz said that he understood Staff's concern regarding the arched transoms. He told the Board that he would investigate other alternatives if necessary.

Mr. Roberts asked Mr. Breitkreuz if he would like to further amend his application to allow the use of flat or arched transoms. Mr. Breitkreuz agreed.

### **FINDING OF FACT**

Mr. Wagoner 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 a hipped roof would surmount the later rear wing and that the window replacements would feature either flat or arched transoms.

The motion received a second and was unanimously approved.

### **DECISION ON THE APPLICATION**

Mr. Wagoner 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: 5/4/12**

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

**2011-32-CA: 1452 Government Street**  
**Applicant: Etheridge, LLC / Tree Investments, LLC**  
**Received: 4/18/11**  
**Meeting: 5/4/11**

**INTRODUCTION TO THE APPLICATION**

Historic District: Old Dauphin Way  
Classification: Non-Contributing  
Zoning: R-3, R-3, R-3, R-1  
Project: New Construction – Develop a vacant lot by constructing a single tenant commercial building, installing hardscaping, fencing, and landscaping.

**BUILDING HISTORY**

According to the 1955 Sanborn Maps, three large homes facing Government Street stood upon this block. A rear service alley was located behind the one single and two multi-story dwellings.

**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...”

- A. This property has never appeared before the Architectural Review Board. The applicants propose the development of three large lots facing Government Street and one small lot facing Etheridge Street. The proposal calls for the construction of a single tenant commercial building, the installation of hardscaping and of landscaping.
- B. A The Mobile Historic District Guidelines for New Commercial Construction state, in pertinent part:
  - 1. **“Placement and Orientation:** Placement has two components: setback, the distance between the street and a building; and spacing, the distance between its property lines and adjacent structures. New construction should be placed on the lot so that setback and spacing approximate those of nearby historic buildings. New buildings should not be placed too far forward or behind the traditional “facade line”, a visual line created by the fronts of buildings along a street. An inappropriate setback disrupts the facade line and diminishes the visual character of the streetscape. Current setback requirements of the City of Mobile Zoning Ordinance may not allow the building to be placed as close to the street as the majority of existing buildings. If the traditional facade line or “average” setback is considerably less than allowed under the Zoning Ordinance, the Review Boards will support an application for a Variance from the Board of Adjustment to allow for new construction closer to the street and more in character with the surrounding historic buildings.
  - 2. **MASS:** Building mass is established by the arrangement and proportion of its basic geometric components - the main building, wings and porches, the roof and the foundation. Similarity of massing helps create a rhythm along a street, which is one of

- a. **FOUNDATIONS:** The foundation, the platform upon which a building rests, is a massing component of a building. Since diminished foundation proportions have a negative effect on massing and visual character, new buildings should have foundations similar in height to those of nearby historic buildings.
  - b. **MAIN BODY AND WINGS:** Although roofs and foundations reinforce massing, the main body and wings are the most significant components. A building's form or shape can be simple (a box) or complex (a combination of many boxes or projections and indentations). The main body of a building may be one or two stories. Interior floor and ceiling heights are reflected on the exterior of a building and should be compatible with nearby historic buildings.
  - c. **ROOFS:** A building's roof contributes significantly to its massing and to the character of the surrounding area. New construction may consider, where appropriate, roof shapes, pitches and complexity similar to or compatible with those of adjacent historic buildings.
3. **SCALE:** The size of a building is determined by its dimensions - height, width, and depth - which also dictate the building's square footage. Scale refers to a building's size in relationship to other buildings - large, medium, and small. Buildings which are similar in massing may be very different in scale. To preserve the continuity of a historic district, new construction should be in scale with nearby historic buildings.
  4. **FAÇADE ELEMENTS:** Facade elements such as porches, entrances, and windows make up the "face" or facade of a building. New construction should reflect the use of facade elements of nearby historic buildings. The number and proportion of openings - windows and entrances - within the facade of a building creates a solid-to-void ratio (wall-to-opening). New buildings should use windows and entrances that approximate the placement and solid-to-void ratio of nearby historic buildings. In addition, designs for new construction should incorporate the traditional use of window casements and door surrounds. Where a side elevation is clearly visible from the street, proportion and placement of their elements will have an impact upon the visual character of the neighborhood and must be addressed in the design.
  5. **MATERIALS AND ORNAMENTATION:** The goal of new construction should be to blend into the historic district but to avoid creating a false sense of history by merely copying historic examples. The choice of materials and ornamentation for new construction is a good way for a new building to exert its own identity. By using historic examples as a point of departure, it is possible for new construction to use new materials and ornamentation and still fit into the historic district. Historic buildings feature the use of a variety of materials for roofs, foundations, wall cladding and architectural details. In new buildings, exterior materials – both traditional and modern - should closely resemble surrounding historic examples.

**Scope of Work** (per submitted plans):

1. **Overall Site Work:**
  - a. Clear and level the elevated site.
  - b. Remove the u-shaped drive from the eastern western lot line.
  - c. Remove the coping wall located within the arms of the u-shaped drive.

- d. Remove trees from the interior and the perimeter of the lot.
- 2. **Construct a single story, single tenant commercial building.**
  - a. The building will be setback 33' from Government Street right of way at its closest point, 78.66' to 85.12' from the South Lafayette Street right of way, and 39.55' from the Etheridge Street right of way.
  - b. General Building Elements
    - 1. The brick-veneered building will measure 130' by 70' in plan.
    - 2. The total square footage will amount to 9,100 square feet.
    - 3. The building will measure 22' in height.
    - 4. The building will feature a canted southeast corner entrance.
    - 5. Bricks of three different colors will articulate the building's elevations.
    - 6. The bricks will be dark, medium, or tan in color.
    - 7. The building's elevations will feature paneled and capped pilasters atop bases.
    - 8. The pilasters will rise above an interrupted parapet/cornice.
    - 9. The wall bays will feature blind windows.
    - 10. Gooseneck lamps will be centered above the blind windows.
    - 11. Man made stone accents will punctuate the elevations, back the lamps, and articulate the pilasters.
    - 12. A parapet will extend around the South, East, and North Elevations.
    - 13. A standing seam metal roof will surmount the roof. The roof will be Dark Kelly Green in color.
  - c. South Elevation
    - 1. The South Elevation will measure 130' in length and over 22' in height (to apex of the parapet).
    - 2. The South Elevation will be comprised of a paired pilaster division, two blind windowed bays, and an entrance bay.
    - 3. A canted aluminum storefront unit will allow ingress to and egress from the building.
    - 4. A suspended standing seam metal canopy will surmount the entrance bay. The canopy will be Dark Kelly Green in color.
    - 5. A wall Signage (to be reviewed in a later application) will be positioned above the canopy.
    - 6. Three gooseneck lamps will be located above the signage.
    - 7. The entrance bay will feature a stepped and raked parapet.
  - d. East Elevation
    - 1. The East Elevation will measure 70' in length and over 22' in height (to the apex of the parapet).
    - 2. The East Elevation will be six bays in length.
    - 3. The northernmost bay will feature a metal service door and a blind window bay.
    - 4. The four inner bays will feature blind windows surmounted by gooseneck lamps.

5. The southernmost or entrance bay will be treated in the same manner as the South Elevation's entrance bay.
  6. The wall signage located within the entrance bay will be reviewed in later application.
- e. North Elevation
1. The North Elevation will be 70' in length and over 15' in height.
  2. The three bay North Elevation will step down in a westward direction.
  3. The eastern bay will feature two blind window bays with surmounting gooseneck lamps.
  4. The center bay will feature two gooseneck lamps.
  5. The western bay will feature a double metal door and three gooseneck lamps.
- f. West Elevation
1. The five bay West Elevation will feature a wider center bay flanked by two narrower bays located to either side.
  2. The outer bays will feature gooseneck lamps (one per bay).
  3. The larger center bay will feature two gooseneck lamps.
  4. Five HVAC units will be located off the center bay.
- 3. Install Hardscaping within the lot.**
- a. Two 36' wide curbcuts will allow vehicular ingress to and egress from the Property (dimensions reflect the inner widths of the curbcuts).
  - b. A large Live Oak tree will have to be removed to accommodate the Lafayette Street curbcut.
  - c. An asphalt parking lot will be located to the east and north of the building.
  - d. Thirty-three parking spaces will be distributed about the parking areas.
  - e. Thirteen spaces will be located off the sidewalk running along the eastern side of the building.
  - f. Twelve spaces will be located to the west of the landscaped buffer separating the parking lot from the Lafayette Street sidewalk.
  - g. Eight additional parking spaces will be located in the northwest corner of the of the property.
  - h. A 79' by 24' (1,896 sq. ft.) concrete loading pad will be located to the rear of the building.
  - i. An 8' by 50' (400 sq. ft.) concrete HVAC pad will be located of the west side of the building.
  - j. An 18' square dumpster pad will be located at the northern end of the West Elevation.
- 4. Install Landscaping.**
- a. Install Live Oaks, Natchez Crepe Myrtles, Leyland Cypresses, and sod around the building (excepting the eastern side) and around the perimeter of the lot
  - b. According to the planting schedule, eight existing trees (five Oaks, two Crepe Myrtles, and one Pecan) will be removed from the lot.
- 5. Install fencing.**
- a. A six foot wooden fence will extend along the northern lot line.

## **Clarifications**

1. What are the outer widths of the curbcuts?
2. Will the 6' rear lot fence extend the whole of the lot line?
3. Will the 6' rear fence step down as it approaches the street?
4. Will the concrete loading pad be raised?
5. Has the applicant contacted Urban Forestry?
6. Provide a current site plan of conditions and landscaping on the lot.
7. What type fencing will enclose the dumpster pad?
8. Will fencing surround the HVAC pad?
9. Provide material samples of the proposed bricks.
10. Has the issue of storm water detention been examined?
11. Where will the water detention pond be located and how will it be treated?

## **C. STAFF REPORT**

### **STAFF ANALYSIS**

This application calls for the construction a single-story, single-tenant commercial building. The parcel is comprised of four lots of record. Undeveloped, the lots feature heritage trees and other planting. All four lots are zoned residential; therefore, the application as proposed cannot be built until the rezoning is accomplished, regardless of the decision of this Board.

Three of the four lots face Government Street, the grandest of Mobile's historic residential thoroughfares. Renowned for its grand public buildings, large homes, and tree canopy, Government Street constitutes a nationally significant cultural landscape.

The Guidelines for New Commercial Construction in Mobile's Historic District address five primary areas of concern: placement; mass; scale; façade elements; and materials and ornamentation. Additional concerns include landscaping and hardscaping.

Placement involves consideration of setbacks and orientation. A building setback is the distance between a building and the street. Traditionally commercial buildings were oriented close to, if not on, the property line. Government Street west of Broad was primarily a residential artery. Large houses were setback thirty or more feet from the street amid landscaped lots. The proposed thirty-three foot setback from Government Street is compatible to the setbacks that characterize nearby historic residential structures. Building orientation concerns the relationship of the building to the street. The large parcel occupies the street frontage of a Government Street block. The property therefore embraces two side streets, Etheridge Street and Lafayette Street. Etheridge Street underwent major demolitions during the later half of the Twentieth Century. Lafayette Street is one the most intact, architecturally diverse, and best preserved residential streets in Mobile. The proposed building will be located in the southeast corner of the lot. As such, the development will have significant consequences for the Lafayette Streetscape.

Building mass is defined as the relationship of individual building parts to the larger built whole. Foundation treatment, horizontal division, bays system, and roof treatments come under review. The proposed building features a block-like massing characteristic of traditional commercial structures. Said block-like massings were rarely so large on earlier single story commercial concerns. The building would rest atop a slab foundation. The pilaster bases will provide some form of horizontal relief to the building mass. The pilasters will break the building up vertically into a regularized system of bays. The proposed heights are previously approved examples of commercial infill. A parapet will obscure the building's metal roof on its South, East, and North Elevations. Parapets are a traditional design element employed to

obscure roof structures. The parapet will not extend around the West Elevation. Resultantly the building's green-colored metal roof will be exposed to the public view. Colored Metal roofs have not been approved by the Board.

Scale is defined as the proportional relationship between buildings. The proposed building is proportionally inappropriate to the historic residential and historic commercial buildings that continue to line Government Street. The Historic District Guidelines read "To preserve the continuity of a historic district, new construction should be in scale with nearby historic buildings." The scale is inappropriate to both Etheridge and Lafayette streets which are lined with one-story residences averaging 1600-2200 square feet.

A façade is a building's principal elevation. On account of the block long lot and the canted corner of the entry, this building features two facades, one facing Government Street and a second facing Lafayette Street. The canted southeast corner storefront entrance is the principle design element. The remaining bays of the South and East facades are treated in a similar manner, essentially a regularized system of blind window bays demarcated by pilasters. The canted storefront entrance comprises the building's only true fenestration. No glazed fenestration is found elsewhere on the building. A parapet extends around the South, East, and North Elevations. The parapet adopts a stepped format on the North Elevation. The parapet does not extend around the West Elevation. The north elevation does not feature any fenestration, real or blind. The complete absence of glazed fenestration, excepting the storefront, is not appropriate for Mobile's historic districts. The absence of parapet on the West Elevation results in the full view of the building's industrial roof. The unarticulated nature of the West Elevation is not suitable for street-facing elevation. The lengthy distribution of mechanical equipment along said elevation further denigrates the streetscape.

Building materials and facing should be historically appropriate to Mobile's historic districts. Brick is a material long employed on Mobile's commercial buildings. Numerous commercial buildings feature facades displaying varicolored bricks. Material samples should be provided for Staff inspection and Board Review.

Landscaping is a key concern. Though the proposals would leave a sizable amount of the property undeveloped and would involve the installation of a large number of plantings, the development plan does not take into account the existing landscape. Removal of trees with trunks measuring twenty-four inches or more requires approval from Urban Forestry. Heritage trees such as Live Oaks are given special consideration and removal of these Oaks is rarely approved. The insertion of the Lafayette Street curbcut would require the cutting a large forty inch Live Oak. Said tree and others are located within the right of way therefore fall under jurisdiction of that City office. It should be noted that the City's tree ordinance was crafted in order to deter and avoid removal of these Oaks. Dense groupings of Water Oaks dot the central and rear portions of the lot. While not heritage trees, Water Oaks and the other trees that create the property's the leafy canopy, bestow upon the lot much of its historic integrity and historic character. Any proposed tree removals must be reviewed by Urban Forestry.

In addition to landscaping, hardscaping, and fencing are requisite components for new commercial developments. The Guidelines for Mobile's Historic Districts state the parking areas should be obscured by landscaping. Proposed plantings will buffer views of the built and paved areas, but only to certain extent. Most of the parking is located off of Lafayette Street, a residential street characterized by open lawns and predominately single story residences and not expanses of asphalt. Landscaping provisions fail to adequately address the southeast corner of the lot or the rear lot line. Parking in both these areas would intrude upon the historic streetscapes and/or residential settings. With regard to southeast corner area, vehicular maneuverability would be jeopardized and landscape vistas would be sacrificed. As per northeast corner, public parking would extend well into the residential block. A proposed six foot wooden

fence would abut the side wall of and extend beyond the front plan of an adjacent private residence. The rear Etheridge Street side parking would be separated from the rest of the lot by a straight cut through made by the alignment of the two proposed curbcuts. Inner vehicular arteries of this type are not encouraged and rarely approved by Traffic and Engineering. The insertion of large curbcuts from Etheridge and Lafayette Streets would alter the character of the two side streets. To accommodate the delivery trucks that would service the proposed development, Traffic and Engineering has advised us that Etheridge Street would need to be widened reducing the planting buffer. This plan would have to be approved by this department and would affect the site plan as proposed.

## OTHER CONSIDERATIONS

Staff has met with other representatives from Zoning, Planning, Traffic Engineering, Right of Way, and Urban Development regarding this application. In addition to the above cited design and landscape issues, numerous other criteria under purvey of other City Departments need to be addressed.

**Urban Development:** The three front lots are zoned R3 and the Etheridge Street lot is zoned R1. UDD Staff do not believe the change of zoning to B2 for the four lots would be recommended. In addition, a new subdivision is required to create one lot of record. Again, Staff was not encouraging about the intrusion of commercial zoning into the neighborhood which may affect the subdivision.

**TRAFFIC ENGINEERING/RIGHT OF WAY:** Etheridge Street can not accommodate large delivery trucks. Without a formal review, Staff was unsure of the ability to get large trucks onto Lafayette Street. Staff also noted that cut throughs are generally not approved such as the one from Lafayette to Etheridge. Concern was also expressed about putting commercial traffic onto Etheridge which is too narrow to handle a significant increase in traffic. It was noted that the traffic patterns along Etheridge (turning onto Government) and Lafayette needed investigating.

**URBAN FORESTRY:** No representative of Urban Forestry was present available, but representatives of Urban Development and Traffic Engineering were not encouraging about the removal of at least one and possibly more trees.

Applications required:

- An application to the Board of Zoning Adjustment to rezone three lots from R-3 to B-2 and one lot from R-1 to B-2;
- An application to the City Planning Commission for resubdivision of the four lots of records;
- An application to the Mobile Tree Commission for removal of the trees;
- Assuming the zoning change is approved and the resubidivision is accepted, typical site and construction review by the Urban Development Permitting staff which include review of the proposal by Right of Way, Urban Forestry, Traffic and Engineering, Zoning and the Building Inspectors.

Any changes made throughout the above rezoning and permitting process to the proposed plan will necessitate the plan returning to this Board for approval.

## STAFF RECOMMENDATION

Based on B (1-5), Staff, Staff believes this application will impair the architectural and the historical character of the historic district. Staff does not recommend approval of this application. Staff also notes that there are considerable regulatory obstacles that need to be addressed. These obstacles may make the project not feasible.



## **PUBLIC TESTIMONY**

Jacob Mossholder was present to discuss the application.

## **BOARD DISCUSSION**

The board discussion took place concurrently with the public testimony. Mr. Ladd prefaced his opening by telling those assembled that matters concerning building use are not under the Architectural Review Board's jurisdiction. He told the audience that comments regarding the building's design and site's plan were welcomed, but concerns over building use should be addressed to the Board of Zoning.

Mr. Ladd welcomed the applicant's representative. Mr. Ladd then asked if he had any comments to add, questions to ask, or clarifications to make with regard to the Staff Report. Mr. Mossholder responded by telling the Board and the audience that he had been in communication with Mr. Bemis and Mr. Blackwell regarding the application. He told the Board that his clients wanted to develop the lot. Mr. Mossholder acknowledged that both he and his clients realized that any proposed development would uphold the special location. He referenced the Staff Report agreeing that Government Street is indeed one of Mobile's most significant streets. Mr. Mossholder said that he realized the proposal would have to take into account the historical context and access requirements. As per the latter, he acknowledged that either the City or the developer would have to extend Etheridge Street. Mr. Mossholder said that the developer was willing to cover the cost of widening the narrow street.

Mr. Roberts asked Mr. Mossholder why he was appearing before the Board after Staff had recommended against the application. He asked if the applicant's architect had been in communication with Staff. Mr. Bemis told the Board that he had been in communication with the Mr. Mossholder and the architect for several months. Mr. Roberts asked why they had apparently not gotten the message of what was expected of them. Mr. Bemis explained that the drawings up for review were not the first drawings to be submitted, but the first to appear before the Board. He told the Board that Staff had received an earlier set of plans which they had provided critique and feedback.

Mr. Mossholder addressed the Board and the audience. He said that his company did not want to force their way into the area, but to more engage the community. Mr. Mossholder stated that after this meeting they would step back to gage the temperament and work toward a solution that satisfies all concerned parties. He acknowledged that while the obstacles might seem insurmountable they hoped to develop the lot.

Mr. Ladd asked Mr. Mossholder if he was appearing before the Board for feedback. Mr. Mossholder answered yes, saying they wanted direction. He said that the applicants wanted to determine what was feasible and appropriate for the historic district.

Mr. Roberts complimented the design. He told Mr. Mossholder that it was the most beautiful Dollar design he had ever seen. That said he stated that the design was not appropriate for the historic district.

Ms. Baker asked why the application was appearing before the Board when it was fraught with concerns from other City Departments. Mr. Bemis explained that yes the application does pose concerns for a number of City Departments. He said it was a classic chicken and egg scenario. Review had to start somewhere. The Architectural Review was in this case the first step.

Mr. Karwinski stated that as an architect and an urban planner, he could see major problems with design. He said that the proposed redevelopment plan lacked a good site analysis. Mr. Karwinski said that the building design and site plan did not take into account the topography of the lots, the street grid, or the

architectural context. He told Mr. Mossholder that site plans should be addressed before the building design since the plans would affect the design. Mr. Karwinski said that while the proposed design was far above standard, it was nonetheless not appropriate for Mobile's historic districts. He told the applicant of the process involved in the design of the Taco Bell located at 1115 Government Street, noting that a new design prototype had been developed to accommodate the historic setting. Mr. Mossholder thanked Mr. Karwinski. He said that this application was not the final product, but a starting block.

Mr. Robert told Mr. Mossholder that the project architect should visit the site and tour the historic districts to obtain a feel for the area's character. Mr. Roberts further suggested the forming of a Design Review Committee. Mr. Mossholder said the project architect had intended to be present at the meeting, but could not come because of recent weather-related events in the Huntsville area. Mr. Mossholder welcomed the idea of a Design Review Committee. Mr. Ladd agreed saying that the convention of a Design Review Committee would allow the Board and the community to engage in a dialogue.

Addressing the audience, Mr. Ladd asked for a show of hands of all parties wanting to speak with regard to application. Mr. Ladd reminded interested parties that building use was not under the Board's jurisdiction. He welcomed all comments and concerns relating to the building's design and site plan.

Renee Williams, President of the Old Dauphin Way Neighborhood Association, was the first to speak against the application. She told the Board and Mr. Mossholder that the Old Dauphin Historic District, of which this property was a part, had over 5,000 inhabitants of which were active member of the neighborhood association. Ms. Williams explained how she had heard of the proposed development. She agreed with Mr. Roberts and Mr. Karwinski in that the design was beautiful but still not appropriate for use in a historic district. Ms. Williams noted that the proposed building was essentially a big box whose shape did not fit the site or context. She mentioned that a school crossing was located only one block away from the site. After acknowledging that the crossing and many other concerns were under the jurisdiction of the office of Traffic Engineering, Ms. Williams stated that the Board's review should be taken into consideration. Ms. Williams noted that the widening of Etheridge Street and the re-subdivision of four lots into single mega lot encompassing a significant portion of a large block would be detrimental to the historic character of the of the Old Dauphin Historic District.

Ms. Sybil Horton, an Old Dauphin Way resident, stated that a big box was not appropriate for Government Street. She told the Board that it did not conform with traditional commercial buildings.

Andrew Woodard addressed the Board. He stated that he and his family live on Etheridge Street. Mr. Woodard said that he walks by the site everyday and hoped that the site would be developed for residential purposes. Mr. Woodward pointed out that the lots are not only zoned residential, located adjacent to residential lots, but also encroached well into a large residential block. He stated that even though the lot was not used, it was still beautiful. Mr. Woodard urged the Board to make a good decision on which later generations could look back with pride. He stated that Etheridge Street is very narrow. He, also, added that North Julia Street is the only street of comparable intimacy of scale and feel. Mr. Woodward mentioned that visitors and newcomers to Mobile are always impressed by the historic districts because of their historic character and integrity.

Julie Woodard addressed the Board. She told them that she hoped the site would be redeveloped as an upscale residential complex. Referencing the Shops of Midtown located just west of the site, Ms. Woodard stated that the gargantuan compound had a detrimental affect on the appearance of and life within the Old Dauphin Historic Districts. She noted that twelve children live on Etheridge Street alone. Those children play in and around the narrow street. Ms. Woodward noted that some people will drive down Etheridge Street thinking that it provides access to the parking lot of the Office Depot. Upon realizing that the street is not a cut through, many angry or confused drivers might speed down the street.

Ms. Woodard stated that Etheridge Street is a single lane road and cannot accommodate added traffic. Alluding to the Shops of Midtown again, Ms. Woodard urged against future developments of this type and design that were submitted.

Mr. Mossholder stated that he was not using or referencing that property as prototype to follow. Ms. Coumanis stated that Shops of Midtown were approved on appeal. Ms. Woodard urged Mr. Mossholder to direct the developers in the direction of residential infill and not commercial redevelopment.

Mr. Wagoner said that while the comments made by the audience were all well taken, the Board unfortunately cannot address zoning issues. He directed all concerned parties to address their concerns to the Board of Zoning Adjustment.

Mr. Ladd thanked those members of the audience who voiced their approbations. He said that they would have further opportunity for involvement and contribution.

Ms. Bunky Ralph voiced concerns regarding the proposed building's design and site plan. She said that a windowless box was not appropriate for downtown Government Street. She asked the Board to be aware of fenestration. Furthermore, Ms. Ralph stated that if the project was approved, it would set a bad precedent for developments of this type and that additional box development would further erode the historical integrity of downtown Government Street.

Joe Lamarque complimented Ms. Ralph's summation of concerns. He agreed that the effect of the proposed development would be disastrous to the historic districts. Having moved to Mobile three years earlier, Mr. Lamarque noted that he was a relative newcomer to Mobile and that he appreciated the historic character of the historic districts.

Mr. Ladd thanked neighborhood residents for their comments. A discussion of the composition of a Design Review Committee ensued. Mr. Ladd said that while non-Board members could not serve on Design Review Committee, they could attend the proceedings. Speaking to Mr. Mossholder, he said that the Board was not working against the proposal but working with him and the community in order to obtain a solution. Mr. Ladd asked his fellow Board members for volunteers to serve on the Design Review Committee. Ms. Harden, Mr. James, Mr. Roberts, and Mr. Karwinski volunteered their time and expertise. Ms. Coumanis told Mr. Mossholder that an accurate site plan would be required. Mr. Oswalt moved to table the application to a Design Review Committee.

**TABLED**

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

**2011-26-CA: 58 Bradford Avenue**  
**Applicant: Bill Glover with Premier Windows of the Gulf Coast for Sam Au**  
**Received: 4/4/11; revised 4/25/11**  
**Meeting: 5/4/11**

**INTRODUCTION TO THE APPLICATION**

Historic District: Old Dauphin Way  
Classification: Non-Contributing  
Zoning: R-1  
Project: Window Replacement – Replace aluminum windows with vinyl windows.

**BUILDING HISTORY**

This one-and-one-half story bungalow was constructed circa 1920. The house features a full length front porch and shingled side gables.

**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 appeared before the Old Dauphin Way Review Board on April 20, 2011. At that time, the Board tabled an application calling for the removal aluminum windows and the installation of vinyl windows. The applicant and his representative will return to the Board with a drawing, photographs, and model of the proposed replacement windows.
- B. The Design Review Guidelines for Mobile’s Historic Districts state, in pertinent part:
  - 1. “The type, size and dividing lights of windows and their location and configuration (rhythm) on the building help establish the historic character of a building. Original windows should be retained as well as original sashes and glazing.”
  - 2. “Where windows cannot be repaired, new windows must be compatible to the existing. The size and placement of new windows for additions and alterations should be compatible with the general character of the building.”
- C. Scope of Work:
  - 1. Remove the latter aluminum awning windows from the house’s north and south (side) elevations.
  - 2. Replace the aluminum awning windows with double-hung, double-paned vinyl sash windows.
    - a. The vinyl window units will be framed with wooden surrounds replicating those of the façade’s wooden window Framing.
    - b. The vinyl windows will be faced with a textured aluminum facing and a grained finish.
    - c. The frames and units will be white in color.

- d. Screens will be placed over the windows.
- e. Remove a later window installed in the South Elevation's gable.
- f. The South Elevation's first story windows will be sized to better fit the reveals (not framed and suspended as some of the existing).
- g. Install wooden shingles matching the existing over the location of the aforementioned window.

## **STAFF ANALYSIS**

This application involves the replacement of latter aluminum awning windows with double hung vinyl windows.

The house dates from circa 1920. The house is a non-contributing dwelling because of alterations made to its historic fabric with the absence of original/historic windows being the most obvious. The original windows were removed sometime after the Second World War. The present aluminum windows were in place when the residence was first surveyed in 1984. The current non historic replacement windows are inoperable. The existing windows are not historically or aesthetically appropriate to the style and period of the residence.

The applicant proposes replacing the aluminum awning windows on the side elevations with vinyl, double-hung, sash windows. The application was tabled at the April 20, 2011 meeting of the Board for submission of sample installation photographs, section drawings, and additional explication. In addition to material composition, window installation and dimensionality were areas of Board concern. Based on its examination of the windows installation and drawings, Staff believes the revised application addresses the Board's and Staff's concerns.

Staff believes and the Guidelines state that vinyl windows should not be utilized in the historic districts. However, the question before the Board is whether the replacement of later inoperable aluminum windows with fitted vinyl windows will impair the historic integrity of the building or the district. In this case, Staff believes that the ideal replacement window would be wooden windows. It is the Board's duty to determine impairment. Staff believes that the removal of later inappropriate windows and their replacement with less inappropriate and stylistically correct window cannot be considered impairment. Therefore Staff recommends approval of this application.

## **STAFF RECOMMENDATION**

Based on B (1-2), Staff does not believe this application impairs the architectural or the historical character of the district. Staff recommends approval of this application. It should be noted that this exception is based on several criteria, among them being: the non-contributing status of the building; the inappropriateness of the existing replacement windows; the location of the proposed windows (side elevations only); the efforts made by the applicant to develop an appropriate window surround (dimensionality); and the quality of the window design. If the Board agrees with Staff, it should be noted that the Board is not breaking its own rules or making an exception, but rather utilizing its discretion as required by the ordinance.

## **PUBLIC TESTIMONY**

Sam Au and Bill Glover were present to discuss the application.

## **BOARD DISCUSSION**

The board discussion took place concurrently with the public testimony. Mr. Ladd welcomed the applicant and his representative. He asked Mr. Au and Mr. Glover if they had any comments to add, questions to ask, or clarifications to make with regards to the Staff Report. Mr. Glover said that they wanted to maintain the historic integrity of the building, but to do so with modern materials.

Mr. James complimented the proposed windows. Mr. Au noted that a wood grain treatment would be applied to the windows. Mr. Glover displayed the installation. He told the Board that window sills and frames would be aluminum coated vinyl in composition. Mr. Roberts complimented the window installation.

Mr. Wagoner also offered words of praise regarding the windows but noted that if approved it should state that the proposal was a unique case and that the Board was using its discretion. Mr. Roberts voiced his concerns regarding the thinness of the window strips.

Mr. Karwinski said he had several comments. First, he said that the applicant should be aware that hidden moisture damage might develop as a result of the installation. Secondly, the proposed windows might be a stumbling block for a Banner and Shield. Thirdly, he recommended that applicant replace the façade's later picture windows as well. A discussion as to possible replacement of the front windows ensued.

Ms. Harden asked for clarification regarding the window surrounds. No further Board discussion ensued.

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

## **FINDING OF FACT**

Mr. 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. Ms. Harden noted that this application was an exceptional case. She cited all the points referenced in the Staff Report.

The motion received a second. The motion passed with Mr. Karwinski voting in opposition.

**Certificate of Appropriateness Expiration Date: 5/4/12**

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

**2011-27-CA: 1507 Dauphin Street**  
**Applicant: Wayne Gardner for the Dauphin Way United Methodist Church**  
**Received: 4/4/11; revised 4/26/11**  
**Meeting: 5/4/11**

**INTRODUCTION TO THE APPLICATION**

Historic District: Old Dauphin Way  
Classification: Contributing  
Zoning:  
Project: Window Replacement – Replace wooden windows with double-paned wooden windows featuring a Low-E Glass coating.

**BUILDING HISTORY**

Old Dauphin Way United Methodist Church is one of the most monumental Protestant churches of the post Second World War period. The vast complex focuses about a 1957 sanctuary, an accomplished essay in the High Georgian Revival.

**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 20, 2011. At that time, the Board tabled an application involving the replacement of original single-paned windows with double-paned Low-E glass windows. As per the Board’s request, the applicant’s representative returns before the Board with drawings of the original and the proposed windows.
- B. The Design Review Guidelines for Mobile’s Historic Districts state, in pertinent part:
  - 1. “The type, size and dividing lights of windows and their location and configuration (rhythm) on the building help establish the historic character of a building. Original windows should be retained, as well as, original sashes and glazing.”
  - 2. “Where windows cannot be repaired, new windows must be compatible to the existing. The size and placement of new windows for additions and alterations should be compatible with the general character of the building.”
- C. Scope of Work:
  - 1. Remove fourteen multi-paned arched wooden windows from the main sanctuary.
  - 2. Replace the single-paned windows with double-paned wooden windows of the same design.
  - 3. The panes of the replacement windows will feature a Low-E coating.

## **STAFF ANALYSIS**

This application involves the replacement of single-paned wooden windows with double-paned wooden windows. The existing windows make up over one-fourth of the building's historic fabric. The proposed replacement would be double as opposed to single-pane in construction and the glazing would feature a Low-E glass coating.

The removal and replacement of historic windows is a topic of major discussion in both the preservation and construction literature. With the rising energy costs and increasing "green" incentives, there exists much information and misinformation on the subject. The National Trust for Historic Preservation has devoted a section of its website to the subject ([www.preservationnation.org/issues](http://www.preservationnation.org/issues)).

A 2010 issue of the Alabama Trust for Historic Preservation's newsletter addressed the situation. The basic conclusion of the web site and publication is that existing windows should be preserved. In analyzing retention as opposed to replacement, economic, and energy factors are cited in favor of keeping the historic windows. Additional argument is made for their importance to the historic integrity of the building. The use of storm windows is recommended as energy saving solution that simultaneously preserves historic fabric, character, and resources. When windows must be replaced the replacement composition (material) and construction (single or double-paned) are matters of key concern. The window literature further addresses the types and dates of wooden window construction.

The Design Review Guidelines for Mobile's Historic Districts state that historic windows should be retained (B.1 above). When windows must be replaced, the Guidelines state that those replacements should be compatible with the general character of the building. The construction method, double instead of single pane, would change. The Guidelines do not authorize the replacement of single-paned windows with double-paned windows.

At the April 20, 2011 meeting, Board members were divided on the issue of window replacement. The applicants were requested to provide drawings of existing and proposed windows. The original drawings show that the Church was intended to have double-paned windows. For reason or reasons unspecified, single-paned windows were installed. The existing windows will be located within a deeper frame and will feature a deeper muntin system, but the detailing of the window surround and divisions will remain the same. While Staff is cognizant of and open to energy saving measures, the Guidelines, professional literature, and previous Board rulings, all speak against the installation of double-paned window replacements. Staff does not recommend approval of the removal of the original single-paned windows and their replacement with double-paned windows. In the event, the Board moves to allow the replacement of the windows Staff recommends that the lightest Low-E coating be employed on the new windows.

## **STAFF RECOMMENDATION**

Based on B (1-2), Staff believes this application impairs the architectural and the historical character of the building and the district. Staff recommends against the replacement of the historic windows.

## **PUBLIC TESTIMONY**

Wayne Gardner was and Maly were present to discuss the application.

## **BOARD DISCUSSION**



The board discussion took place concurrently with the public testimony. Mr. Ladd welcomed the Church's representatives. He asked Mr. Gardner if he had any comments to add, questions to ask, or clarifications to make with regard to the Staff Report. Mr. Gardener stated that the replacement windows would be solid wood double-paned windows made of Acoya wood. He told the Board that according to the architect's plans the original windows were intended to be double-paned in construction but the existing single-paned windows were installed instead. It is assumed that budget constraints resulted in the present windows. Mr. Gardner stated that the building is set back and the replacements would not be noticeable from the street. He said that the windows would feature Low-E glass. Mr. Roberts noted that sample provided is 1½ inches thick while the real window will be 2¼.

The Board discussed the windows and impairment. Mr. Bemis told the Board that he had spoken to Elizabeth Brown, State Historic Preservation Officer for the Alabama Historical Commission. Ms. Brown told Mr. Bemis that if the proposed replacement windows were approved and installed the building would be downgraded from contributing to non-contributing when the Old Dauphin Way Historic District is next resurveyed.

Mr. Roberts stated that at the previous meeting the Church's representatives said that Church was not concerned with its National Register status. That said and the Board's discretion taken into account, he said that he was in favor of approving the application. Mr. Bemis said the Board's task was not abide by the owner's wants, but determine if the owner/applicant's proposal impairs a building and/or a district. Mr. Roberts referenced the preceding application. He noted that the Board had used its discretion in that case. Mr. Bemis pointed out that proposal was a unique case which Staff and the Board had reviewed at length. He reiterated that windows in that instance were improvement over the existing and would be located on a non-contributing building. Mr. Bemis reiterated that the Board's concern centers on impairment. Mr. Ladd voiced concerns over discretionary aspects of the review process. Mr. Bemis stated that the building's windows constituted roughly a quarter of the building envelop.

Ms. Baker pointed out that the Guidelines state that if windows cannot be repaired, replacements should be compatible with the existing. She said that the Guidelines then make provision for replacement. Mr. Bemis said that the Board ruled consistently for exacting replacement. Mr. Karwinski stated that the Guidelines addressed preservation and restoration. He said that in this case, the original plans were for double paned-windows and the use of double paned windows could be seen as restoration. He reminded the Church's representatives and his fellow Board members that at the previous meeting he had suggested the use of white spacing bars. Mr. Karwinski asked Mr. Gardner if the Church would be amenable to using white spacers. Mr. Gardner answered yes. He said that the original windows profile should be replicated on any replacement window.

Mr. James raised concerns as per window load requirements. He suggested the use of aluminum clad wood windows.

Ms. Harden spoke of her experiences as an architect, as the architect for the Alabama Historical Commission, and as a tax creditor. She said that she could think of no case where a proposal of this type was deemed acceptable. She said that while documentary evidence in the form of the original drawings show an intent, those windows were never installed, therefore, it would not be a restoration. Ms. Harden stated that the proposed would be frowned upon by the local, state, and national standpoints. She suggested that the Church make a repair assessment survey of the existing windows. If replacement is prohibitive, then replacements in kind would be pursued. Mr. James agreed. Ms. Harden complimented the proposed windows, but she noted that from a historical standpoint if the windows were approved, this application could be an open door to inferior replacements. By undertaking a repair assessment survey, both the Church and the Board would do their due diligence. Mr. Ladd agreed. He said that repair work was often loose-ended.

## **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 amended to note the use windows of a type replicating those intended by the original design.

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.

Ms. Harden and Mr. Wagoner voted in opposition.

**Certificate of Appropriateness Expiration Date: 5/4/12**