

**CITY OF MOBILE**  
**ARCHITECTURAL REVIEW BOARD**  
Minutes of the Meeting  
September 12, 2005

**CALL TO ORDER**

The meeting was called to order at 3:00 p.m. by Chair Cindy Klotz.

Ed Hooker, MHDC Architectural Engineer, called the roll as follows:

**Members Present:** David Tharp, Bunky Ralph,, Cindy Klotz, Joe Sackett, Tilmon Brown, Cameron Pfeiffer.

**Members Absent:** Lynda Burkett, Douglas Kearley, Michael Mayberry Harris Oswald Robert Brown.

Staff Members Present: Ed Hooker, Anne Crutcher, Devereaux Bemis, Wanda Cochran.

<u>In Attendance</u>	<u>Mailing Address</u>	<u>Item Number</u>
Mark Burks	1559 Dauphin Street 36604	086-04/05-CA
W. Burley Shedd	1 Bienville Ave. 36606	088-04/05-CA

**APPROVAL OF AUGUST 8, 2005 MINUTES**

David Tharp moved to approve the minutes as emailed. The motion was seconded by Bunky Ralph and approved.

**APPROVAL OF August 22, 2005 MINUTES**

Bunky Ralph moved to approve the minutes as emailed. The motion was seconded by David Tharp and approved.

**APPROVAL OF MID-MONTH CERTIFICATES OF APPROPRIATENESS**

David Tharp moved to approve the mid-month Certificates of Appropriateness issued by staff. The motion was seconded by Tilmon Brown and approved.

**MID-MONTH APPROVALS**

1. Applicant's Name: Frederick's Roofing Company  
Property Address: 1350 Dauphin Street  
Date of Approval: 8/8/05 jdb  
Work Approved: Re-roof building to match existing built-up modified roof in profile, material and dimension.
2. Applicant's Name: Cheryl Mitchell  
Property Address: 32 Lee Street  
Date of Approval: 8/8/05 asc  
Work Approved: Replace rotten wood on porch floor with new materials to match existing in profile and dimension. Finish lattice around foundation. Re-paint house in existing color scheme. Doors to be painted SW 0033, Rembrandt Ruby.

3. Applicant's Name: Z-Best, LLC  
Property Address: 957 Dauphin Street  
Date of Approval: 8/9/05 weh  
Work Approved: Replace/repair siding and trim with materials matching existing in materials, profile and dimension. Repaint trim white. Apply sealant over redwood siding.
  
4. Applicant's Name: David Maness  
Property Address: 22 South Ann Street  
Date of Approval: 8/9/05 weh  
Work Approved: Construct 2 car garage and storage room as per submitted plans. Install driveway as per submitted design. NOTE: This plan was approved by the ARB with a second level, which is now being omitted.
  
5. Applicant's Name: Bill Appling  
Property Address: 7 South Joachim Street  
Date of Approval: 8/9/05 asc  
Work Approved: Repair flat roof as necessary to match existing.
  
6. Applicant's Name: Nationwide Vinyl Siding  
Property Address: 1052 Dauphin Street  
Date of Approval: 8/9/05 weh  
Work Approved: Replace existing deteriorated tin roof on lean-to with aluminum panels, off white in color.
  
7. Applicant's Name: Chris Conlon  
Property Address: 1452 Church Street  
Date of Approval: 8/10/05 weh  
Work Approved: Replace rotten wood as necessary with new materials to match existing in profile, dimension and materials. Repaint house in the following Benjamin Moore paint scheme:  
Body – HC29 – Dunmore Cream  
Trim – HC01 – Brilliant White  
Accent – HC41 – Chrome Green
  
8. Applicant's Name: Cooner Roofing Company  
Property Address: 1209 Palmetto Street  
Date of Approval: 8/10/05 weh  
Work Approved: Re-roof building with 3 tab fiberglass shingles, charcoal gray in color.
  
9. Applicant's Name: Chris Conlon  
Property Address: 1507 Church Street  
Date of Approval: 8/10/05 weh  
Work Approved: Install 6' dog-eared gate across driveway in line with neighbor's fence as per submitted site plan. Relocate air conditioning units as shown on site plan.

10. Applicant's Name: John R. Weber  
Property Address: 313 George Street  
Date of Approval: 8/10/05 asc  
Work Approved: Paint exterior in the following Sherwin Williams colors:  
Body – Harvest Gold  
Trim – Super White  
Accent – Bellingrath Green
11. Applicant's Name: Kane MeHaffey  
Property Address: 1323 Old Shell Road  
Date of Approval: 8/11/05 jss  
Work Approved: Repaint house in the following Behr paint scheme:  
Body – Skipper 570F-5  
Trim – Swan Wing W-F 400  
Doors and Shutters – Midnight Dream – 570F-7
12. Applicant's Name: Michael C. Dow  
Property Address: 1056 Palmetto Street  
Date of Approval: 8/12/05 weh  
Work Approved: Replace rotten wood as necessary with materials to match existing in material, profile and dimension. Paint new materials to match existing color scheme.
13. Applicant's Name: Reynolds Roofing Company  
Property Address: 107 Ryan Avenue  
Date of Approval: 8/12/05 asc  
Work Approved: Re-roof building with timberline shingles, charcoal gray in color.
14. Applicant's Name: Lee Hale  
Property Address: 501 Church Street  
Date of Approval: 8/15/05 asc  
Work Approved: Replace rotten wood as necessary with new materials to match existing in material, profile and dimension. Paint new materials to match existing color scheme.
15. Applicant's Name: Bill Smith  
Property Address: 66 Bradford Avenue  
Date of Approval: 8/18/05 weh  
Work Approved: Install storm windows on bay windows on front elevation.
16. Applicant's Name: Jane Daugherty  
Property Address: 1555 Blair Avenue  
Date of Approval: 8/18/05 weh  
Work Approved: Replace wood louvered blinds on residence copying those on similar houses on the street.
17. Applicant's Name: Pete Burns  
Property Address: 50 St. Emanuel Street  
Date of Approval: 8/18/05 weh  
Work Approved: Replace rotten wood on windows as necessary with

materials to match existing in material, profile and dimension. Replace existing wood louvered blinds with matching materials. Paint new materials to match existing color scheme.

18. Applicant's Name: Vernon Moore  
Property Address: 210 Dexter Avenue  
Date of Approval: 8/18/05 asc  
Work Approved: (This is a renewal of a CoA dated 9-11-03). Repair to rotten wood as necessary with new wood matching existing in profile and dimension. Install 4 soffit vents, painted white. Repaint house in the existing Sherwin Williams color scheme:  
Body – Heritage Renwick Rose Beige  
Porch Deck , steps, trim, lattice – Roycroft Copper Red  
Porch columns, and rise of steps – white
19. Applicant's Name: Tom Gardner  
Property Address: 1056 Augusta Street  
Date of Approval: 8/19/05 weh  
Work Approved: Replace rotten wood as necessary with new materials to match existing in material, profile and dimension. Re-roof built-up flat roof with new materials to match existing. Paint new materials to match existing color scheme.
20. Applicant's Name: Sherry Hewitt  
Property Address: 1120 Selma Street  
Date of Approval: 8/19/05 weh  
Work Approved: This CoA replaces CoA dated 4/14/00. Repaint house in the following color scheme:  
Body – BLP Colonial Yellow  
Trim - White  
Porch deck, foundation – Spruce Green
21. Applicant's Name: Coxon Roofing and Sheet Metal  
Property Address: 753 St. Francis Street  
Date of Approval: 8/19/05 weh  
Work Approved: Remove tile roof and re-felt. Reinstall tile roof, replacing broken tiles as necessary.
22. Applicant's Name: Kenneth Palmertree  
Property Address: 1114 Old Shell Road  
Date of Approval: 8/22/05 weh  
Work Approved: Replace rotten wood as necessary to match existing in profile and dimension. Paint house to match existing color scheme.
23. Applicant's Name: Yvonne Matthews  
Property Address: 1054 Old Shell Road  
Date of Approval: 8/22/05 weh

- Work Approved: Replace rotten wood as necessary to match existing in profile and dimension, including siding, window sashes, and wood casings. Paint house to match existing color scheme.
24. Applicant's Name: Garry Henderson  
 Property Address: 460 Chatham Street  
 Date of Approval: 8/23/05 asc  
 Work Approved: Patch roof to match existing shingles, repaint in existing color scheme, repair porch as needed and re-deck with tongue and groove to match existing.
25. Applicant's Name: Caldwell and Osborn Home Improvements  
 Property Address: 965 Elmira Street  
 Date of Approval: 8/23/05 asc  
 Work Approved: Partial re-roof – shingles to match existing shingles.
26. Applicant's Name: Rosaline Roundtree  
 Property Address: 1129 Montauk Avenue  
 Date of Approval: 8/25/05 asc  
 Work Approved: Re-roof building with fiberglass 3 tab shingles, charcoal gray in color.
27. Applicant's Name: Lee Stemann/Cuttman-Smith, Inc.  
 Property Address: 160 Dexter Avenue  
 Date of Approval: 8/24/05 weh  
 Work Approved: Replace deteriorated balustrade with MHDC stock design number 1. Repaint house in the following Sherwin Williams color scheme:  
     body – Gristmill SW2083  
     trim – Aged Ivory SW2450  
     door – Vermillion SW2914  
     porch ceiling – Robin's Egg Blue

**NEW BUSINESS:**

1. 074-04/05-CA 1605 Government Street  
 Applicant: Richard Dorman  
 Nature of Request: Construct stucco-covered wall with stone piers on side lot to match main house as per submitted plans.

**APPROVED Certified Record attached.**

2. 086-04/05-CA 1559 Dauphin Street  
 Applicant: Mark and Denise Burks  
 Nature of Request: Remove non-historic addition and construct screened porch as per submitted plans.

**APPROVED. Certified Record attached.**

3. 087-04/05-CA 30 South Lafayette Street  
 Applicant: Jason McKenzie and Jason Fowler

Nature of Request: Install privacy fencing as per submitted site plan.

**APPROVED. Certified Record attached.**

4. 088-04/05-CA 258-260 Congress Street  
Applicant: W. Burley Shedd  
Nature of Request: Repaint exterior walls of brick building as per submitted paint samples.

**TABLED until September 26, 2005 meeting.  
Certified Record attached.**

**OTHER BUSINESS:**

1. Mike Mayberry prepared preliminary designs for Mr. Leon Raue on N. Jackson Street. The Board selected one design for the applicant to develop into a finished plan.
2. The October trip to New Orleans has been cancelled, however, the trip to Savannah and Charleston is still in the works.
3. On September 20<sup>th</sup> owners of 1510 Government Street will appeal the decision of the Review Board.
4. Also on February 20<sup>th</sup> at 12:00 p.m. there will be an announcement regarding the designation of Mobile as a Preserve America City. Following the presentation in Christ Church, a luncheon will follow in the church hall. All Board members are invited and encouraged to attend.
5. Rewriting the design guidelines is still in progress. Staff will email the current draft to members. Another meeting of the Design Guidelines Committee will be necessary before the guidelines can be finalized. Staff has been in contact with a designer to illustrate the guidelines and put them in publishable form.

**There being no further business, the meeting adjourned at 4:00 p.m.**

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS  
CERTIFIED RECORD**

**074-04/05 – CA**            1605 Government Street  
**Applicant:**                Richard Dorman  
**Received:**                 8/16/05                        **Meeting Date (s):**  
Submission Date + 45 Days:    9/30/05                        1) 8/12/05    2)    3)

**INTRODUCTION TO THE APPLICATION**

**Historic District:**        Leinkauf Historic District  
**Classification:**         Contributing  
**Zoning:**                    R-1, Single Family Residential  
**Nature of the Project:**   Construct 6’ stucco-covered masonry wall with stone piers as per submitted plan.

**APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT**  
*Design Review Guidelines for Mobile’s Historic Districts*

<b><u>Sections</u></b>	<b><u>Topic</u></b>	<b><u>Description of Work</u></b>
3	Fences, Walls and Gates	Construct 6’ stucco-covered wall with stone piers

**STANDARD OF REVIEW**

Section 9, STANDARD OF REVIEW, of the Historic Preservation Ordinance states that “The Board shall not approve any application proposing a Material Change in Appearance unless it finds that the proposed change:… Will not materially impair the architectural or historic value of the building, the buildings on adjacent sites or in the immediate vicinity, or the general visual character of the historic district…”

**STAFF REPORT**

Based on the information contained in the application, and in Staff’s judgment, the proposed work complies with the Design Review Guidelines and will not impair the historic integrity of the structure and the district.

- A. The Design Review Guidelines state that fences “should compliment the building and not detract from it. Design, scale, placement and materials should be considered along with their relationship to the Historic District.”
1. 1605 Government Street is a two story masonry residence sheathed in river rock.
  2. The proposed wall is to be constructed of stucco-covered masonry with rock piers matching the material of the main house.
  3. The proposed wall is to begin at the northeast corner of the main residence and curve out east towards Government Street.
  2. 4. There is a vacant lot between 1605 Government Street and 250 McDonald Avenue.
  5. The majority of this proposed wall will be constructed along the Government Street portion of this vacant lot.
  3. 6. The wall will be set back approximately 25’ from the sidewalk along Government Street.
  4. 7. The proposed 6’ high wall will measure approximately 160’ in length.

Staff recommends approval of the application as submitted.

**PUBLIC TESTIMONY**

There was no one present to speak for or against the application. Staff had no comments from the public or city departments to read into the record. Board members questioned whether a wall that came forward and then turned 90 degrees would be more in keeping with the district and be a less obtrusive design. Staff stated that it had felt that way initially, but then considered that a curved wall would be less intrusive. The curved wall would result in a better view of the historic house and adjacent houses. In addition, the 6 ft. high wall will replace a much taller wood fence on the east side of the house. The Board asked if a color had been submitted for the stucco and staff responded that no color had been submitted.

**BOARD DISCUSSION**

There was no additional Board discussion.

**FINDING OF FACT**

Tilmon Brown moved that, based upon the evidence presented in the application and during the public hearing, that the Board adopts the facts in the staff report. The motion was seconded by Joe Sackett and approved.

**DECISION ON THE APPLICATION**

Tilmon Brown moved that, based upon the facts adopted by the Board, that the application does not impair the historic integrity of the structure or the district according to the Guidelines and that a Certificate of Appropriateness be issued. The motion was seconded by David Tharp and unanimously approved.

Certificate of Appropriateness Expiration Date: 09/12/06.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS  
CERTIFIED RECORD**

**086-04/05 – CA**            1559 Dauphin Street  
**Applicant:**                Mark and Denise Burks  
**Received:**                 8/18/05                        **Meeting Date (s):**  
Submission Date + 45 Days:    10/02/05                      1) 9/12/05    2)        3)

**INTRODUCTION TO THE APPLICATION**

**Historic District:**        Old Dauphin Way Historic District  
**Classification:**         Contributing  
**Zoning:**                    R-1, Single Family Residential  
**Nature of the Project:** Remove 6’ x 7’ rear addition and install curved screened porch as per submitted plans.

**STAFF REPORT**

Section 9, STANDARD OF REVIEW, of the Historic Preservation Ordinance states that “The Board shall not approve any application proposing a Material Change in Appearance unless it finds that the proposed change:… Will not materially impair the architectural or historic value of the building, the buildings on adjacent sites or in the immediate vicinity, or the general visual character of the historic district. . .

Based on the information contained in the application, and in Staff’s judgment, the proposed work complies with the Design Review Guidelines and will not impair the historic integrity of the structure and the district.

1. The subject property is a ca. 1900 two story vernacular residence with a curved front porch.
2. The 6’ x 7’ addition to be removed is not original to the structure.
3. The proposed foundation of the new porch will match the foundation of the main residence.
4. Chamfered posts will be installed to match existing chamfered posts.
5. Screening will be held in with wood strips.
6. The existing roofing material on the main house is diamond-shaped asbestos shingle.
7. New porch roofing will be Timberline Slate Gray matching that on two outbuildings on the property.
8. The proposed addition will not be visible from public view.

Staff recommends approval of the application as submitted.

**PUBLIC TESTIMONY**

Mark Burks was present to answer Board questions regarding his application. Mr. Burks explained that the building had had an attic fire probably c. 1920. At that time, the sleeping porch was enclosed and asphalt shingles installed as roofing material. The remainder of the historic house has rigid asbestos tiles. The roofing material for the new porch will be Timberline Slate Gray shingles to match outbuildings on the property. The asbestos roofing will remain.

There was no one else to speak in favor of or in opposition to the application. Staff had no comments from the public or city departments to read into the record.

### **BOARD DISCUSSION**

David Tharp suggested that a fact be added: “9. The original roof is asbestos shingles while the remaining roofing material of buildings on the site is asphalt shingles.”

### **FINDING OF FACT**

Bunky Ralph moved that, based upon the evidence presented in the application and during the public hearing, that the Board adopts the facts in the staff report while adding fact 9 as above. The motion was seconded by Tilmon Brown and approved.

### **DECISION ON THE APPLICATION**

Bunky Ralph moved that, based upon the facts adopted by the Board, that the application does not impair the historic integrity of the structure or the district according to the Guidelines and that a Certificate of Appropriateness be issued. The motion was seconded by Cameron Pfeiffer and unanimously approved.

Certificate of Appropriateness Expiration Date: 09/12/06.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS  
CERTIFIED RECORD**

**087-04/05 – CA**            30 South Lafayette Street  
**Applicant:**                Jason McKenzie and Jason Fowler  
**Received:**                 8/26/05                            Meeting Date (s):  
Submission Date + 45 Days:    9/29/05                            1) 9/12/05    2)            3)

**INTRODUCTION TO THE APPLICATION**

**Historic District:**        Old Dauphin Way Historic District  
**Classification:**         Contributing  
**Zoning:**                    R-1, Single Family Residential  
**Nature of the Project:**    Install wood privacy fence as per submitted plan.

**APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT**  
*Design Review Guidelines for Mobile’s Historic Districts*

<b><u>Sections</u></b>	<b><u>Topic</u></b>	<b><u>Description of Work</u></b>
3	Fences, Walls and Gates	Install wood privacy fence

**STANDARD OF REVIEW**

Section 9, STANDARD OF REVIEW, of the Historic Preservation Ordinance states that “The Board shall not approve any application proposing a Material Change in Appearance unless it finds that the proposed change:… Will not materially impair the architectural or historic value of the building, the buildings on adjacent sites or in the immediate vicinity, or the general visual character of the historic district…”

**STAFF REPORT**

Based on the information contained in the application, and in Staff’s judgment, the proposed work does not comply with the Design Review Guidelines and could impair the historic integrity of the structure and the district.

- A. The Design Review Guidelines state that fences “should compliment the building and not detract from it. Design, scale, placement and materials should be considered along with their relationship to the Historic District.”
  - 1. 30 South Lafayette Street is a one and a half story residence frame Victorian residence.
  - 2. There is an existing 8’ wood privacy fence along the rear property line.
  - 3. There is existing chain link fencing along the north and south property lines.
  - 4. The applicants are requesting to install fencing on the north and south property lines to match the rear fence.
  - 5. The Design Review Guidelines limit the height of fencing in historic districts to 6’ in height.

Staff recommends approval of the application with the condition that the fence be erected at 6’ in height.

**PUBLIC TESTIMONY**

There was no one present to speak in favor of or in opposition to the application.  
Staff had no comments from the public or city departments to read into the record.

Board members asked Staff if any commercial enterprises were adjacent to the house that might justify the request for an 8 ft. fence to match the existing rear section of the wood fence. Staff responded that there were none.

### **BOARD DISCUSSION**

The Board agreed to add the fact that the applicant has consented to lower the fence from 8 ft. to 6 ft.

### **FINDING OF FACT**

David Tharp moved that, based upon the evidence presented in the application and during the public hearing, that the Board adopts the facts in the staff report with the addition of fact 6. “the owners have agreed to modify their application requesting a fence 6 ft. in height.” The motion was seconded by Tilmon Brown and unanimously approved.

### **DECISION ON THE APPLICATION**

Bunky Ralph moved that, based upon the facts adopted by the Board, that the application does not impair the historic integrity of the structure or the district according to the Guidelines and that a Certificate of Appropriateness be issued. The motion was seconded by David Tharp and unanimously approved.

Certificate of Appropriateness Expiration Date: 09/12/06.

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS  
CERTIFIED RECORD**

**088-04/05 – CA**            258-260 Congress Street  
**Applicant:**                W. Burley Shedd  
**Received:**                 8/26/05                        **Meeting Date (s):**  
Submission Date + 45 Days:    9/29/05                        1) 9/12/05    2)        3)

**INTRODUCTION TO THE APPLICATION**

**Historic District:**        DeTonti Square Historic District  
**Classification:**        Contributing  
**Zoning:**                    R-B, Residential Business  
**Nature of the Project:**    Continue painting as per submitted color samples.

**APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT**  
*Design Review Guidelines for Mobile’s Historic Districts*

<b><u>Sections</u></b>	<b><u>Topic</u></b>	<b><u>Description of Work</u></b>
3	Exterior Materials and Finishes	Paint Building

**STANDARD OF REVIEW**

Section 9, STANDARD OF REVIEW, of the Historic Preservation Ordinance states that “The Board shall not approve any application proposing a Material Change in Appearance unless it finds that the proposed change:… Will not materially impair the architectural or historic value of the building, the buildings on adjacent sites or in the immediate vicinity, or the general visual character of the historic district…”

**STAFF REPORT**

Based on the information contained in the application, and in Staff’s judgment, the proposed work does not comply with the Design Review Guidelines and could impair the historic integrity of the structure and the district.

- A. The Design Review Guidelines state that “ Replacement of exterior finishes, when required, must match the original in profile, dimension and material. Particular care must be taken with masonry”
  1. 258 and 260 Congress Street, the Quigley Houses, are a pair of highly significant Greek Revival townhouses constructed in 1856.
  2. The buildings are currently painted a ruddy rose-brown color mimicking the look of historic brick.
  3. Information in the MHDC file suggests they were originally painted in 1972.
  4. Without a Certificate of Appropriateness or a building permit, the applicant re-grouted the historic brick with Portland cement and began painting the structures.
  5. Staff received numerous complaints from neighborhood residents.
  6. A Stop Work order was issued until this issue could be resolved by the Review Board.
  7. The applicant is requesting to continue painting the structure in Birdseye Maple by Sherwin Williams.
  8. This color is not appropriate to the age and style of the historic Greek Revival brick structures.

Staff recommends that the Board determine the appropriateness of the paint color.

### **PUBLIC TESTIMONY**

Mr. Shedd was present to discuss his application. He stated that he was ignorant of the rules regarding paint in the historic district. He reported that he had acquired the property in 1991 and that the brick was painted at that time. It was painted pink around 1983 or 1984 with a ruddy brown color beneath the pink. He stated that the yellow chosen by him to paint the buildings should be approved since it is close enough to the Staff-recommended color of Sherwin-Williams Bird's Eye Maple. In response to a Board question regarding the size of the houses, he stated that each was 3200-3500 square feet, each building having 4 apartments. The Board also asked about the proposed color of the trim and porch ceilings. Mr. Shedd stated that he would paint the trim a satin finish white and the porch ceilings would be white. Porch decks are concrete without tile.

Staff reported that the selected yellow in no way mimics brick. In fact, best preservation techniques dictate that brick buildings remain unpainted. If a house were stuccoed and scored, it might be painted a gray or light shade of beige or brown to suggest stone. Staff stated that there had been complaints from 2 or 3 in the neighborhood regarding the paint color.

### **BOARD DISCUSSION**

The Board discussed that the buildings were probably painted following WWII and have remained painted since that time.

The Board agreed to modify fact 8 to read: "Painting is not appropriate to the age and style of the historic Greek Revival brick structures."

### **FINDING OF FACT**

Bunky Ralph moved that, based upon the evidence presented in the application and at the public hearing, that the Board adopts the facts in the staff report modifying fact 8 to read as above. The motion was seconded by Cameron Pfeiffer and approved.

### **DECISION ON THE APPLICATION**

Bunky Ralph moved that, based upon the facts adopted by the Board, that the paint color impairs the historic integrity of the structure and the district and that the application be denied. The motion was seconded by Cameron Pfeiffer. The vote was tied with Tharp, Ralph and Pfeiffer voting for the motion and Klotz, Brown and Sackett voting in opposition to the motion. The application will be automatically placed on the September 22, 2005 agenda when additional Board members will be present.