

ARCHITECTURAL REVIEW BOARD MINUTES
October 1, 2008 – 3:00 P.M.
Pre-Council Chambers, Mobile Government Plaza, 205 Government Street

A. CALL TO ORDER – Chair

The meeting was called to order by the chair Tilmon Brown at 3:00.

The Introductory Statement was read by the staff.

The members present were Tilmon Brown, Tom Karwinski, Harris Oswalt, Bunky Ralph, Craig Roberts, Robert Brown, and Jim Wagoner.

Staff present were: Devereaux Bemis, John Lawler and Keri Coumanis.

The Minutes of the previous meeting were approved as posted per a motion of Robert Brown.

The Mid-Month Requests were approved as submitted per a motion of Jim Wagoner.

B. MID-MONTH APPROVALS

1. **Applicant's Name:** John Kennedy
 - a. Property Address: 101 S. Catherine St
 - b. Date of Approval: 15 September 2008
 - c. Replace rotten columns exactly per existing. Replace rotten wood elsewhere as necessary and paint house in existing color scheme.

2. **Applicant's Name:** Deborah Dolbert for Jordan Investments, LLC
 - a. 1460 Brown Street
 - b. September 17, 2008
 - c. Remove existing roof and install new 3-tab shingled black roof. Replace rotten decking as needed.

3. **Applicant's Name:** Brenda Elliot
 - a. Property Address: 208 South Dearborn Street
 - b. Date of Approval: September 16, 2008
 - c. Repair to rotten wood with materials to match existing in profile, dimension and materials. Paint to match existing color scheme. Install new 3 tab shingled roof, charcoal in color.
 - d. This COA replaces one dated June 11, 2007.

4. **Applicant's Name:** Liberty Roofing Co
 - a. Property Address: 2255 Ashland Place Ave.
 - b. Date of Approval: September 9, 2008
 - c. Remove existing shingles. Reroof with 30 year, black architectural shingles

5. **Applicant's Name:** Bayou Inc, d/a/a Holliday Inn
 - a. Property Address: 301 Government
 - b. Date of Approval: September 18, 2008
 - c. Replace all the windows in the tower from the 3rd through the 16th floor matching the existing.

C. APPLICATIONS

1. **135-08-CA: 1805 Dauphin Street**
 - a. Applicant: Jim Wagoner
 - b. Request: Construct deck at southeast corner; remove double set 6/6 windows and install French doors.
 - c. **Approved.**

2. **136-08-CA: 165 S Georgia Street**
 - a. Applicant: Bowden Architecture for Bert and Carolyn Eichold
 - b. Request: Improvements to two-story garage.
 - c. **Approved.**

3. **137-08-CA: 106 Levert**
 - a. Applicant: Pete Vallas for Banks Ladd
 - b. Request: Construct rear addition. Second hearing.
 - c. **Denied.**

4. **138-08-CA: 1114 Government Street**
 - a. Applicant: Don Williams for Bobby Williams
 - b. Request: Renovate building. Second hearing following meeting with DRC.
 - c. **Approved.**

5. **139-08-CA: 1006 Caroline Ave**
 - a. Applicant: Mary E. M. Bryant
 - b. Request: Construct a 10 x 10 addition on rear of home. Second hearing following request for more information.
 - c. **Approved.**

6. **140-08-CA: 1061 Selma St**
 - a. Applicant: James Alston for Nancy Culver
 - b. Request: Construct a 5' picket fence.
 - c. **Approved with conditions.**

7. **141-08-CA: 16 South Lafayette St**
 - a. Applicant: Matt and Regina Shipp
 - b. Request: Install 4' white wood picket fence across front of property with 4ft entrance gate at front entrance and 4' driveway gate with auto opener.
 - c. **Approved with conditions.**

8. **142-08-CA: 959 Texas Street**
 - a. Applicant: Ernest Pettway
 - b. Request: Install 6' wood privacy fence to match other side, 6' tall. Construct 3' tall, picket fence in front of home. Install porch railing.
 - c. **Approved.**

9. **143-08-CA: 5 N Cedar**
 - a. Applicant: James Eaton
 - b. Request: Retain partially installed porch decking – 2x6x8, pressure treated wood – and finish decking with similar material. Install porch railing.
 - c. **Approved with conditions.**

10. **144-08-CA: 1010 Caroline Ave**

- a. Applicant: Joshua Murray
- b. Request: Demolition and complete clearing of home; landscaping; fencing if suggested/recommended by board.
- c. **Tabled.**

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

135-08-CA: 1805 Dauphin Street
Applicant: Jim Wagoner
Received: 9/15/08
Meeting: 10/1/08

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way
Classification: Contributing Property
Zoning: R-1
Project: Construct deck at southeast corner; remove double set of 6/6 windows and install French doors.

BUILDING HISTORY

This is a contributing residence in Old Dauphin Way. Most likely constructed in 1910, the front cross gable reflects the Victorian influence; however, the details are indicative of the turn of the century transition to classical 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 a contributing building in the Old Dauphin Way District. The applicants have a current COA to create a courtyard space on the southeast corner of the home.
- B. The guidelines state, in pertinent part:
 - 1. “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.”
 - 2. “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 window openings should be retained as well as original window sashes and glazing.”
- C. Applicants wish to:
 - 1. construct a deck 4’ x 12’ deck extending from the southeast corner
 - i. balustrade on deck to match existing on house and garage
 - ii. painted white with green handrail
 - iii. framed lattice beneath the deck
 - 2. remove 6/6 double windows and replace with double doors (wood, painted white)
 - 3. add canvas awning over doors to match existing on west side of house
 - 4. of the home with a 6’ wood privacy fence beyond the 25’ of the Kilmarnock Street setback;
 - 5. within the 25’ setback, the homeowners intend to use black aluminum fencing.
- D. Clarifications needed:

1. site plan?
2. relocation of exterior pipe?

STAFF ANALYSIS

Staff recommends granting the COA provided there is no issue with removing the 6/6 double windows and replacing with French doors. All removed windows should be stored on site.

PUBLIC TESTIMONY

Jim Wagoner recused himself. Mr. Charles Howard was present to discuss the application. Mr. Howard clarified that the new doors would be wood and the same height as the window heads. The decking on the porch will be tongue and groove and painted green. The handrail will match the others on the house.

BOARD DISCUSSION

The board discussion took place concurrently with the public testimony.

FINDING OF FACT

Craig 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, deleting fact C(4) and C(5) which were not part of this application and adding facts C(6) and C(7) to amending state that the handrail will match the others on the house and the decking will be tongue and groove and painted green. The motion received a second and was unanimously approved.

DECISION ON THE APPLICATION

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

Certificate of Appropriateness Expiration Date: 10/01/09.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

136-08-CA: 165 S. Georgia Ave.
Applicant: Bowden Architecture for Bert and Carolyn Eichold
Received: 9/10/08
Meeting: 10/1/08

INTRODUCTION TO THE APPLICATION

Historic District: Oakleigh Garden District
Classification: Accessory Building to Contributing Property
Zoning: R-1
Project: Improvements to existing two-story garage.

BUILDING HISTORY

This is a contributing residence in the Oakleigh Garden District, constructed in 1915 and designed by Mobile architect, C.L. Hutchisson, Sr.

STANDARD OF REVIEW

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

STAFF REPORT

- A. Applicants wish to make cosmetic improvements to a rear, two-story accessory structure, as well as alleviate some drainage issues.
- B. The guidelines state, in pertinent part:
 - a. “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.”
 - b. “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 window openings should be retained as well as original window sashes and glazing.”
- C. Applicants propose:
 - 1. Bumping out the existing wall of windows approximately 2’-6” and replacing with new windows;
 - 2. Installing new French patio doors;
 - 3. Installing a wood handrail to the existing metal handrail;
 - 4. Constructing a new wood entryway arbor over the second floor doorway;
 - 5. Install louvered shutters on the second floor windows;
 - 6. Installing new awnings over the west entryway.
- D. Clarifications:
 - 1. Will the shutters match those on the main house?
 - 2. Materials of new windows and doors?

STAFF ANALYSIS

The window replacement and installation of the French doors will be taking place on a wall which has previously been altered to enclose the original garage door opening, presumably. The treatment of the handrail and installation of the awnings appear appropriate. Provided the shutters match, in style and form, those on the main house, wooden doors and wood-trimmed windows are installed, staff recommends approval.

PUBLIC TESTIMONY

Andy Morasca of Bowden Architecture was present to discuss the application. Mr. Morasca clarified that the new doors and windows would be wood. Mr. Morasca also indicated the new arbors would be painted white and have metal pan roofs.

BOARD DISCUSSION

The board discussion took place concurrently with the public testimony.

FINDING OF FACT

Bunky Ralph 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 C(1) and C(2) to state that the new doors and window will be wood and C(5) to state that the shutters will be bifold on the double windows and single-fold on either side of the windows. The motion received a second and was unanimously approved.

DECISION ON THE APPLICATION

Bunky Ralph 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.

Certificate of Appropriateness Expiration Date: 10/01/09.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

137-08-CA: 106 Levert
Applicant: Pete Vallas for Banks and Mary Carol Ladd
Received: 09/08/08
Meeting: 10/01/08

INTRODUCTION TO THE APPLICATION

Historic District: Ashland Place
Classification: Contributing Property
Zoning: R-1
Project: Adding a rear porch to the south of the existing garage and new living area; adding two bedrooms on a partial second floor at the rear above the existing garage and new living area.

BUILDING HISTORY

This is a modest, one-story double gabled house with front inset porch built in 1936 for Mrs. S. O. Starke.

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 is one of the smaller houses in Ashland Place built with six rooms and two baths according to the original building permit. The building presents two gables to the front with an inset porch and a low hip over the main portion of the house. A series of hips and gables cover the rear rooms. This originally appeared on the August 6 agenda. Following a denial vote, the applicants objected that they had not had adequate time to prepare a rebuttal for the staff report. At the applicants request, the vote was withdrawn and a rehearing was scheduled for the 8/20 meeting. The applicants requested a hold over for that meeting and a meeting with the Design Review Committee. After the meeting with the DRC, the applicants presented these plans on September 8, 2008.
- B. The Guidelines state,
 - 1. “A roof is one of the most dominant 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....
 - 2. The exterior material of a building helps define its style, quality and historic period.... Often one of the most important decorative features of a house, doorways reflect the age and style of a building. Original doors and openings should be retained along with any moldings, transoms or sidelights....
 - 3. 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 window openings should be retained as well as original window sashes and glazing.”
 - 4. The Secretary of the Interior standards state:

5. "Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
 6. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new 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.
 7. 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. The applicant's plans resemble those submitted in August; however, changes have been made and are as follows:
1. The ridgeline of the addition has been lowered approximately 3';
 2. changing the cladding of the connector between the existing garage and the original corner of the home from masonry to siding;
 3. the new dormers will be hipped.
 4. As with the previously submitted plans, the applicants propose removing the two 6/6 double set of windows in the existing dining room and replacing with two, single, shorter windows to accommodate interior counter space;
 - a. the new windows will have soldier courses above them
 5. removing the existing French doors and single door on the porch/front entrance and replacing with three French doors and
 - a. raising the height of the doors to match the window heads (from 6'8" to 7'6")
 - b. the new French doors will have soldier courses above them
 6. on the east, rear elevation, remove what was a triple set of windows/now 2-6/6 windows and one door and replace with French doors
 - a. the new French doors will have soldier courses above them
 7. basically all/changed doors or windows will have soldier courses above them.

STAFF ANALYSIS

The applicants were before the ARB on 8/06/08. The applicants were listed on the 8/20/08 agenda, at which point they requested the opportunity to meet with a Design Review Committee, which convened later that month. On 9/08/08, the applicants submitted this plan. In the current rendition, the applicants have attempted to meet the ARB's requirements. However, while the height of the addition has been reduced, it exceeds the roofline of the original home by approximately 7'. In order to refrain from overpowering the historic structure, the Board generally does not allow the roofline of an addition to exceed the height of the original structure.

The applicants continue to propose removal of the front door and the existing French doors (which flank the front door) and replacing with three taller French doors. Staff does not recommend, nor does the ARB allow, replacement of original front doors.

Staff does not recommend the removal and reconfiguration of original windows, such as that proposed on the north elevation.

Finally, Staff sees no objection to the soldier courses in the addition. However, introducing the soldier courses to the original house creates a false history and embellishes a building that did not originally have such. Following the design review committee meeting, it was the staff and the committee's

understanding the applicants agreed to leave the front door as is and implement soldier courses only in the addition. This application does not reflect that consensus.

PUBLIC TESTIMONY

Pete Vallas and Banks Ladd were present to discuss the application. A lengthy discussion between the applicants and the board took place. Regarding the proposed changes to the front door and flanking French doors, Mr. Vallas explained that the applicants wanted to retain these proposed changes, including the soldier courses over modified front doors. Mr. Vallas also discussed the need to move the dining room windows.

The discussion shifted to the size of the addition. Mr. Ladd does not believe the addition will be seen from the street. Mr. Roberts noted that in the past the board did not approve additions which exceeded the height of the house and that this rule would be included in the new guidelines. Mr. Ladd referred the board to a neighbor's house, stating that the roofline of the addition there was two feet higher than that of the original structure. Mr. Roberts explained that would most likely not be approved today.

Board members indicated the mass and scale of the building remained problematic. Mr. Karwinski explained the issue was not just the mass and scale of the addition, but the manner in which it connected to the house and how the new construction would overwhelm the existing house. Mr. Karwinski believes the volume of the proposed addition needs to be studied further.

Mr. Vallas stated the house contains 2475 square feet. The proposed addition would add 1055 square feet, or approximately 48% of the existing house. Mr. Vallas referenced a house on Lanier Ave where the addition more than doubled the size of the house and noted a house of that size would never have been built in Ashland Place. Mr. Vallas also indicated there were several two story garages/carriage houses in Ashland Place.

Mr. Robert Brown wanted more information on the applicants meeting with the Design Review Committee and clarification on what was agreed upon at that meeting. Staff read the letter to the audience which followed the meeting with the Design Review Committee, wherein staff was under the impression the applicants agreed not to change the front of the house. Staff also stated there were several alterations that had been discussed at the Design Review Committee that were not incorporated into the new design.

The Board offered another Design Review Committee to the applicants; however, the applicants indicated they would like a decision on this application.

Mr. Vallas offered to modify the design by making the following changes:

- Front door and existing French doors to remain as-is
- Dining room windows to remain as-is
- Remove/adjust the roofline over the addition so that the second floor began with the brick (i.e. move the 2nd floor west wall back 6'-9" according to submitted plans)
- The 2 dormers on the west end of the north wall would become one
- Remove the oriel

Mr. Vallas and Mr. Ladd indicated they wanted the Board to vote on the submitted plans as modified with the above-listed changes.

BOARD DISCUSSION

The Board discussion took place concurrently with the public testimony. See above. The Board also discussed the alterations Mr. Vallas proposed. There was a general consensus that the alterations were better, but the massing of the addition was still problem. Further, without a drawing it would be impossible to determine appropriateness of the proposed changes. The applicants stated that they did not wish to do another drawing and they wanted the Board to vote on the application with the verbal amendments. The Board warned the applicants that the vote would probably be negative without a drawing to review.

FINDING OF FACT

Bunky Ralph moved that, based upon the evidence presented in the application and during the Board discussion the Board finds the facts in the Staff report, amending the facts to include the following modifications as presented by the applicants: front door and existing French doors to remain as-is; dining room windows to remain as-is; remove/adjust the roofline over the addition so that the second floor begins with the brick (i.e. move the 2nd floor west wall back 6'-9" according to submitted plans); the 2 dormers on the west end of the north wall would become one; oriel to be removed and windows to become part of the plain of the wall. The motion received a second and was unanimously approved.

DECISION ON THE APPLICATION

Tom Karwinski moved that based upon the facts as amended by the Board, the current application does impair the historic integrity of the building and the district and that the request for a Certificate of Appropriateness be denied. The vote for the motion was unanimous, thus the application is denied.

DENIED.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

138-08-CA: 1114 Government St.
Applicant: Don Williams for Bobby Williams
Received: 09/12/08
Meeting: 10/01/08

INTRODUCTION TO THE APPLICATION

Historic District: Oakleigh
Classification: Contributing
Zoning: R-1
Project: This was originally the garage to the Bellingrath House on Ann St.

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. The Board allowed the building to be moved to Government Street in 2005. It was damaged in Hurricane Katrina and has sat vacant since that time. A new owner acquired it while the building was under threat of demolition. The applicants intend to convert it to a condo duplex.
- B. The Secretary of the Interior Standards state, “The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of the features and spaces that characterize a property shall be avoided.”
- C. The applicant previously received a COA to reroof and stabilize the structure. A Design Review Committee was convened to discuss plans for the exterior renovation. The submitted plans stem from that meeting. Based on the plans submitted, the applicants seek to:
 - 1. Restore the existing south facade;
 - 2. Restore the east façade and alter the east façade by placing an additional 6/6 window on both floors;
 - 3. Restore/replace the garage door on the west façade to match the original;
 - 4. Install a double paneled front door.

STAFF ANALYSIS

The plans submitted, while in theory match what was discussed at the DRC, do not provide any specifics, a north elevation or west elevation. Thus, staff considers the application incomplete at this time.

PUBLIC TESTIMONY

Tilmon Brown recused himself. Staff noted they had received a more complete application and drawings were sent out to the ARB members via email on Monday, September 30. Staff went through the details of the plans.

Crosby Latham and Bobby Williams were present to discuss the application. Mr. Latham explained the basic concept behind the proposed renovation and the addition of the rear porch.

BOARD DISCUSSION

Craig Roberts complimented the owners on meeting the requirements of the Board. Tom Karwinski felt a free standing modern rear entryway would be more appropriate and less intrusive.

FINDING OF FACT

Jim Wagoner moved that, based upon the evidence presented in the updated application and during the Board discussion the Board finds the facts in the Staff report, adding fact C(5) to state that windows on the west side are required by the Board, C(6) all permanently closed shutters are to be within cased openings, C(7) to state that the rear back porch addition is to be constructed per submitted plans. The motion received a second and was unanimously approved.

DECISION ON THE APPLICATION

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

Certificate of Appropriateness Expiration Date: 10/01/09.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

139-08-CA: 1006 Caroline Ave.
Applicant: Dexter Prowell for Mary E.M. Bryant
Received: 09/11/08
Meeting: 10/01/08

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way Historic District
Classification: Contributing Property
Zoning: R-1
Project: Extension to existing rear shed-roof addition.

BUILDING HISTORY

This is a contributing residence in the Old Dauphin Way Historic District. There is no history of the house in the file, but it was apparently built circa 1905.

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 application has been resubmitted to the Board with the additional information requested by the Board at the 9/3/08 meeting.
- B. The Secretary of the Interior Standards state:
 - 1. “New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new 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. The applicant is proposing to:
 - 1. add a 10 x 10 addition to the northeast, rear corner of an already existing addition on the home;
 - 2. the existing shed roof will be extended to cover this addition;
 - 3. 3-tab shingles to be installed;
 - 4. the existing siding will be removed and reused on this addition;
 - 5. the existing metal window will be relocated to the new exterior window at approximately the same location; see attached plan.
 - a. Please note: the shed addition has a similarly situated metal window on the west façade.
- D. Clarifications:
 - a. Will the replacement siding match?

- b. Will the skirt board and eave match existing?
- c. Does the applicant intend to brick the piers?

STAFF RECOMMENDATION

Staff recommends the applicant retain the existing corner board on the original northeast corner of the home. Staff recommends the applicant install a cornerboard where the two additions meet. Staff recommends approval provided the Board does not have a problem with the retention and re-installation of the metal window.

PUBLIC TESTIMONY

Dexter Prowell was present to discuss the application. Dexter agreed to retain the corner boards and brick the new piers.

BOARD DISCUSSION

The Board discussion took place concurrently with the public testimony.

FINDING OF FACT

Craig Roberts moved that, based upon the evidence presented in the application and during the discussion the Board finds the facts in the Staff report as written. The motion received a second and was unanimously approved.

DECISION ON THE APPLICATION

Harris Oswalt moved that, based upon the facts found 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.

Certificate of Appropriateness Expiration Date: 10/01/09.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD REVISED

140-08-CA: 1061 Selma Street
Applicant: Jim Alston for Nancyann Culver
Received: 9/15/08
Meeting: 10/1/08

INTRODUCTION TO THE APPLICATION

Historic District: Oakleigh Garden District
Classification: Contributing Property
Zoning: R-1
Project: Construction of front and side yard picket fence.

BUILDING HISTORY

This is a contributing residence in the Oakleigh Garden District constructed in the 1880s with a circa 1910 west wing.

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. The applicant has advised staff that the owner of the home seeks to install a 5’ picket fence for her safety. The owner occupies the house 2-3 weeks a year; otherwise, it is vacant.
- B. The Mobile Historic District Guidelines for fences states the following: “Fences should complement the building and not detract from it. Design, scale, placement and materials should be considered along with their relationship to the Historic District. The height of solid fences in historic districts is generally restricted to six feet. . . .” While the current guidelines do not address the height of picket fences across the front yard, the Board has determined that 3’ open fences are appropriate for historic districts.
- C. Applicant proposes:
 - 1. Construction of a 5’ picket fence across the front of the house at the side walk
 - 2. and running the fence along either side of the property line for 14’ towards the corner of the porch
 - a. the southwest corner of the picket fence will tie into an existing 6’ privacy fence
 - b. the southeast corner of the picket fence will make a right turn towards the house for 4’ and terminate at the wall of the house.

STAFF ANALYSIS

Staff has advised the contractor-applicant of the 3’ height limitation. The owner does not attend to appear at the hearing.

PUBLIC TESTIMONY

There was no one present to discuss the application. Staff read the statement below (received via email on September 23) from the homeowner into the record:

“I will introduce myself as Nancyann Culver as owner of the Victorian cottage located at 1061 Selma St. Owing this cottage since 2002, I have encountered many homeless people needing food, money and employment. Generally, they are polite, however on occasion they have knocked on my door and followed me up to my front entrance requesting money and food. I feel this creates an unsafe environment for a resident in the neighborhood. I am requesting to install a 4 foot picket fence to act as a deterrent for unwanted visitors. Thank you for your consideration. Nancyann Culver.”

BOARD DISCUSSION

The Board discussed the 3’ height limitation for front yard fences in historic districts.

FINDING OF FACT

Harris Oswald moved that, based upon the evidence presented in the application and during the discussion the Board finds the facts in the Staff report as written. The motion received a second and was unanimously approved.

DECISION ON THE APPLICATION

Craig Roberts moved that, based upon the facts found by the Board, the application does impair the historic integrity of the district or the building and that a Certificate of Appropriateness be issued on the condition that the fence not exceed the 3’ height.

Certificate of Appropriateness Expiration Date: 10/01/09.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD REVISED

141-08-CA: 16 South Lafayette St.
Applicant: Matt and Regina Shipp
Received: 9/15/08
Meeting: 10/1/08

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way Historic District
Classification: Contributing Property
Zoning: R-1
Project: Construct 4' picket fence and 4' wide automatic gate

BUILDING HISTORY

This Queen Anne Victorian residence is a contributing structure in the Old Dauphin Way Historic District.

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. The applicants wish to install a 4' picket fence across the front yard of the property and an automatic gate at the driveway.
- B. The Mobile Historic District Guidelines for fences states the following: “Fences should complement the building and not detract from it. Design, scale, placement and materials should be considered along with their relationship to the Historic District. The height of solid fences in historic districts is generally restricted to six feet. . . .” While the current guidelines do not address the height of picket fences across the front yard, the Board has determined that 3' open fences are appropriate for historic districts.
- C. Applicants wish to:
 - 1. Install a 4' white, wood picket fence across the front property line, accommodating the oak tree and present vegetation;
 - 2. Install a 4' white, wood, automatic gate at the driveway.

STAFF ANALYSIS

A portion of the area in which the applicants propose to construct the fence is taken up by a live oak tree and its root system. Though the oak tree is on private property, it is still subject to Mobile's tree ordinance. Staff has consulted with the Urban Forestry Department and the applicants must get a permit from Urban Forestry if any of the proposed work will puncture or cut the live oak's root system. Though the applicants intend to stop the pickets at either side of the tree, it's unclear how the posts will avoid the tree's root system and still be effective. Staff

recommends approval provided the height does not exceed 3' and the proposed work is in compliance with Urban Forestry's standards.

PUBLIC TESTIMONY

Matt Shipp was present to discuss the application. Mr. Shipp discussed that there are fences taller than 3' within the historic district.

BOARD DISCUSSION

The Board discussed the 3' height limitation for front yard fences in historic districts. Staff presented evidence to the Board that all of the other fences along Lafayette Street were 3' and under; thus, there was precedent for a 3' height limitation on Lafayette Street.

FINDING OF FACT

Jim Wagoner moved that, based upon the evidence presented in the application and during the discussion the Board finds the facts in the Staff report as written. The motion received a second and was unanimously approved.

DECISION ON THE APPLICATION

Jim Wagoner moved that, based upon the facts found by the Board, the application does impair the historic integrity of the district or the building and that a Certificate of Appropriateness be issued on the condition that the height of the fence be 3' and the owner receives a permit from Urban Forestry.

Certificate of Appropriateness Expiration Date: 10/01/09.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

142-08-CA: 959 Texas Street
Applicant: Earnest Pettway
Received: 9/12/08
Meeting: 10/1/08

INTRODUCTION TO THE APPLICATION

Historic District: Oakleigh Garden District
Classification:
Zoning: R-1
Project: Construct 3' picket fence, 6' wood privacy fence, install balustrade and paint

BUILDING HISTORY

This is a locally-designated historic structure in the Oakleigh Garden District.

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 is a fairly new property to historic district regulation. The building is undergoing repairs under a building permit which predates the inclusion of this property within the district. The applicant has been advised by Staff regarding paint colors and a proper balustrade.
- B. The Mobile Historic District Guidelines for fences states the following: “Fences should complement the building and not detract from it. Design, scale, placement and materials should be considered along with their relationship to the Historic District. The height of solid fences in historic districts is generally restricted to six feet. . . .” While the current guidelines do not address the height of picket fences across the front yard, the Board has determined that 3’ open fences are appropriate for historic districts.
- C. Applicants wish to:
 - 1. Install a 6’, dog-eared, wood privacy fence between this house and 961 Texas Street.
 - a. Please note: the applicant owns both properties and they comprise one lot in the city records.
 - 2. Install a 3’ wood picket fence across the front property line;
 - a. The picket fence will connect to the privacy fence; please see site plan.
 - 3. Install an MHDC-approved porch railing.
 - a. Applicant has been advised and given design for proper porch railings.

STAFF ANALYSIS

Staff recommends approval provided the Board does not see a problem with the connection between the 3’ picket fence and 6’ privacy fence.

PUBLIC TESTIMONY

There was no one present to discuss the application.

BOARD DISCUSSION

The Board questioned why the applicant wanted to extend the privacy fence to the edge of the porch. Staff explained the applicant wanted access to the porch closed off from the street for safety reasons.

FINDING OF FACT

Jim Wagoner moved that, based upon the evidence presented in the application and during the discussion the Board finds the facts in the Staff report as written. The motion received a second and was unanimously approved.

DECISION ON THE APPLICATION

Bunky Ralph moved that, based upon the facts found 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.

Certificate of Appropriateness Expiration Date: 10/01/09.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

143-08-CA: 5 North Cedar Street
Applicant: Paul Eaton for James and Mae Willis Eaton
Received: 9/12/08
Meeting: 10/1/08

INTRODUCTION TO THE APPLICATION

Historic District: Lower Dauphin Street Historic District
Classification: Contributing Property
Zoning: R-1
Project: Replace porch decking using 2x6x8 pressure treated decking, install balustrade.

BUILDING HISTORY

This Creole cottage is a contributing building in the Lower Dauphin Street Historic District. This home, with its distinct double-hip roof and flanking chimneys, is an fairly unaltered example of early Mobile/Gulf Coast vernacular architecture.

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. The owner of this property has been cited for doing work without a COA and, thus, has already used installed certain materials. Staff has been working with him to bring the ongoing and future work into compliance.
- B. The Mobile Historic District Guidelines for porches states the following: “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 handrails, lower rails, balusters, decking, posts/ columns, proportions and decorative details. The balustrade of the stairs should match the design and materials of the porch.”
- C. Applicant proposes:
 - 1. Retaining the existing 2x6 decking installed and be allowed to finish the porch with same material
 - 2. Installing the MHDC-approved porch railing with 1x1 balusters

STAFF ANALYSIS

Staff is working closely with this applicant because the MHDC holds an easement on the property. Tongue and groove decking would be appropriate for this porch, there was only deteriorated plywood in place before the applicants began to repair the decking; thus, the original decking was long gone. Applicant has been advised and given design for proper porch railings and agreed to implement this design. Staff would also like to recommend the applicant either stucco or face the new cinder block piers with bricks. Staff will work with the applicant on paint colors.

PUBLIC TESTIMONY

Paul Eaton was present to discuss the application. Mr. Eaton explained that for the financial reasons, he did not want to tear up the decking he had already placed on the porch. Mr. Eaton reiterated that he had agreed to remove and replace the baluster.

BOARD DISCUSSION

The Board discussed alternatives to removing the decking. The Board advised applicant he could apply for an economic hardship waiver

FINDING OF FACT

Bunky Ralph moved that, based upon the evidence presented in the application and during the discussion the Board finds the facts in the Staff report as written. The motion received a second and was unanimously approved.

DECISION ON THE APPLICATION

Jim Wagoner moved that, based upon the facts found by the Board, the application does impair the historic integrity of the district or the building and that a Certificate of Appropriateness be issued on the condition that the owner agree to install 5/4" tongue and groove decking.

Certificate of Appropriateness Expiration Date: 10/01/09.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD REVISED

144-08-CA: 1010 Caroline Ave.
Applicant: Joshua Murray
Received: 09/10/08
Meeting: 10/01/08

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way Historic District
Classification: Contributing Property
Zoning: R-1
Project: Demolition.

BUILDING HISTORY

This shotgun row house is contributing residence in the Old Dauphin Way Historic District.

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 is currently being cited by urban development given the deteriorated state of the property and the applicants have proposed demolition, rather than repair, to bring the property in compliance with the environmental/nuisance ordinance.
 - a. **EXISTING CONDITIONS:** Currently, the front façade and front two rooms of the house are intact. The third room and back porch have fallen in and since been partially removed. The rear wall of the house is non-existent, nor has it been re-enclosed; thus, the house remains open to the weather. The roof has deteriorated. There are visible rotten boards and sills; however, the porch remains intact and the front room appears sturdy and plumb. There are interior beadboard walls and ceilings throughout. See attached photos.
- B. In regards to demolition, the Guidelines read as follows: “Proposed demolition of a building must be brought before the Board for consideration. The Board may deny a demolition request if the building’s loss will impair the historic integrity of the district.” However, our ordinance mirrors the Mobile City Code, see §44-79, which sets forth the following standard of review and required findings for the demolition of historic structures:
 - a. *Required findings; demolition/relocation.* The board shall not grant certificates of appropriateness for the demolition or relocation of any property within a historic district unless the board finds that the removal or relocation of such building will not be detrimental to the historical or architectural character of the district. In making this determination, the board shall consider:
 - i. The historic or architectural significance of the structure;
 - 1. The significance of this property lies not in the building itself, but in the historic streetscape formed by the inclusion of the building on the street. 1010 Caroline is the fourth house in a row of five shotgun homes which

- ii. The importance of the structure to the integrity of the historic district, the immediate vicinity, an area, or relationship to other structures;
 - 1. Again, the significance of this property can be found in its contribution to the streetscape. The five identical cottages in a row present a streetscape unique to the Old Dauphin Way district and found only along Caroline Ave. There are a cluster of similar houses in the 1060 block of Caroline and again in the 1100 block Caroline. At one time, an almost identical streetscape existed directly across the street; however, there is now a vacant lot between 1005 and 1009 Caroline Ave and 1009 and 1013 Caroline Ave. The demolition of 1010 Caroline Ave would create just such another gap in the streetscape and impair the historic integrity of this block.
 - iii. The difficulty or the impossibility of reproducing the structure because of its design, texture, material, detail or unique location;
 - 1. Though the building itself would be only moderately difficult to replicate (though the cost of the materials will most likely prove to be cost prohibitive), today's building codes would not allow this structure to be reconstructed at this site.
 - iv. Whether the structure is one of the last remaining examples of its kind in the neighborhood, the county, or the region or is a good example of its type, or is part of an ensemble of historic buildings creating a neighborhood;
 - 1. This building, along with its neighbors, is unique in that they present an image of a working class Mobile neighborhood at the turn of the century. The simplicity of the structure, along with its modest scale and size, stands in stark contrast to the more elaborate homes which line both Dauphin Street (one block to the north) and Government Street (one block to the south).
 - v. Whether there are definite plans for reuse of the property if the proposed demolition is carried out, and what effect such plans will have on the architectural, cultural, historical, archaeological, social, aesthetic, or environmental character of the surrounding area.
 - 1. The applicants propose to landscape the site once the building is demolished. While the landscaping plans are attractive, traditionally there would not have been open space between these houses.
- b. *Content of applications.* All applications to demolish or remove a structure in a historic district shall contain the following minimum information:
- i. The date the owner acquired the property, purchase price, and condition on date of acquisition;
 - 1. The applicants acquired the property in 2006 for \$12,000. At that time, the rear wall of the property had already collapsed.
 - ii. The number and types of adaptive uses of the property considered by the owner;

1. The applicants proposed renovating the property as a rental house; however, feel that the cost to repair (approximately 12k) exceeds the value of the home.
 - iii. Whether the property has been listed for sale, prices asked and offers received, if any;
 1. The applicants indicated they had listed the house for \$20,000, \$15,000 and \$13,000; however, had not received any offers.
 - iv. Description of the options currently held for the purchase of such property, including the price received for such option, the conditions placed upon such option and the date of expiration of such option;
 1. Not applicable.
 - v. Replacement construction plans for the property in question and amounts expended upon such plans, and the dates of such expenditures;
 1. Plans were submitted but estimates were not.
 - vi. Financial proof of the ability to complete the replacement project, which may include but not be limited to a performance bond, a letter of credit, a trust for completion of improvements, or a letter of commitment from a financial institution; and
 1. Not submitted.
 - vii. Such other information as may reasonably be required by the board.
 - c. *Post demolition or relocation plans required.* In no event shall the board entertain any application for the demolition or relocation of any historic property unless the applicant also presents at the same time the post-demolition or post-relocation plans for the site.”
- C. The applicants propose the following:
1. Complete demolition of the structure
 2. Removal of the debris
 3. Installation of landscaping and a brick patio in the vacant space.

STAFF RECOMMENDATION

Staff will defer to the Board.

PUBLIC TESTIMONY

Devereaux Bemis recused himself. Joshua and Corrina Murray were present to discuss the application. The Murrays discussed their history with the home and how, at this juncture, the cost to repair the structure exceeded its fair market value. Mrs. Murray pointed out an error in the staff report and explained that the \$12,000 estimates only included repairs to the roof and not the entire structure. Mrs. Murray also told the Board that they had recently offered the property for sale to the Mobile Revolving Fund.

BOARD DISCUSSION

The Board discussion took place concurrently with public testimony. The Board asked Mr. Lawler if it was possible to get environmental enforcement to stay their proceedings until the Revolving Fund had had an opportunity to evaluate the offer to purchase the property. Mr. Lawler indicated he would look into the matter but that he did not believe it would be a problem. The Board suggested tabling the matter until the Nov. 5th meeting.

DECISION ON THE APPLICATION

Bunky Ralph moved that the application be tabled until the November 5th meeting. Vote for tabling the application was unanimous.

TABLED.