

## ARCHITECTURAL REVIEW BOARD MINUTES

October 20, 2010 – 3:00 P.M.

Pre-Council Chambers, Mobile Government Plaza, 205 Government Street

### A. CALL TO ORDER

1. The Chair, Jim Wagoner, called the meeting to order at 3:00. Cart Blackwell, MHDC Staff, called the roll as follows:  
**Members Present:** Gertrude Baker, Kim Harden, Thomas Karwinski, Bradford Ladd, Andrew Martin, Jim Wagoner, and Janetta Whitt-Mitchell.  
**Members Absent:** Carlos Gant, Bill James, Harris Oswalt, Craig Roberts, and Barja Wilson.  
**Staff Members Present:** Devereaux Bemis and Cart Blackwell.
2. Mr. Karwinski moved to approve the minutes of the October 6, 2010 meeting. The motion received a second and passed unanimously.
3. Mr. Karwinski moved to approve the midmonth COA's granted by Staff. The motion received a second and passed unanimously.

### B. MID MONTH APPROVALS: APPROVED

1. **Applicant: R & J Home and Repair, LLC**
  - a. Property Address: 204 Houston Street
  - b. Date of Approval: 9/29/10
  - c. Project: Repair deteriorated siding to match the existing in profile, dimension, and material. Repaint per the existing color scheme.
2. **Applicant: Joia Juzang**
  - a. Property Address: 8 South Conception Street
  - b. Date of Approval: 9/28/10
  - c. Project: Repair damaged stucco. Repair rotten woodwork. The work will match the existing in profile, dimension, and material. Repair and replace gutters. Paint per a color scheme to be submitted (The color will be a beige hue).
3. **Applicant: Will Roy**
  - a. Property Address: 1203 Government Street
  - b. Date of Approval: 9/30/10
  - c. Project: Paint the body of the house Valspar's Thundering Clouds. Paint the trim Sherwin Williams' Extra White. Paint the accent color (shutters and railings) Sherwin Williams' Black Magic. Paint the porch ceiling Sherwin Williams' Cloudless..
4. **Applicant: Jennifer Clarke**
  - a. Property Address: 156 South Dearborn Street
  - b. Date of Approval: 10/1/10
  - c. Project: Reroof the house with brown architectural shingles.
5. **Applicant: Scogin Construction**
  - a. Property Address: 1116 Palmetto Street
  - b. Date of Approval: 10/1/10
  - c. Project: Reroof house to match existing, Charcoal gray in color.
6. **Applicant: Paulette Walsh**
  - a. Property Address: 715 Monroe Street
  - b. Date of Approval: 10/4/10
  - c. Project: Install an interior lot privacy fence. The wooden fence will be six feet in height and will feature a dog-eared top. The fence will extend from the southeast corner of the house to the southern property line. The fence will extend along the southern property line where it will tie into the existing fence of an adjoining property. The finished side of the

7. **Applicant: Ralph Reynolds Roofing**
  - a. Property Address: 23 Reed Avenue
  - b. Date of Approval: 10/4/10
  - c. Project: Reroof the house with charcoal 3-tab shingles.
8. **Applicant: Tippy Contracting, LLC**
  - a. Property Address: 2306 DeLeon Avenue
  - b. Date of Approval: 10/5/10
  - c. Project: Repair portions of the roof. The shingles will match the existing.
9. **Applicant: Lois Shindelbower for Bill Sisson**
  - a. Property Address: 109 Beverly Court
  - b. Date of Approval: 10/5/10
  - c. Project: Replace the existing broken concrete walk with a new walkway featuring the same dimensions. Replace the later flight of concrete steps accessing the porch (from the south) with brick steps of the same dimensions. Install a small section of gravel to the south of the existing drive for occasional parking.
10. **Applicant: Peter Daies**
  - a. Property Address: 255 Church Street
  - b. Date of Approval: 10/6/10
  - c. Project: Suspend a resin-based, wood-like sign from the soffit of the building's north facing portico. The sign will measure 3' in height and 8' in length, for a total of 24' square feet. The sign will feature the name of the facility's restaurant. The total square footage of the sign and all other signage is below the signage allotment for this sign variance property.
11. **Applicant: Kevin Cross**
  - a. Property Address: 1001 Augusta Street
  - b. Date of Approval: 10/6/10
  - c. Project: Repair rear carport, matching existing in profile, dimension and materials. Paint to match.
12. **Applicant: Benn Cummings**
  - a. Property Address: 1011 Augusta Street
  - b. Date of Approval: 10/7/10
  - c. Project: Pave the existing driveway which extends from a Chatham Street easement to the backyard per submitted plan. Reroof the existing garage with a metal roof.

### C. APPLICATIONS

1. 2010-74-CA: 956 Selma Street
  - a. Applicant: Timothy Campbell
  - b. Project: Demolish a house.

**APPROVED. CERTIFIED RECORD ATTACHED.**
2. 2010-75-CA: 109 Government Street
  - a. Applicant: Gary Jackson for City of Mobile
  - b. Project: Remove the unauthorized chain link fence. Install 3' iron posts around the perimeter of the undeveloped portion of the property. Install landscaping.

**APPROVED IN PART AS AMENDED. CERTIFIED RECORD ATTACHED.**
3. 2010-76-CA: Citywide
  - a. Applicant: Bill Metzger and Jennifer White for City of Mobile
  - b. Project: Replace the existing iron lamp posts with concrete versions of the same design.

**TABLED FOR A DESIGN REVIEW COMMITTEE. CERTIFIED RECORD ATTACHED.**

4. 2010-77-CA: 665 Dauphin Street
  - a. Applicant: Douglas B. Kearley for Wendell Quimby
  - b. Project: Develop the lot by installing fencing, paving, and landscaping.  
**DENIED FOR LACK OF INFORMATION. CERTIFIED RECORD ATTACHED.**

**D. OTHER BUSINESS**

1. Discussion

Old Dauphin Way Historic District Signage

The Board discussed the installation of new signage for the Old Dauphin Way Historic District. A discussion ensued as to the orientation of the proposed signage. It was decided that the Old Dauphin Way Association needed to submit a formal application for the proposed signage.

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

**2010-74-CA: 956 Selma Street**  
**Applicant: Timothy Campbell**  
**Received: 9/30/10**  
**Meeting: 10/20/10**

**INTRODUCTION TO THE APPLICATION**

Historic District: Oakleigh Garden  
Classification: Contributing  
Zoning: R-1  
Project: Demolish a house.

**BUILDING HISTORY**

This T-shaped house featuring simple Craftsman-influenced detailing was constructed in 1924.

**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. Slated for demolition by the Office of Urban Development, the house constitutes an extreme example of demolition by neglect. The new owner/applicant proposes demolishing the house and planting grass on the lot.
- 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, the ordinance mirrors the Mobile City Code, see §44-79, which sets forth the following standard of review and required findings for the demolition of historic structures:
  - 1. *Required findings; demolition/relocation.* The board shall not grant certificates of appropriateness for the demolition or relocation of any property within a historic district unless the board finds that the removal or relocation of such building will not be detrimental to the historical or architectural character of the district. In making this determination, the board shall consider:
    - i. The historic or architectural significance of the structure;  
This building is a contributing structure within the Oakleigh Garden District. The use of Craftsman detailing on the traditional T-shaped plan demonstrates a continuity of vernacular custom, as well as an appreciation of a then popular architectural idiom.
    - ii. The importance of the structures to the integrity of the historic district, the immediate vicinity, an area, or relationship to other structures;
      - 1. This house contributes to the physical density of Selma Street’s diverse housing stock.
    - iii. The difficulty or the impossibility of reproducing the structure because of its design, texture, material, detail or unique location;

1. The building materials are capable of being reproduced.
  - 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. Other examples of early twentieth-century homes featuring T-shaped plans survive in and around Mobile’s historic districts. These houses feature both Craftsman-influenced and classically-inspired detail.
  - 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. Due to the house’s severe state of deterioration, the new owner/applicant has decided against repairing the structure. If granted demolition approval, the applicant would demolish the house, level the lot, and plant grass.
  - vi. The date the owner acquired the property, purchase price, and condition on date of acquisition;
    1. The owner acquired the property in July of 2010 for \$15,000.
  - vii. The number and types of adaptive uses of the property considered by the owner;
    1. The applicant has not considered alternative uses for the property.
  - viii. Whether the property has been listed for sale, prices asked and offers received, if any;
    1. The applicant has not listed the property for sale.
  - ix. 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.
  - x. Replacement construction plans for the property in question and amounts expended upon such plans, and the dates of such expenditures;
    1. Not given
  - xi. 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. Check submitted.
  - xii. Such other information as may reasonably be required by the board.
  3. *Post demolition or relocation plans required.* In no event shall the board entertain any application for the demolition or relocation of any historic property unless the applicant also presents at the same time the post-demolition or post-relocation plans for the site.”
- C. Scope of Work (The proposed post demolition plans do not require plans or drawings):
1. Demolish the house.
  2. Level the lot.
  3. Plant grass on the lot.

**STAFF ANALYSIS**

This property is an extreme example of demolition by neglect. The house was placed on the City’s Nuisance Abatement list in 2009. Staff has visited the house on multiple occasions in order to assess and monitor its condition. Structurally unstable, both the floor and roof have collapsed. The new owner/applicant purchased the property in July of this year. He proposes demolishing the house, leveling

the lot, and planting grass on the site. While Staff regrets the loss of this contributing building, the extent of the deterioration poses a threat to public health and safety.

### **STAFF RECOMMENDATION**

Based on B (1-3), Staff believes the proposed demolition will impair the architectural and historical integrity of the building and district, but Staff recommends approval of the demolition for reason of the house's existing and accelerating state of disrepair.

### **PUBLIC TESTIMONY**

No one was present to discuss the application.

### **BOARD DISCUSSION**

Mr. Blackwell reminded the Board that the current owner applicant acquired the property in July; therefore he was not responsible for the building's state of decay. Mr. Bemis told the Board that the applicant owns the neighboring property to the west. A discussion of the condition of the house ensued.

### **FINDING OF FACT**

Mr. Karwinski 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. Karwinski moved that, based upon the facts as approved by the Board, the application does impair the historic integrity of the district or the building, but that a Certificate of Appropriateness for the demolition be issued on account of the building's advanced state of deterioration.

The motion received a second and was unanimously approved.

**Certificate of Appropriateness Expiration Date: 10/20/11**

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

**2010-75-CA: 109 Government Street**  
**Applicant: Gary Jackson for the City of Mobile**  
**Received: 9/27/10**  
**Meeting: 05/06/09**

**INTRODUCTION TO THE APPLICATION**

Historic District: Church Street East  
Classification: Non-Contributing  
Zoning: B-4  
Project: Remove the unauthorized chain link fence. Install 3' iron posts around the around the perimeter of the undeveloped portion of the property. Install landscaping.

**BUILDING HISTORY**

This open area occupies a portion of the demolished 1959 Mobile County courthouse. Four previous courthouses occupied this location.

**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. 109 Government Street last appeared before the Board on December 17, 2007. At that time, the Board approved the plans of the recently completed Mobile County Probate courthouse.
- B. The Design Review Guidelines for Mobile’s Historic Districts, state, in pertinent part:
  - 1. Fencing “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.”
  - 2. “Landscaping can often assist in creating an appropriate setting.”
- C. Scope of Work (per submitted plans):
  - 1. Remove the unauthorized chain link fence.
  - 2. Install 3’ high iron posts at 5’ distances around the four sides of the undeveloped portion of the property (along Government, South Royal, Church, and Saint Emanuel Streets).
  - 3. The posts will be set back roughly 5’ from the public right of way (the inner edge of the sidewalk).
  - 4. The posts will be roughly 5” square.
  - 5. The posts will feature either classic or cast iron design caps.
  - 6. An entry gate will be located off of Church Street.
  - 7. The posts and the gate will be painted black.
  - 8. Three quadrant and eight semicircle mulched landscaping stations will relieve the proposed posts.
  - 9. The quadrant stations (located at the three of the open spaces four corners) will contain one crape myrtle and two azaleas.
  - 10. The semicircular stations will contain a single crape myrtle.

## **Clarifications**

1. What is the design of the entry gate?

### **STAFF ANALYSIS**

A park is planned for this portion of the larger municipal/county complex. A chain link fence currently surrounds the site. The proposed posts and landscaping would prevent vehicular access to the now vacant site while the plans of the aforementioned park are being developed.

Depending on their location on lot, the posts would be set either before or along the incline of the graded site. The landscaping stations would negotiate the varying levels of the site. The posts located on northern and east sides of the lot would be largely located on level ground. The southern and western portions would be located in relation to surviving portions of a 1959 coping wall. Due to the presence of existing curbcuts, the western side of the site would not feature intermediate landscape stations.

The proposed posts meet the design, material, and height requirements for fence-like barriers. They would allow for the unimpeded view of the Museum of Mobile, a National Historic Landmark. In being set back 5' from the street, the posts would be protected from the possibility vehicular damage. The proposed landscaping features traditional trees and shrubs. Staff does not believe this application will impair the architectural or historical character of the district.

### **STAFF RECOMENDATION**

Based on B (1-2), Staff does not believe this application will impair the architectural or the historical character of the district, therefore recommends approval of this application.

### **PUBLIC TESTIMONY**

Gary Jackson of the City of Mobile was present to discuss the application.

### **BOARD DISCUSSION**

The board discussion took place concurrently with the public testimony. Mr. Wagoner asked Mr. Jackson if he had any questions to ask or comments to make with regard to the Staff Report. Mr. Jackson informed the Board that Architecture and Engineering would prefer to the use the cast iron post caps as opposed to the classic design caps. Mr. Wagoner asked why the City was proposing posts. He then asked whether chains would be suspended between the posts. Mr. Jackson explained to the Board that nothing would be suspended between the posts. He said that the posts would be set at distances that would allow pedestrian traffic to move unimpeded across the open site, but would at the same time prevent vehicular traffic.

Mr. Karwinski asked Mr. Jackson to explain the plan. Mr. Jackson told the Board that the proposed posts would be located on location of the unauthorized chain link fence. Mr. Karwinski asked why the City was proposing Crepe Myrtles. He said that Oak trees would be more historically appropriate. Mr. Jackson told the Board that Crepe Myrtles were not only attractive, but also heat resistant. He noted that in such an open site the latter was important consideration. Mr. Jackson pointed out that the proposed plantings and posts would not be a permanent feature on the lot. He told the Board that once a plan is developed and funding is available, the City's Mardi Gras would be located on the site.



Mr. Karwinski told the applicant and the Board that the proposed plan did not accurately represent existing site conditions. He noted that the coping wall and oak tree located at the southwest corner of the large open lot had been omitted in the plan. Mr. Jackson explained to the Board that the area in question is not a part of the property being rented by the City for the future park, but a portion of the County Probate Court Complex. He said that site plan only addresses the area to the east of the wall and the tree, thus they were omitted from the site plan. Mr. Jackson said that portion of the open space would not be part of the official park.

Ms. Harden asked Mr. Jackson about the entrance shown in the site plan and included in the Staff Clarifications. Mr. Jackson told the Board that the south-facing entrance would be the site's only point of vehicular ingress and egress. Mr. Martin asked Mr. Jackson what the time frame was for the completion of Mardi Gras Park. Mr. Jackson said he did not know. Mr. Bemis said that the City had not yet developed a landscape plan. Once a plan was completed, he said that the City would submit it for review. Mr. Jackson told the Board that the posts were designed for easy removal and reuse on other locations. Mr. Wagoner asked Mr. Jackson about the appearance and the composition of the proposed gate. Mr. Jackson said that a horizontal barrier that would prevent vehicular passage. Alluding to the temporary nature of the proposed posts, Mr. Ladd asked if the Board could set a time limit, renewable if necessary, for their installation.

Mr. Karwinski told the Board and the City's representative that he would like to see a site plan that reflected the existing site and landscaping conditions. Mr. Martin pointed out that this site was not only visible to locals on a daily basis, but also tourists traveling or walking both Government and Royal Streets. A discussion of the site ensued. Mr. Jackson reiterated that the large Oak tree off the southwest corner of Church and St. Emanuel Streets is not a part of the proposed park. Mr. Karwinski asked again for a more accurate site plan. Mr. Bemis addressed the Board saying that Mr. Jackson had stated and shown where the proposed posts and landscaping would be located. Mr. Karwinski asked Mr. Jackson why the City did not enter into negotiations to merge the two portions of the open site.

Ms. Baker addressed her fellow board members saying that the Board was seemingly redesigning the proposal. Mr. Wagoner told Ms. Baker that the questions being asked and concerns being raised were appropriate in this instance. Elizabeth Sanders of the Downtown Mobile Alliance asked for clarification as to the Oak tree opposite Christ Church. Mr. Jackson explained again that tree was not a part of the site. Mr. Wagoner asked if there was anyone else from the audience who wanted to speak either for or against the application. Upon hearing no response, he closed the period of public comment.

Mr. Wagoner addressed the Board saying that as he perceived the discussion, there were two primary areas of concern, the site plan and the gate design. He said that the Board could approve the installation of the posts and wait for a submission of an entrance/gate design. Mr. Wagoner told the Board that stipulations or requests concerning the entirety of the open space could not be made since the City neither owned nor held leasehold for the whole site. Ms. Harden asked Mr. Jackson to clarify the various lines on the submitted site plan. Mr. Ladd asked his fellow board members to take into account the site and the existing fence. He said that in his mind the removal the chain link fence and the installation of any form of landscaping would greatly improve the appearance of the site. He stated that both the posts and the plantings meet the standards established by the Guidelines for Mobile's historic districts.

## **FINDING OF FACT**

Mr. Martin 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 the facts to note that the caps will be 4" in plan and cast iron in design.

The motion received a second and was unanimously approved.

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

Mr. Martin moved that, based upon the facts as amended by the Board, the application does impair the historic integrity of the district or the building, but that a Certificate of Appropriateness be granted for the fence posts/bollards and that a site plan incorporating the entire block and the design of the entrance gate be submitted.

The motion received a second. Mr. Karwinski and Ms. Whitt-Mitchell voted in opposition.

**Certificate of Appropriateness Expiration Date: 10/20/11**

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

**2010-76-CA: Citywide**  
**Applicant: Bill Metzger and Jennifer White for the City of Mobile**  
**Received: 9/30/10**  
**Meeting: 10/20/10**

**INTRODUCTION TO THE APPLICATION**

Historic District: Lower Dauphin Commercial  
Classification: NA  
Zoning: NA  
Project: Gradually replace the existing iron street posts with concrete posts of the same design.

**BUILDING HISTORY**

Currently, Mobile’s historic districts feature street lamps of varying designs and materials.

**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. Due to faulty design and cheap construction, one type of the City’s multifarious lamp posts have posed maintenance issues. With this application, the City’s Department of Traffic and Engineering proposes the gradual replacement of damaged posts with substitutes of the same design, albeit different material. The proposed concrete replacement posts have been previously employed in and around Mobile’s historic districts. They were used as part of the street refurbishing campaign of the Bring Back Broad Initiative. More recently, the posts were installed in Unity Park.
- B. The Design Review Guidelines for Mobile’s Historic Districts state, in pertinent part:
  - 1. “Lighting can be an important element in the historic districts. Therefore, where lighting impacts the exterior appearance of a building or of the district in which the building is located, it shall be reviewed for appropriateness as any other element.”
- C. Scope of Work (per submitted plans):
  - 1. Remove damaged and deteriorated lamp posts located within the historic districts.
  - 2. Replace the iron lampposts with concrete posts of the same design
    - a. The lamp posts will be of the “Sheridan” design.
    - b. The lamp post will have an 11’ (not counting the globes).
    - c. The lamp posts will be green in color to match the color of the existing posts and street furniture.
    - d. The lamp posts will smooth finish.

## **STAFF ANALYSIS**

The Design Review Guidelines list lighting as an important factor affecting the character of the historic districts. The City proposes the use of concrete posts made from specially commissioned molds. The City's representatives are working closely with the manufacturer.

The proposed concrete lamp posts would be of the same design as the most numerous type of street lamps already employed in the historic districts. They would green in color to match the rest of the City's street furniture. The concrete lamp posts have been previously utilized in other locations in and around the historic districts. The proposed posts are not only sturdier, but require less maintenance. Staff does not believe the lamp post design would impair the architectural or the historical integrity of the historic district. The City's representatives are amenable to the Board's suggestions as to the finish of the posts.

## **STAFF RECOMMENDATION**

Based on B (1), Staff does not believe this application impairs the architectural or the historical character of the historic districts. Pending the Board's review and selection of an appropriate finish, Staff recommends approval of this application.

## **PUBLIC TESTIMONY**

Bill Metzger and Jennifer White were present to discuss the application as representatives of the City of Mobile.

## **BOARD DISCUSSION**

The board discussion took place concurrently with the public testimony. Mr. Bemis explained to the Board that Staff had further examined the composition and design of the proposed lamp posts. In light of the subsequent scrutiny and discussion, he said that Staff recommends the forming a Design Review Committee to consider alternate lamp post designs. Mr. Bemis told the Board that in addition to the three Architectural Review Board members required for a Design Review Committee, the historic district neighborhood association presidents, MHDC representatives, Downtown Alliance president Elizabeth Sanders, Traffic & Engineering representative Bill Metzger, and Councilman William Carroll would be invited. Mr. Bemis stated that at this point the convening of a Design Review Committee constituted the best possible solution to the application. He pointed out that there were several types of lighting fixtures located in the historic districts. Mr. Bemis mentioned that several types of posts might be considered, for instance those around hotels and entertainment areas might be of a different height and material than those for residential areas.

Mr. Martin asked for clarification regarding the height of the proposed posts. Mr. Bemis raised the Board's attention to the possibility of different style posts and globes. Mr. Baker asked if Staff was rescinding its initial recommendation. Mr. Bemis answered yes. After volunteering himself for the Design Review Committee, Mr. Wagoner asked for two more members donate their time and expertise. Mr. Karwinski and Mr. Martin agreed to serve on the Committee.

Mr. Wagoner asked Mr. Metzger and Ms. White if they had any questions or comments regarding the Staff Recommendation. Mr. Metzger stated that very few of the earliest posts, those dating from circa 1910, remain. He told the Board that most posts date from the 1970s or the 1990s. Mr. Metzger said that the concrete posts would be easier to clean and maintain since the finishes have a lifetime guarantee. Mr. Wagoner asked if the City had investigated other materials, such as aluminum. Mr. Metzger answered yes. He told the Board that aluminum posts, as initially priced were comparable to cast iron; however

those same posts more recently priced, were less expensive than the cast iron but still more than the concrete posts. Mr. Blackwell told the Board that Ashland Place features several of the proposed lamp posts. Mr. Ladd explained that the posts had been installed as part of a neighborhood campaign.

Mr. Karwinski voiced a concern regarding the false historicity of certain lamp posts. Mr. Ladd told the Board and the applicants that the tree canopy affects the quality and amount of light. Mr. Metzger explained that lamp posts can be ordered at different heights as a means to adapt to the varying levels of the tree canopy, thereby allowing light to extend beyond the sidewalk. Mr. Martin asked if the proposed finish would allow for the removal of graffiti. Ms. White told the Board that maintenance-related concerns were being investigated. Mr. Karwinski asked Mr. Metzger and Ms. White about the manufacture and functioning of the posts.

Mr. Wagoner 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. Mr. Martin moved to table the application for a Design Review Committee. Ms. Baker and Ms. Whitt-Mitchell voted in opposition.

**TABLED FOR A DESIGN REVIEW COMMITTEE.**

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

**2010-77-CA: 665 Dauphin Street**  
**Applicant: Douglas B. Kearley for Wendell Quimby**  
**Received: 10/4/10**  
**Meeting: 10/20/10**

**INTRODUCTION TO THE APPLICATION**

Historic District: Lower Dauphin Commercial  
Classification: Non-Contributing  
Zoning: B-4  
Project: Develop the lot by installing fencing, paving, and landscaping.

**BUILDING HISTORY**

This vacant lot occupies a prominent corner location at the intersection of Dauphin and Washington Streets. According to Sanborn Maps, a two-story brick commercial building with a wrap around balcony once occupied the site.

**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 January 1, 2010. In that submission, the applicant proposed an outdoor dining area. The application was tabled for lack of information. The applicant returns to the Board with an alternate plan for developing the lot that would entail the installation of fencing, paving, and landscaping.
- B. The Design Review Guidelines for Mobile’s Historic Districts, state, in pertinent part:
  - 1. Fencing “should complement the building and not detract from it. Design, scale, placement and materials should be considered along their relationship to the Historic District. The height of solid fences in historic districts is generally restricted to six feet, however, if a commercial property or multi-family housing adjoins the subject property, an eight foot fence may be considered...All variances required by the Board of Zoning Adjustment must be obtained prior to issuance of a Certificate of Appropriateness.”
  - 2. “Modern paving materials are acceptable in the historic districts. However, it is important that the design, location and materials be compatible with the property.”
  - 3. “Landscaping can often assist in creating an appropriate setting. Asphalt is inappropriate for walkways. Gravel and shell are preferred paving materials; however a variance from the Board of Zoning Adjustment is required for commercial applications. Hard surface materials may also be acceptable”
  - 4. “The appearance of parking areas should be minimized through good site planning and design. New materials such as grasspave or grasscrete, which provides for a solid parking surface while still allowing grass to grow giving the appearance of a continuance of a front lawn, may be a feasible alternative.”

5. "Parking areas should be screened from view by the use of low masonry walls, wood or iron fences or landscaping."
  6. "Ordinances relating to parking and landscaping will be enforced by the City of Mobile Urban Development Department in reviewing requests for parking lots."
  7. "Proposed lighting should be designed to avoid invading surrounding areas."
  8. "Lighting can be an important element in the historic districts. Therefore, where lighting impacts the appearance of a building or of the district in which the building is located, it shall be reviewed for appropriateness as any other element."
- C. Scope of Work (per submitted plans):
1. Level the lot.
  2. Remove a concrete sign base.
  3. Replace a section of sidewalk. The work will match the existing.
  4. Construct a 6' 4" wall around the northern and western sides of the lot (the corner and entrance posts will measure 7' 5" in height).
    - a. A 2'4" stucco-faced coping wall featuring a concrete cap will comprise the lower portion of the fence.
    - b. A 4' cast iron fence will surmount the coping wall.
    - c. The cast iron fence will feature a corner post, a pair of pedestrian posts, and a pair of vehicular posts along with intermediate posts.
    - d. The sections of iron fencing will feature arrow finials.
    - e. The wall will feature 15' long sliding iron gate providing access from the existing west facing curbcut. The gate will be located on the inner side of the fence and will slide to the north.
    - f. The wall will feature a double, inward opening, north facing iron gate.
  5. Pave the lot in concrete.
    - a. Four parking spaces will be located within the lot.
  6. Install landscaping.
    - a. Landscaping stations of varying size will be located in the four corners of the lot.
    - b. A narrow strip of landscaping will extend along the south west side of the lot.
  7. Construct an 8' stuccoed wall along the east side of the lot.

### **Clarifications**

1. What type of landscaping will be used?
2. What is the design of the E wall?

### **STAFF ANALYSIS**

The site of the proposed parking enclosure is a vacant lot at the intersection of three heavily trafficked streets. The largely unpaved lot is currently used for parking. Two popular commercial establishments border the lot. The Dauphin Street establishment is located within the Lower Dauphin Commercial District, while the Washington Street establishment is located between two historic districts.

The proposed parking enclosure calls for the construction of a two part stucco and iron wall, the installation of interior landscaping, the construction of a stucco wall, the repair of the side walk, and the installation of paving.

The Guidelines state that fences should complement not detract from a property or surrounding properties. The 6' wall featuring a lower stucco-faced coping section and an upper cast iron picket fencing section, measures six feet in height. A fence of a similar design encloses the corner courtyard of 615 Dauphin Street. The latter fence features a three foot base. The design and materials of the proposed wall meet the standards established by the Design Review Guidelines for Mobile's Historic Districts.

Staff does not believe the proposed stucco-faced concrete will impair the architectural or the historical character of the district. The applicant's representative should consult with permitting with regards to its installation and the applicant should contact the neighboring property owner as a matter of courtesy.

The Guidelines state landscaping can assist in creating appropriate settings for buildings in the historic districts. Four sections of landscaping stations are indicated on the plan. Staff would like clarification as to the type and distribution of the proposed plantings.

The in kind repair and replacement of the damaged sections of the sidewalk will not impair the historical or the architectural character of the district. The applicant will need to speak and coordinate with the City Traffic and Engineering with regard to that section of the proposed scope of work.

The Guidelines state that, depending on the location, modern paving materials such as concrete are appropriate for use in the historic districts. Staff does not believe the concrete parking area will impair the architectural or the historical character of the historic district. Both the applicant's representative and MHDC staff have shown the plans to City Staff from the offices Traffic & Engineering and Planning. Additional approval from those offices will be required.

#### **STAFF RECOMENDATION**

Based on B (1-8), Staff does not believe this application impairs the architectural or the historical character of the district. Pending the submission of a landscape plan, 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. Wagoner asked Mr. Kearley if he had any clarifications to make or questions to ask with regard to the Staff Report. Mr. Kearley answered no. Mr. Wagoner asked Mr. Kearley if there was a landscape plan for the site. Mr. Kearley said that there was no plan as of yet. He explained that the site would be landscaped in a manner similar to 615 Dauphin Street. Mr. Bemis stated that the Board ordinarily requires a landscape plan.

Mr. Martin stated that the proposed wall would impact the visibility of the painted wall sign located on the northern elevation of the Garage, the commercial property to the south of the lot.

Ms. Harden asked for clarification regarding the wall to be located at the eastern end of the property. Mr. Kearley told the Board that the wall would 8' in height and would be located approximately 18" from the property line. Mr. Karwinski said he objected to the wall for reason of it hindering maintenance and utility access to the western wall of the neighboring property's commercial structure. He asked Mr. Kearley about the purpose of the wall. Mr. Kearley told the Board that applicant wanted the wall for security reasons. Ms. Whitt-Mitchell asked about utility access for the adjoining property.



Mr. Karwinski said he had several more comments. First he reiterated that an eight foot wall would hinder maintenance-related access. He said that according to the plans the wall was originally to have provided support for a shed roof canopy. Mr. Karwinski stated that since the canopy is not being constructed, the wall no longer served a purpose. Mr. Kearley repeated that the wall would provide additional security. Mr. Karwinski told the applicant and the Board that he considered the historicizing character of the posts inappropriate to the location. He said that contemporary posts like those used at 615 Dauphin Street would be more in keeping with property and site. Mr. Kearley told the Board that Stewart Iron Works had been making the proposed posts for over one hundred years and the applicant liked the design. Mr. Karwinski addressed the plan. He stated that the spaces set aside for landscaping were insufficient and ill distributed. He said that more landscaping should be placed along Dauphin Street and Washington Avenue. Mr. Karwinski told the Board that owners of the recently completed condominiums on the opposite side of Washington Avenue would be overlooking a field of concrete. He reiterated that more landscaping should be required. Mr. Karwinski told Mr. Kearley and the Board that he had developed his own plan for the site. Ms. Sanders of the Downtown Alliance spoke from the audience. She asked the Board to take into account the derelict and unsightly condition of the prominently located site. Ms. Harden asked Mr. Kearley about the design of the gates. Mr. Kearley explained the gate designs.

Mr. Wagoner asked if there was anyone from the audience who wanted to speak either for or against the application. Mr. Ross Holladay from the audience stated that he had a question and a comment. First, he asked if the applicant planned on having a point of entry from the adjoining property to the south as had been previously proposed in an earlier application. Mr. Kearley answered no. Mr. Holladay stated that any proposed lighting should be given special scrutiny. Mr. Kearley said the applicant did not intend to install additional lighting. He told Mr. Holladay and the Board that the municipal street lamps provided ample lighting.

Ms. Sanders told the Board that she had recently received a draft of a document that encouraged just the type of urban enclosure that the applicant was proposing. She said that the use of urban borders on vacant lots constitutes a means of improving the appearance and feel of downtown areas. Speaking of downtown Mobile's many open parking lots, Ms. Sanders said wall enclosures should be encouraged elsewhere.

Ms. Harden asked Staff if the Guidelines addressed fencing appropriateness for empty lots. Staff told the Board that the Guidelines state that fencing should complement not detract from the building. A discussion of the neighboring buildings ensued. Mr. Ladd addressed his fellow Board members. He said that while landscaping seems to be issue, the current site conditions should be taken into account. He reminded the Board of the appearance lot. Mr. Ladd stated that the proposal was an obvious improvement for the site, as well as betterment for the district. Mr. Karwinski said the overall design needed to be reworked. Mr. Ladd said a landscape plan, if required, could be submitted at a later date. Mr. Wagoner closed the period of public comment.

## **FINDING OF FACT**

Mr. Karwinski 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. Martin moved that, based upon the facts as approved by the Board, the application does impair the historic integrity of the district due to lack of information of a landscape plan and gate design and that a Certificate of Appropriateness not be issued.

The motion received a second. Mr. Ladd voted in opposition.

**Certificate of Appropriateness Expiration Date: 10/20/11**