

ARCHITECTURAL REVIEW BOARD MINUTES
September 16, 2009 – 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. Gertrude Baker, Bill James, Tom Karwinski, Bradford Ladd, Harris Oswalt, Craig Roberts, and Janetta Whitt-Mitchell were in attendance.
2. Mr. Roberts moved to approve the minutes of the September 2, 2009 meeting. The motion received a second and passed unanimously.
3. Mr. Oswalt moved to approve the midmonth COAs granted by Staff. Mr. Karwinski made a motion to strike midmonth approval #9 from the record.

B. MID MONTH APPROVALS: APPROVED; EXCEPTING #9

1. **Applicant: Carolyn Jeffers**
 - a. Property Address: 108 Ryan Avenue
 - b. Date of Approval: 08/31/09
 - c. Project: Reroof house and garage. Repair siding on garage. All work to match existing in profile, dimension, color and material. Paint any repairs as necessary.
2. **Applicant: Leak-Proof Roofing**
 - a. Property Address: 1557 Luling Street
 - b. Date of Approval: 08/28/09
 - c. Project: Replace roofing tiles to match existing. Repair and replace fascia and cornice. All work to match existing.
3. **Applicant: Jepp Cobb**
 - a. Property Address: 60 Fearnway
 - b. Date of Approval: 08/27/09
 - c. Project: Construct 8 foot privacy fence and install double gates along interior rear lot line, abutting commercial property.
4. **Applicant: Chris Huff**
 - a. Property Address: 11 Semmes Avenue
 - b. Date of Approval: 08/28/09
 - c. Project: Replace front porch column with one to match the existing. Replace fascia board. Replace deteriorated window sash. Replace rear French door. All work to match existing.
5. **Applicant: Warren Bettis**
 - a. Property Address: 62 Bradford Avenue
 - b. Date of Approval: 08/31/09
 - c. Project: Paint house per submitted Benjamin Moore color scheme. Body is to be Alexandria Beige. Trim is to be Mountain Peak White. Skirt and steps are to black.
6. **Applicant: Philip Foster**
 - a. Property Address: 1319 Dauphin Street
 - b. Date of Approval: 08/31/09
 - c. Project: Demolish non-descript shed in backyard.
7. **Applicant: John Leach**
 - a. Property Address: 2251 Ashland Place
 - b. Date of Approval: 09/01/09
 - c. Project: Repaint shutters Bellingrath Green.
8. **Applicant: Jarrod White**
 - a. Property Address: 1204 Dauphin Street

- b. Date of Approval: 09/01/09
- c. Project: Repair existing flat roof to match existing.
- 9. Applicant: MHDC/ Restore Mobile**
 - a. Property Address: 454 Chatham Street
 - b. Date of Approval: 09/01/09
 - c. Project: Demolish inappropriate rear addition to board and batten portion of house.
- 10. Applicant: Robert G. Nichols**
 - a. Property Address: Hannon Avenue
 - b. Date of Approval: 09/03/09
 - c. Project: Install storm windows and door to front and rear elevations .
- 11. Applicant: Mizell Roofing for Owners**
 - a. Property Address: 23 South Julia Street
 - b. Date of Approval: 09/03/09
 - c. Project: Reroof with three tab shingles to match existing.
- 12. Applicant: Manja Leyk**
 - a. Property Address: 18 North Ann Street
 - b. Date of Approval: 09/04/09
 - c. Project: Repair and replace pickets on existing fence. Install a 6 foot interior lot wooden privacy fence along west lot line with finished side to face outward.

C. APPLICATIONS

- 1. 094-09: 12 South Lafayette Street
 - a. Applicant: Thomas Karwinski for Bill and Pam Miller
 - b. Project: Rear Addition Tom Karwinski
 - c. HELD OVER FROM SEPTEMBER 2, 2009

APPROVED. CERTIFIED RECORD ATTACHED.
- 2. 095-09: 1862 Government Street
 - a. Applicant: Chip Hackett with Ultra Car Wash
 - b. Project: Sign Approval.

APPROVED AS AMENDED. CERTIFIED RECORD ATTACHED.
- 3. 096-09: 65 LeMoyné Place
 - a. Applicant: John L. DeWitt
 - b. Project: Metal Roofing Approval.

APPROVED AS AMENDED. CERTIFIED RECORD ATTACHED.
- 4. 097-09: 1904 Government Street
 - a. Applicant: Wrico Signs for Sherwin Williams
 - b. Project: Sign Approval.

APPROVED AS AMENDED. CERTIFIED RECORD ATTACHED.
- 5. 098-09: 7-9 North Conception Street
 - a. Applicant: Ronald V. Nance for Clint Flowers
 - b. Project: After the fact construction approval – Extend a balcony; alter fenestration; Add a door.

APPROVED AS AMENDED CERTIFIED RECORD ATTACHED.
- 6. 099-09: 1119 Dauphin Street
 - c. Applicant: Sara and Michael Kindt
 - d. Project: Fencing Approval.

APPROVED AS AMENDED. CERTIFIED RECORD ATTACHED.

D. OTHER BUSINESS

1. Guidelines Update
2. Design Review Committees
3. Discussion

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

094-09-CA: 12 South Lafayette Street
Applicant: Thomas Karwinski for Bill and Pam Miller
Received: 08/17/09
Meeting: 09/02/09

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way
Classification: Contributing
Zoning: R-1
Project: Addition

BUILDING HISTORY

This one story frame house with projecting gable bay was constructed in 1905. The porch was altered in 1925. The gable brackets were added at that time.

STANDARD OF REVIEW

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

STAFF REPORT

- A. This property has never appeared before the Architectural Review Board. The applicant proposes a rear addition accessed by a hyphen off the rear elevation.
- B. The Secretary of the Interior’s Standards for Rehabilitation state, in pertinent part:
 - 1. “New additions, exteriors 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 massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.”
 - 2. “New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.”
- C. Scope of Work (per submitted plans):
 - 1. Construct 19’ by 34’ addition connected to house by 5’ by 20’ hyphen; deck measuring 14’ x 20’ area to north of hyphen
 - 2. Add doorway to southwest corner of house
 - A. Door to be salvaged from the interior
 - B. wood steps and Thomas Karwinski Railing to access door
 - 3. Remove door and windows from west elevation
 - 4. Siding and trim of addition to be hardiboard or wood lap.
 - 5. All Windows to be vinyl clad wood.
 - 6. Shed roof to cover hyphen
 - 7. Gable roof with broken pitch to south cover body of addition
 - 8. Hyphen to rest on brick foundation piers
 - 9. Bedroom addition to rest on brick foundation interspersing recessed solid brick skirting with vents.

10. South Elevation
 - A. Hyphen features tripartite grouping of one-over-one windows
 - B. Body of addition features three one-over-one windows
11. West Elevation
 - A. features expanse of siding
12. North Elevation
 - A. Body of Addition features three one-over-one windows
 - B. Hyphen features tripartite grouping of three one-over-one windows
 - C. Deck with gate for ingress and egress to feature Thomas Karwinski balustrade
 1. Wood steps to access deck
14. East Elevation (to north side of hyphen)
 - A. features one two unit window below louvered window

STAFF ANALYSIS

While taking design cues from and observing the scale of the existing house, the proposed addition is successfully differentiated from the original structure. It “reads” as an addition. Corner posts demarcate the transition from the old and new part of the house. Proportions and massing provide continuity of form. Staff does not believe this application impairs the architectural or historic character of the building or the district. Staff recommends approval of this application.

PUBLIC TESTIMONY

Mr. Karwinski recused himself from meeting. He left the room.

BOARD DISCUSSION

No discussion took place.

FINDING OF FACT

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

The motion received a second and was unanimously approved.

DECISION ON THE APPLICATION

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

Certificate of Appropriateness Expiration Date: 9/16/10

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

095-09-CA: 1862 Government Street
Applicant: Chip Hackett
Received: 08/24/09
Meeting: 09/16/09

INTRODUCTION TO THE APPLICATION

Historic District: Out of District
Classification: Not Applicable
Zoning: B-2
Project: Sign Approval

BUILDING HISTORY

This recent infill, a brick car wash, was completed in 2009.

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 Board on June 3, 2009. The Board approved a monument sign and two wall signs. The monument sign and the two wall signs face south and can be seen along the Government Street frontage. This lot also has frontage along Airport Boulevard. The applicant returns to the Board with a proposal for two menu boards and a wall sign facing Airport Boulevard.
- B. The Design Review Guidelines for Signage in Mobile’s Historic Districts and along Government Street state, in pertinent part:
 - 1. “The size of the sign shall be in proportion to the building and the neighboring structures and signs. The total maximum allowable sign area for all signs is one and one half square feet per linear front foot of the principal building, not to exceed 64 square feet. A multi-tenant building is also limited to a maximum of 64 square feet.
 - 2. “The total allowable square footage for the display area of a monument sign is (50) fifty square feet, for pole signs 40 square feet, and for projecting 40 square feet.
 - 3. “Menu Boards for drive-through windows at restaurants need to be reviewed for size, material, etc. They are not counted toward the maximum square footage allowed for on-site signs. Menu boards are limited to a maximum of 25 square feet and shall not have information or signage on the reverse side.
 - 4. The size of the sign shall be determined by measuring the area within each face of a geometric shape enclosing all elements of informational or representational matter including blank masking. Structural supports not bearing information shall not be included in the computation of display area. For double faced signs, each side shall be counted toward the maximum allowable square footage.
 - 5. The structural materials of the sign should match the historic materials of the building. Wood, metal, stucco, stone or brick, is allowed. Plastic, vinyl or similar materials are

6. Internally lit signs are prohibited. Lighted signs shall use focused, low intensity illumination. Such lighting shall not shine into or create glare at pedestrian or vehicular traffic, nor shall it shine into adjacent areas. Light fixtures mounted on the ground shall be screened by landscaping.

C. Scope of Work (per submitted plans):

1. Install wall sign on north elevation
 - a. Approximately 6' x 2'8" oval sign;
 1. 12.56 total square feet
 - b. Non-illuminated
2. Install two menu boards at entrance/driveways to car wash
 - a. Located on north side of existing car wash building
 1. Signs will be seen from Airport Boulevard frontage
 - b. Menu boards are 3' x 6'
 1. Total menu board sq. ft. equals 18
 - c. Menu boards are internally-illuminated
3. Install three – double faced directional signage
 - a. 3' tall
 - b. 2'-6" wide
 - c. Non-illuminated
 - d. No logos present

STAFF ANALYSIS

Under the Guidelines, signage along Government Street (to Dauphin Island Parkway) and within the Historic Districts may not exceed 64 sq.ft. per site. The applicants have applied for and received a variance from the Board of Zoning Adjustment to allow for 126.38 square feet of total signage. They are now seeking ARB approval. In the past, the ARB has allowed variances from this particular guideline when a site encompasses multiples parcels or has dual street frontage. In this instance, the applicant's site possesses frontage both along Airport Boulevard and Government Street. The proposed wall sign will face Airport Boulevard and is the precisely the same size as the wall sign which presently faces Government Street. The proposed wall sign will bring the total square footage of the signage to 76 square feet. Presently, the site has a variance to allow up to 126.38 square feet of signage. Since the site has double frontage on two major roads, the second wall sign will face Airport, not Government Street, and the total proposed signage is not significantly more than 64 square feet, Staff recommends a variance from the 64 sq. ft. guideline and approval of the proposed wall sign as described in C(1).

Under the Sign Design Guidelines, menu boards may not exceed 25 square feet. Since these are 18 sq. ft., the menu boards conform to the Guidelines. Presently, it is unclear, under the Guidelines, whether menu boards may be internally-illuminated or not. The applicants have cited to examples of internally-illuminated menu boards along Government Street. Because the Guidelines are unclear, and these menu boards face Airport Boulevard and are not visible from Government Street, Staff recommends approval of the menu boards as detailed in C(2).

The Sign Design Guidelines do not require directional signage to be reviewed; however Staff has submitted these to the Board as a courtesy requested by the applicants.

PUBLIC TESTIMONY

Gary Dennis was present to discuss the application. Mr. Dennis clarified one point in the Staff Report. He noted that the Board approved one wall sign on June 3, 2009.

BOARD DISCUSSION

The board discussion took place concurrently with the public testimony. Mr. Wagoner asked the applicant if this application represented the final signage proposal for the property. Mr. Dennis answered yes. He said that he and his partners did not know that menu signs required Architectural Review Board approval. Mr. Karwinski asked Mr. Dennis if the Board of Zoning Adjustment granted the sign variance. Mr. Dennis answered yes. Mr. Wagoner read the variance. He noted that the variance approved a fence and a wall sign. Ms. Coumanis clarified the variance. Mr. Karwinski said that the two menu boards totaled 36 square feet in size. Ms. Baker asked Staff and the Board why an out of district application needed Board approval. Mr. Blackwell, Ms. Coumanis, and Mr. Wagoner explained that ARB jurisdiction extended to signage beyond the historic districts on parts of Government Street. Ms. Coumanis stated that menu boards are limited in their selection of materials and by location on site plans. Mr. Oswald and Mr. Wagoner asked for further clarification regarding the extent of the variance. The variance allows for 12.56 square feet of additional signage.

FINDING OF FACT

Mr. Ladd 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 report by adding that the variance approved 12.56 square feet of signage.

The motion received a second and was unanimously approved.

DECISION ON THE APPLICATION

Mr. 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: 9/16/10

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

096-09-CA: 65 LeMoyne Place
Applicant: John L. Dewitt
Received: 08/31/09
Meeting: 09/16/09

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way
Classification: Contributing
Zoning: R-1
Project: Metal Roofing Approval

BUILDING HISTORY

With its low-lying mass, large front porch, and overhanging eaves this house typifies the bungalow craze that swept the nation during the first third of the Twentieth Century.

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 house has never appeared before the Review Board. The applicant proposes replacing the existing asphalt shingles with a galvalume metal roof. Proposals involving metal roofing within the historic districts are reviewed on an individual, case-by-case basis.
- B. The Design Review Guidelines for Mobile’s Historic Districts state, in pertinent part:
 - 1. “A roof is one the most characteristic features of a building. Original or historic roof forms, as well as the original pitch of the roof should be maintained. Materials should be appropriate to the form and pitch and color.”
- C. Scope of Work (per submitted plans):
 - 1. Remove the existing asphalt shingles.
 - 2. Install a 26 gauge galvalume metal roof.

STAFF ANALYSIS

In recent years metal roofing options have grown in scope and quality. Applications for metal roofing are thus reviewed on an individual basis. Certain criteria determine the appropriateness of the available options. The pitch of the roofing, the treatment of the finish, and the style of the house are determining factors when considering metal roofs. A metal roof is not an inappropriate for this house, a Craftsman inspired Arts and Crafts bungalow. Arts and Crafts houses had shingle or slate roofs. Staff believes this application impairs the architectural and historical integrity of the house and the district and does not recommend approval.

PUBLIC TESTIMONY

John L. Dewitt was present to discuss the application. Mr. Dewitt stated that the house was built in 1929. He said asbestos tiles constituted the original roofing material. The roof was damaged in 1979 by Hurricane Frederick. Mr. Dewitt informed the Board that following Hurricane Frederick he installed Timberline asphalt shingles. Mr. Dewitt said he replaced the roof again two years ago. It is already beginning to leak. Mr. Dewitt then addressed the Staff Report. He said he would like to use a metal roofing option for reasons of structural integrity, greater durability, thermal efficiency, and aesthetic integrity. After enumerating each point, Mr. Dewitt informed the Board he had investigated other metal roofing options. He researched products online and checked local distributors. He said he discovered Decra metal roofing shingles. Mr. Dewitt said this Galvalume ceramic coated product closely resembles the existing roofing, as well as meeting the criteria he outlined to the Board. The applicant then showed the Board a sample panel of the Decra metal roofing shingles.

BOARD DISCUSSION

The board discussion took place concurrently with public testimony. Ms. Coumanis asked Mr. Dewitt if the sample represented the roofing type he proposed to use. Mr. Wagoner informed the applicant that this question was important. If he changed his proposal the application would need to be amended. Mr. Dewitt said he wanted to alter his proposal. He told the Board that Decra metal roofing panels rest directly on the roof decking. The applicant added that the product addresses each of the concerns found in the Staff Recommendations. Mr. Roberts asked Mr. Dewitt about the size of the roofing panels. Mr. Ladd applauded Mr. Dewitt for working with the Staff Recommendations. Mr. Karwinski asked the applicant how the roof's multiple ridges would be treated.

FINDING OF FACT

Mr. Oswalt moved that, based upon the evidence presented in the application and during the public testimony, the Board finds the facts in the Staff report, amending C (2) to allow the installation of Decra metal panel roofing shingles in a faux slate finish.

DECISION ON THE APPLICATION

Ms. Baker 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: 9/16/10

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

097-09-CA: 1904 Government Street
Applicant: Wrico Signs for Sherwin Williams
Received: 08/21/09
Meeting: 09/16/09

INTRODUCTION TO THE APPLICATION

Historic District: Out of District
Classification: NA
Zoning: B-2
Project: Sign Approval

BUILDING HISTORY

This contemporary commercial building was constructed in the 1970s.

STANDARD OF REVIEW

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

STAFF REPORT

- A. This property has never appeared before the Architectural Review Board. The applicants propose the installation of two wall signs. One sign would face Government Street. The second sign would be visible from Airport Boulevard.
- B. The Design Review Guidelines for Signage in Mobile’s Historic Districts and along Government Street state, in pertinent part:
 - 1. “The size of the sign shall be in proportion to the building and the neighboring structures and signs. The total maximum allowable sign area for all signs is one and one half square feet per linear front foot of the principal building, not to exceed 64 square feet. A multi-tenant building is also limited to a maximum of 64 square feet.”
 - 2. “The total allowable square footage for the display area of a monument sign is (50) fifty square feet, for pole signs 40 square feet, and for projecting 40 square feet.”
 - 3. “The size of the sign shall be determined by measuring the area within each face of a geometric shape enclosing all elements of informational or representational matter including blank masking. Structural supports not bearing information shall not be included in the computation of display area. For double faced signs, each side shall be counted toward the maximum allowable square footage.”
 - 4. “The structural materials of the sign should match the historic materials of the building. Wood, metal, stucco, stone or brick, is allowed. Plastic, vinyl or similar materials are prohibited. Neon, resin to give the appearance of wood, and fabric may be used as appropriate.”
 - 5. “Internally lit signs are prohibited. Lighted signs shall use focused, low intensity illumination. Such lighting shall not shine into or create glare at pedestrian or vehicular traffic, nor shall it shine into adjacent areas. Light fixtures mounted on the ground shall be screened by landscaping.”
- C. Scope of Work (per submitted plans):
 - 1. Remove existing signage.

2. Mount a sign 3 foot by 15 painted aluminum sign to the building's Government Street façade.
 - A. The height of the sign from ground level to the top of sign is to measure 11 feet.
 - B. The height of the sign from ground level to the bottom of the sign is to measure 8 feet.
 - C. The sign is to measure 3 feet in height by 15 feet in width.
 - D. The total square footage of sign is to measure 45 feet.
 - E. The sign is to feature internal fluorescent illumination.
 - F. The sign is to be painted aluminum with a flex glass face.
 - G. The total square footage of front of building is 90 feet.
 - H. The sign is to be single-faced.
 - I. The sign is to be mounted with 3/8 inch althread studs with wood blocking.
3. Mount a 5 foot by 3 foot 9 ½ inch vinyl faced aluminum sign to the building's rear west elevation (visible from Airport Boulevard).
 - A. The height of sign from ground level to the top of sign to measures 11 feet.
 - B. The height of sign from ground level to the bottom of sign to measure 6 feet.
 - C. The sign is to measure 5 feet in height by 3 feet 9 ½ inches in length.
 - D. The total square footage of sign is to measure 19 feet.
 - E. The sign does not feature illumination
 - F. The sign is to be painted aluminum faced with vinyl.
 - G. The total square footage of front of building measures 90 feet.
 - H. The sign is to be single faced.
 - I. The sign is to be mounted with 3/16 inch althread studs.

STAFF ANALYSIS

Contemporary signage can detract from the integrity of a historic setting. Government Street and its environs comprise one of Mobile's principle historic thoroughfares and traffic arteries. Therefore, proposed signs along the street bear special scrutiny. While this signage application does not exceed the maximum signage limit for buildings in the historic districts and along Government Street, certain aspects do not met the standards set by the Guidelines. The Government Street facing sign is internally light. Internally illuminated signs are not allowed in the historic districts. Staff recommends approval of the Government Street sign on the condition that the sign not be illuminated. The sign facing Airport Boulevard uses vinyl, a material not acceptable for signage in the historic districts. Staff recommends approval of Airport Boulevard sign on the condition that the sign use a material that meets the standards set by the Guidelines.

PUBLIC TESTIMONY

Wade Wright was present to discuss the application. Mr. Wright clarified that the proposed sign was not yet installed on Government Street. He asked the Board why other signs within sight of the building have internal illumination.

BOARD DISCUSSION

The board discussion took place concurrently with the public testimony. Mr. Wagoner asked the applicant if he had read the section of the Staff Report pertaining to materials. Mr. Wright told the Board

that the proposed materials were standard signage materials. He clarified that the sign was not vinyl, only the graphics.

FINDING OF FACT

Mr. Ladd 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 fact C (2) E to not allow internal illumination.

DECISION ON THE APPLICATION

Mr. Ladd 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: 9/16/10

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
STAFF COMMENTS

098-09-CA: 7-9 North Conception Street
Applicant: Ronald V. Nance for Clint Flowers
Received: 08/28/09
Meeting: 09/16/09

INTRODUCTION TO THE APPLICATION

Historic District: Lower Dauphin Commercial
Classification: Contributing
Zoning: B-4
Project: After the fact construction approval - Extend a balcony; Alter fenestration; Add a door.

BUILDING HISTORY

According to previous records, this two-story masonry commercial building was constructed circa 1907. It might possibly incorporate portions of an older building. As with many older commercial buildings, the storefront was altered in subsequent years.

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 Board on May 7, 2008. The Board approved the reopening of mezzanine windows and the installation of a balcony on the buildings facade. In September of 2008, Staff approved slight revisions in the approved plans. When inspecting the building for a Certificate of Occupancy in mid August 2009, City inspectors noticed departures from approved plans and revisions. The mezzanine level fenestration was altered. The balcony was extended to wrap around the northeast corner of the building. A door accessing the balcony was added was added off the north elevation. A temporary Certificate of Occupancy was issued on August 12, 2009.
- B. The Design Review Guidelines for Mobile’s Historic Districts state, in pertinent part:
 - 1. “Often one of the most important features of a house, doorways reflect the age and style of a building. Original doors and opening should be retained with any moldings, transoms or sidelights. Replacements should respect the age and the style of the building.”
 - 2. “The type, size and dividing lights of windows and their location and configuration (rhythm) on the building help establish the character of a building. Original windows openings should be retained as well as original sashes and glazing.”
 - 3. “The porch is an important regional characteristic of Mobile architecture.”
- C. Scope of Work:
 - 1. Regularize the mezzanine level fenestration on the East Elevation.
 - A. Install six two-light vertical windows instead of two window-door-window groupings.
 - 2. Wrap the balcony around northeast corner of the building.

3. Install a door accessing the balcony. This door replaces the two not executed on the east elevation (see C (1) A) as only means of access to balcony.

STAFF ANALYSIS

The approved plans do not correlate with completed work. The reopening of the mezzanine windows and the construction of balcony did not allow the full height windows and doors. The alteration of the façade's fenestration removed all means of access to and from the balcony. The north elevation door affords the only point of ingress to and egress from the balcony. Staff recommends approval of the built work on the condition that the applicant paint the mezzanine window surrounds the same color as the body of the building. The change in color would bring about greater unity to the façade.

PUBLIC TESTIMONY

Ronald V. Nance was present to discuss the application.

BOARD DISCUSSION

The board discussion took place concurrently with the public testimony. Mr. Wagoner asked Mr. Nance if an unforeseen structural issue necessitated the departures from the approved plans. Mr. Nance answered yes. He said an iron beam was discovered at the mezzanine level. The mezzanine fenestration had to be altered. The doors were removed and the windows were reduced in height. Since the doors were removed on the facade, one was added on the north elevation. The balcony was extended to access the door. Mr. Nance told the Board he received a permit for the changes. He said he assumed that the altered plans were made available to MHDC staff. Only after he applied for a Certificate of Occupancy did he learn that Architectural Review Board Approval was required for changes to approved plans. Mr. Wagoner asked Mr. Nance if he objected to the Staff Recommendations. Pat Lagrange, one of the building's tenants, voiced her objection to the Staff Recommendations. Ms. Lagrange informed the Board that she designed the façade. She wanted the red and green color scheme because it would be conducive to retail decoration and advertising during the holiday season. Mr. Wagoner told Ms. Lagrange that while Board appreciated a retail perspective, the Board's concern and responsibility centers on questions of historical integrity. Ms. Lagrange said the colors were already approved. Mr. Wagoner pointed out that approval was based on the plans as submitted, not altered. Ms. Lagrange reiterated that the colors remained the same. Mr. Roberts asked Staff about the location of the area recommended painting. Mr. Blackwell explained that the mezzanine level surrounds, wooden jambs and lintels, were the recommended locations. Mr. Ladd asked Staff the reason behind the justification. Mr. Blackwell explained the evolution of the building. He said that building did not originally feature a balcony. The fenestration above the ground level doors and windows opened onto a mezzanine level. The mezzanine provided additional retail display and storage space. The construction of the balcony alters the readability of the façade. By painting the window surrounds the same color as the body of the building the traditional appearance of the façade was maintained to some degree. Mr. Karwinski asked Mr. Nance why he did not submit an application to the Board when he realized that the plans needed to be changed. Ms. Coumanis informed the Board that the MHDC and the Urban Development Staffs have instituted a plan review process which allows MHDC staff to sign off on submitted construction plans. Ronald Lagrange explained rationale behind the color scheme to the Board. Mr. Ladd informed the applicant and the audience that the Staff Recommendations were a suitable compromise. Mr. Blackwell noted that the applicant Review Board contacted staff as soon as he realized Architectural Review Board approval was required for the altered plans.

FINDING OF FACT

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

DECISION ON THE APPLICATION

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

Mr. Ladd moved that, based upon the facts as amended by the Board, the application does impair the historic integrity of the district or the building and that a Certificate of Appropriateness be issued. Two voted in opposition to the proposal.

Certificate of Appropriateness Expiration Date: 9/16/10

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
STAFF COMMENTS

099-09-CA: 1119 Dauphin Street
Applicant: Sara and Michael Kindt
Received: 08/28/09
Meeting: 09/16/09

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way
Classification: Contributing
Zoning: B-1
Project: Fencing Approval.

BUILDING HISTORY

According to Staff files, this house was built during the last quarter of the 19th Century according to the designs of Rudolf Benz. In the first decade of the 20th Century, the house was more than doubled in size.

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 Board in 1997. The Board approved amended plans for ancillary construction. The current owners appear before the Board with a fencing proposal
- B. The Design Review Guidelines for Mobile’s Historic Districts state, in pertinent part:
 - 1. Fencing “should complement the building not detract from it. Design scale, placement, and materials should be considered along with their relationship to the Historic District.”
 - 2. “The height of solid fencing in the 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.”
 - 3. “All variances required by the Board of Adjustment must be obtained prior to the issuance of a Certificate of Appropriateness.”
- C. Scope of Work:
 - 1. In general, construct iron fence above a brick veneer base around front yard perimeter; construct brick veneer columns as detailed below; install gate at driveway and pedestrian gate at walkway; install stucco wall as detailed below.
 - a. **Iron fence** will be 4’ tall
 - i. See attached photo for sample panel
 - ii. According to plan, fence to be set slightly back from sidewalk.
 - b. Fence will be situated above a 1’ brick veneer **base**
 - i. Base will be concrete block faced with bricks
 - ii. Mortar to be flush jointed
 - c. **Columns** will be concrete block with brick veneer and cap
 - i. See attached sketch for proposed column
 - ii. Cap will be 2” concrete block topper

- iii. Columns at corners of yard and driveway gate will be 66" tall and 19" square
 - iv. Columns at corner of pedestrian gate will be 18" and 60" tall
 - d. Concrete block **wall** will be 60" tall
 - i. Stuccoed
 - ii. 2" block topper
- 2. Per Submitted plans, **west elevation** features:
 - a. Fence to extend 36 feet along lot line.
 - b. Fence to stagger/ stairstep down berm
 - c. Fence to terminate at northwest corner of lot at column
- 3. North elevation:**
 - a. Construct one (1) column at northwest corner
 - i. 66" tall and 19" square with 2" concrete block topper
 - b. Fence to extend 35'-4" from northwest corner to west corner of proposed entry gate located at walkway to house
 - c. Construct two (2) columns at northwest and northeast corner of pedestrian walkway
 - i. 18" square and 60" tall with 2" concrete block topper
 - d. Install gate at walkway to house
 - i. Gate will feature 4' x 5' wrought iron panel with 3" arch
 - ii. Same design and finials as fence panels
 - e. Fence to continue beyond walkway for 43'-8" to southeast corner of lot/entry way to driveway
 - f. Construct one (1) column at northeast corner of lot
 - i. 66" tall and 19" square with 2" concrete block topper
- 4. East Elevation:**
 - a. Fence will extend 59'-4" from column at northeast corner of lot
 - i. to maintain 6' height, fence and base will raise approximately 2" for every 8' section of fencing
 - ii. Fence will terminate at a proposed column at northeast corner of house (approximately)
 - b. Construct two columns
 - i. First column will be located along west side driveway at northeast corner of house
 - 1. Fence will tie into this column
 - 2. This column will also hold electrical conduit for gate.
 - ii. A second column will be located across the drive on the eastern edge of the driveway/ property line
 - iii. Columns are 66" tall and 19" square with 2" concrete block topper
 - c. Install iron gate, featuring
 - i. Finials and pickets to match fence
 - ii. Gate panel will be 11' wide with 5'-6" arch in center
 - iii. Gate will open automatically
 - d. Construct stucco-faced concrete block wall
 - i. Wall will be 5' high
 - ii. Wall will be 13'-3" long and tie into an existing wall along the property line between this house and its neighbor.

STAFF ANALYSIS

As the westernmost in a row of three large houses, this house is one of the most commanding sites on Dauphin Street in the Old Dauphin Way District. Situated on expansive lots, these houses signify this part of Dauphin Street's development as an early suburb to downtown Mobile. The landscape and the scale of the architecture are easily distinguishable from the urban lots and town homes found east of Broad Street and signify Mobile's early westward expansion. As such, the property's integrity is crucial component to the overall historic landscape of this neighborhood.

While Staff understands the safety concerns motivating the application, Staff believes the fence, as proposed, impairs the architectural and historical character of the house and district. Staff recommends the following:

- 1) the proposed fence be located on the berm, not below it. Staff realizes this change will necessitate reconsideration of where the fence ends once it reaches the northeast corner of the house, where the driveway gate columns are constructed, and how the gated driveway ties into the front yard fence.
- 2) The continuous base should be omitted.
- 3) The proposed fence should not exceed four feet in height.
- 4) The posts should be made of iron not brick-faced concrete.
- 5) Iron fencing should be constructed instead of the proposed stucco-faced concrete block wall on the east lot line. That fence should end at the front plane of the body of the house.

The above recommendations allow for a more traditional treatment. Placing the fence on top of the berm without the concrete base would be more historically appropriate. Doing so would maintain the character of the house and property, as well as provide additional security for the applicants.

PUBLIC TESTIMONY

Sara Kindt was present to discuss the application. Ms. Kindt explained to the Board that she was the home owner and applicant. She distributed photographs to the Board before reading a written statement addressing the reasons behind the fence and the recommendations found in the Staff Report.

BOARD DISCUSSION

The board discussion took place concurrently with the public testimony. Mr. Ladd asked Ms. Kindt for clarification. Was the fencing comprised of a 1' tall brick-faced base surmounted by four foot sections of iron fencing? Ms. Kindt answered yes. Mr. Roberts thanked Ms Kindt for taking on such a large house and lot. He told her that fencing has a significant impact on the historic districts. Mr. Roberts explained to the applicant and the audience that he is ordinarily opposed to tall fences and walls. In this case, he said he concurred with applicant saying the size of the house and the landscaping of the lot require a more monumental fence than what the Board ordinarily approves. He agreed with the applicant that locating the fence on the berm would obscure the visibility of the house. The presence of the berm and the size of the house make the height of the design and the location of the fence perfectly acceptable. Mr. Roberts said he did not see anything wrong with proposed base or posts. Mr. Karwinski stated that he agrees with Staff regarding due to the construction material and the architectural style. A less substantial post treatment would better suit a wooden Colonial Revival house.

Mr. Karwinski then addressed the proposed drive treatment saying the change in grade would pose problems. He suggested that gate be moved closer to the sidewalk. Iron fencing interspersed with brick piers would extend from the existing concrete block fence along the east property line to the gate. Mr. Karwinski said the change would result in a better sense of transition from the streetscape. Mr. Wagoner

asked Mr. Karwinski about the reasons behind his suggestion. Was the berm the motivating factor behind the departure from previous rulings of regarding the location of fencing? Mr. Karwinski answered yes. He also asked the applicant if she would be amenable to lowering the fence's base. Ms. Kindt answered yes. She said it was one of the compromises she listed in her written report. Mr. James stated that altering the base would alter the aesthetic of the whole design proposal. Mr. Karwinski told the applicant that she would need to consider two facts regarding the fence. First, the design would affect the run off of water from the berm. Second, no fence would provide total security. Ms. Kindt acknowledged both points. She responded to the latter saying the fence would be none-the-less be a deterrent.

Mr. Wagoner asked Ms. Kindt if she had considered water spillage when developing the fencing proposal. Ms. Kindt answered yes. She said landscaping would deter spillage. Mr. Wagoner asked Ms. Kindt if she was open to Mr. Karwinski's suggestions. She answered yes. Mr. Roberts reiterated the numerous recommendations and departures from previous rulings resulted from the size of the house, the size of the lot, and the presence of the berm. Mr. Wagoner agreed saying while the design the fence would impact the surrounding area, the building and landscape context made the design acceptable. Ms. Coumanis asked Ms. Kindt about vehicular access. If the fence was extended closer to the sidewalk would both drives still be accessible to automobiles? Ms. Kindt answered yes.

Ms. Baker urged her fellow board members to clarify the suggested amendments to the proposed plans. Mr. Wagoner recommended that the application be approved with an option for brick piers or iron posts. Mr. Bemis addressed the Board. He said that Staff had no object to the fence as proposed. Past rulings of the Board underscored the recommendation. Mr. Bemis said that Staff believes iron posts would better suit the historical character of the house. Brick piers would be too commercial or institutional for this property. Mr. Roberts and Ms. Baker voiced their approval of the proposed plans with the recommended changes. Mr. James told his fellow Board members that they cannot redesign an application. Mr. Wagoner agreed. He asked Ms. Kindt for a third time if she was amenable to the suggested changes to the proposed plans. Ms. Kindt answered yes. She said the height and location of the fence were her greatest concerns. Those concerns had been addressed. Mr. Karwinski noted that the application is good in concept, but he questioned whether it would work out in plan and construction. Mr. Bemis said drawings would be required before work could proceed.

FINDING OF FACT

Mr. Oswalt moved that, based upon the evidence presented in the application and during the public testimony, the Board finds the facts in the Staff report, amending the facts to allow for the following: (1) iron posts instead of brick columns; (2) brick columns along the driveway; (3) removal of the extension of the stucco wall; (4) moving the driveway gate forward; (5) new site plan and drawings to be submitted.

DECISION ON THE APPLICATION

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