

Historic Preservation Commission of Decatur, Alabama

March 10, 2022 4:00 pm

Approval of February 10th 2022 Minutes

Expedited COA approvals since February 12, 2022:

809 Line Street (Thomas) renewal of CoA from 3/12/21 for one year (pause on project due to construction prices)

409 Line Street (McCandless) replace in-kind roofing (#47 for the CoA)

407 Line Street (Martin) repair in kind rotting soffit, fascia, and wood attic vent (#9 for the CoA)

601 Oak Street (Conkle) removal of trees to close to power line and the house (#61 for the CoA)

CoA #1: 204 Canal Street NE (Pike)

Background: This one story Folk Victorian was built circa 1887 and is a contributing structure within the Bank Street/Old Decatur NR district. It is the last house on the southeast end of Canal Street before it intersects with Lee.

Action Requested: Mr. Pike has just recently purchased the property and would like to complete the partial driveway. Curb cut is in existence and has been in use for parking beside the house for some time

Action Requested: Applicant has an existing curb cut and would like a driveway. Application requests an aggregate pour solid driveway, but after talking to staff, applicant is willing to install a ribbon driveway with either grass or a similar plant between the concrete ribbons.

Decatur's Design Review Standards: *11.Landscaping 2. Parking. Parking areas should be located at secondary elevations wherever possible. Parking lots and driveway should be screened by fencing or shrubbery to separate them from the streets and adjacent structures.*

Staff Findings: The commission has historically ruled that off street parking occur in the rear of lots where there is alley access (a secondary elevation). Applicant does not have a rear yard large enough to support a parking area. The commission has historically requested exposed aggregate for new driveways in the district. The commission has also frequently requested ribbon driveways to mitigate the addition of non-historic hardscape. Most ribbon driveways have a 36" grassy strip with a 2 – 3' wide concrete ribbon on each side.

CoA #2: 714 Line Street (Peterson for Orr)

Background: This one story Folk Victorian was built circa 1902 and is a contributing structure within the Bank Street/Old Decatur NR district. Peterson Rentals manages this income producing property. Unapproved work occurred on the porch columns, staff reached out to the company to discuss the project. The way two of the historic porch columns were stabilized was to cut off the bottom portion of two of the columns, rendering them un-repairable to comply with the district standards. Two new columns will need to be purchased. Applicant is requesting to replace the two remaining columns to ensure uniformity of the façade, since exactly matching the historic columns is not possible.

Action Requested: Replacement of 4 historic wood columns (two damaged beyond repair) with four new Afco fiberglass columns.

Decatur's Design Review Standards: *7. Architectural Ornamentation. Architectural ornamentation such as gingerbread, moldings, etc., are important character-defining elements of many historic buildings and should be retained. 1. Repair. Architectural ornamentation should be retained and properly maintained. All repairs should match adjacent historic conditions in design, materials, and workmanship. 2. Replacement in Kind. Where the architectural ornamentation must be replaced because it is missing or has deteriorated beyond reasonable repair, replacement components should match adjacent or documented historic conditions in design, materials, and workmanship.*

Staff Findings: The commission has approved Afco fiberglass columns for at least one other house in the district. Staff made a site visit with the commission architect several years ago to look at appropriate fiberglass replacement columns, and this brand was deemed appropriate. Although the proportions of the replacement columns are as close to a match as the applicant could locate, they are not an exact match, thus the request for all new columns on the front. Gobble Fite has Afco columns in their showroom (different size) if the commission wants to see one in person.

Although the commission has discussed alternative materials, the standards have not yet been updated to reflect those. This request is similar to one used with the commission in the January 2021 NAPC training.

CoA #3: 504/410 Walnut Street (Hereford)

Background: This is a double lot, the prior house at 410 was removed by previous owners. Minutes for the meeting state: Mr. Hennessy was also reminded that any future landscaping on this site (trees, gardens, paths, fences, water features, structures, etc.) must be approved by a CoA.

In early March of 2020, staff conducted a site visit and determined work had occurred without a Certificate of Appropriateness (CoA). Staff notified Mr. Pat Hennessy, whose name was on

the tax records. Mr. Hennessy refused to discuss the project and told staff to discuss it with his son, Mac Hennessy, who lived in the house. Mac Hennessy was informed that the work had occurred without a CoA, and the property owner had two options, to remove the fence, or to apply for a CoA to retroactively approve the fence. Mr. Mac Hennessy submitted a CoA asking for the HPC to retroactively approve the fence. He also asked for approval for a **proposed** gravel driveway on the same CoA.

Without waiting for an HPC meeting, Mr. Hennessy installed the gravel driveway. He was notified on April 13, 2020 (via email) that the unauthorized driveway was out of compliance and that he would need to attend the May 14th meeting of the HPC to discuss both the driveway and the fence. At the HPC meeting on May 14th the commission conducted two votes. The first was to allow a driveway in the current location, as installed. The second motion was to allow the non-approved 6' fence to run across the front of the lot as installed, with a double gate accessing the gravel parking lot/driveway. Both motions failed to carry, with zero votes in favor. Commission found that the parking area didn't meet HPC standards, since there was access to the rear of the property from the alley. Commission found that the location of the fence was not appropriate for a 6' tall fence, and applicant could either move fence further back or reduce height of fence. Mr. Hennessy did not file appeal.

Staff and the commission chair (John Godwin) offered to meet Mr. Hennessy on site to walk through the property and discuss options for both a fence and driveway to present to the HPC. Mr. Hennessy declined to work with staff or the commission architect. In fall of 2020 a court summons was submitted for Mac Hennessy. Mr. Hennessy sold the property before the court summons was served. New owners (the Herefords) were not notified that property was not in compliance with the HPC ruling until after they purchased the house.

Current owners were notified by certified letter on 1/12/21 and 4/21 that the property was out of compliance. Mr. Hereford met with staff and commission architect shortly after second letter, and with the full commission in 6/21. Mr. Hereford claimed that the commission didn't have legal authority to enforce the city ordinance. Commission gave him 6 months to come back with an initial CoA to discuss. Certified letter sent 6/25 outlining the meeting and a reminder that they were on the agenda. 12/21 HPC meeting held, Herefords did not attend. 12/21 certified letter was sent as a follow-up, with an extension until end of February. Letter was refused. Email also sent out. CoA was submitted at end of February.

The fence and the gravel driveway remain non-compliant.

Action Requested: Applicant has submitted a CoA for the driveway. He is proposing removing the pea-gravel and requesting an exposed aggregate double wide driveway adjacent to the house. Shrubbery will screen the driveway on the east, with a single tree planted. Applicant does not have additional information on the proposed landscaping at this time. He has indicated he would like a meeting with a professional landscaper/horticulturalist to further advise.

See attached applicant letter addressing why he is refusing to bring the fence into compliance.

Decatur's Design Review Standards: *11. Landscaping 2. Parking. Parking areas should be located at secondary elevations wherever possible. Parking lots and driveway should be screened by fencing or shrubbery to separate them from the streets and adjacent structures.*

12. Fencing. Within the districts cast iron and wooden picket fences are typically found along principal street frontages. Brick, chain-link, wooden plank and other wood fences are generally located at secondary street frontages. 1. Height. Fences at principal street frontages should be no higher than three feet. Fences on readily visible secondary frontages should be no higher than six feet. 3. Wood Fences. The use of wooden picket fences on principal elevations is appropriate. 4. Other Fences. The use of chain-link, wire, wood plank, vinyl, solid brick or open weave fences along street frontages is not appropriate at principal street frontage. The use of these fence materials is appropriate at secondary frontages or where not visible from street frontages.

Staff Findings:

Driveway: In the original ruling (see attached minutes) the commission stated that the driveway needed to go in the rear of the property, by the garage, since the lot had ample room for parking in the rear with alley access. Although there was a curb cut to service the now demolished house at 510, the yard was not used as a driveway at the time of demolition, nor did 504 have a curb cut, since it has a rear garage. Street parking is also abundant because there is significant street frontage now with this double lot.

Fencing: Commission has consistently ruled that the middle point of side elevations, taking into account character defining features like windows and mechanical features (HVAC) and landscaping. The massive length of this fence with a contemporary dog-eared profile is unprecedented in the district. There are some that were built before the district, and quite a number in rear yards as appropriate per our standards, but no massive portions along the main street elevations. The fence next door, while tall, is a decorative wood picket fence.

Application has not addressed the double wide gate to the back yard and what will happen with that when the driveway is removed from that portion of the lot.

Preservation Month Planning (May)

Awards (rehab, people, organizations)
Proclamation by the mayor
#iheartdeatur

Staff Updates:

CoA/Compliance Updates:

510 Walnut (Hereford)
714 Line (Orr, managed by Peterson)
Carport
Drewery

Bank Street/Old Decatur Resurvey

Federal Grant Updates:

Princess HSR
Albany Resurvey

State Grant Updates:

Girl Scout Little House: landscaping removed to prep for painting

Historic Decatur Association Street Signage Project

Historic Decatur Association Street Trees

Tax Credits:

Simpsons

Federal Grants for 2022/23 requested

Decatur April Walking tour:

April 2, Downtown Crime, John Allison
April 9, Old Town & Scottsboro Boys, Peggy Towns
April 16, City Cemetery, Phil Wirey
April 23, Albany, Caroline Swope
April 30, Streetcars & Railroads, David Breland