

**Madison Station Historic Preservation Commission
Minutes of the September 9, 2020 Regular Meeting**

The meeting convened in the Madison Municipal Complex, City Council Chambers, 100 Hughes Road, Madison, Alabama 35758. Commission Chairman Charles Nola called the meeting to order at 5:30 p.m.

Attendees

Commission Members

Charles Nola, Chairman	Present
Cindi Sanderson, Vice-Chairman	Present
Larry Anderson, Historic Liaison	Absent
Elbert Balch	Present
Gerald Clark	Present
Cindy Sensenberger	Present
Dennis Vaughn	Absent

City Staff

Mary Beth Broeren, Director of Development Services and Board Secretary

Registered Public Attendees

Rita Miller, Sonja Pederson

Public Comment

None.

Approval of minutes

Chairman Nola asked Commission members for suggested changes or corrections to the draft minutes of the August 12, 2020 Regular Meeting. It was noted that two changes had already been provided to staff and were highlighted in the Commission's agenda packet. There being no further changes or corrections, Chairman Nola called for a motion.

Motion: Cindy Sensenberger moved to approve minutes of the August 12, 2020 Regular Meeting as amended. Cindi Sanderson seconded the motion and the vote was as follows:

Final Vote:

Elbert Balch	Aye
Dennis Vaughn	Absent
Larry Anderson	Absent
Charles Nola	Aye
Cindi Sanderson	Aye
Cindy Sensenberger	Aye
Gerald Clark	Abstain

Motion Carried

Applications for Certificates of Appropriateness

The following Applications for Certificates of Appropriateness were presented for public review but not for public hearing or comment.

1. COA-2020-014, 4312 Sullivan Street, Carport

Staff introduced the request, reviewed the material and dimensions of the carport, and provided photographs of the property from different vantage points. Staff indicated that the “before photo” was pulled from Google Maps and doesn’t show the privacy fence in front of the carport that appears in the current photo of the property. Staff noted that the subject property is non-contributing to the Historic District, but the house to the north opposite the carport is contributing. Staff indicated that the carport was already installed. Staff noted that if the Commission approved the request the applicant would be required to apply for a building permit, as they had not applied for one prior to having the carport erected. Staff also reported that some of the photos and information from the applicant reference or show a flower mural on the front fence, but the applicant has elected to remove it and had been painting over the mural.

Mr. Nola invited the applicant to make comment or provide information. Rita Miller, applicant, stated that she bought the house in February and was told by her realtor the property was near the Historic District but that it was not in it. She relayed that she emailed the City about putting a historic sign in her yard and was told the property was non-contributing and so she didn’t pursue the sign. She stated that since getting the Code Enforcement notice about the carport and mural, she has had an attorney look into it. She stated that they should have been notified about being in the District when they bought, but they did not receive anything. She noted that they have removed the mural. She indicated that the fence in front of the carport was there when they bought the house. She concluded by stating that they installed the carport because there is no garage at the house, thinking the previous garage had been converted into habitable space.

Mrs. Sanderson asked if there was an additional carport on the back of the house. Ms. Miller replied in the affirmative and that it holds two cars. Mrs. Sanderson stated that some of the houses in the neighborhood just have carports and doesn't recall if this house was built with a garage or not.

Mr. Nola indicated that he has not heard about notification to new property owners in a historic district. Staff concurred that they are not aware of any such requirement, adding that the City is not notified when property sales occur and therefore would not know who or when to notify. Staff noted that Alabama is a "buyer beware" state, which requires property owners to complete their due diligence about regulations pertaining to property.

There was general discussion regarding the historic sign that the applicant had pursued. Mrs. Sanderson stated that properties had to be approximately 50 years old or older to qualify as historic.

Mrs. Sanderson stated that it was a shame the realtor didn't check to see if the property was in the Historic District. The applicant stated because the property was non-contributing she didn't think the Historic District rules applied. Mrs. Sanderson replied that even though a property is non-contributing it can still be in a District and that the same rules apply.

Mr. Nola noted that for non-contributing properties there is more leeway.

Mrs. Sanderson stated that the primary issue is the use of metal for the carport. Mr. Nola concurred, stating that that dilemma is that metal is not a material that the Historic Preservation Commission has approved in the District.

Mrs. Sanderson noted that structures that existed before the District was adopted are grandfathered; however, if something is torn down any replacement would need to be consistent with the District's Design Review Guidelines.

Mr. Clark stated he was considering what the Commission would be looking for if it was evaluating the carport before it was built. He noted that the Commission would be looking for continuity with the style of the house. He stated the carport is an anomaly next to the house and not consistent with the style of the house.

Mrs. Sanderson noted the subject property is next to a contributing house, both to the north and south. Mr. Clark concurred, noting the property to the north is across Riddle St.

Mrs. Sanderson likened the Historic District Guidelines and Regulations to a Homeowners' Association set of rules and that properties in the District need to comply.

Mrs. Sensenberger asked how the carport was anchored. The applicant replied that it was via bolts in the concrete.

Mrs. Sanderson asked the applicant if the carport could be moved to the back yard so it wouldn't be visible from the street. The applicant replied no because there wasn't any concrete back there that the carport could be bolted to.

Mr. Clark asked staff if there were any conflicts with easements for the current location of the carport. Mrs. Broeren replied that that couldn't be confirmed because no permit had been filed; however, staff didn't think there would be an issue with easements.

Mr. Nola asked the applicant about moving the carport. The applicant replied that she didn't think they could move it.

The applicant noted that the existing fence in front of the carport almost covers it and that they could raise the fence. Mrs. Sanderson noted that privacy fences are not allowed in the front of properties in the Historic District.

Mr. Balch asked about the permit process for the carport, and staff replied that it is a building permit, which would look at location and wind load.

Mrs. Sensenberger asked if the carport could be reduced in height, and the applicant replied no.

Mr. Balch questioned if there was anyway the Commission could approve the request given that it was not consistent with the Guidelines. Mr. Nola replied that he did not think so.

Motion: Gerald Clark moved to approve case number COA-2020-014, 4312 Sullivan Street, as presented for a metal carport. Cindi Sanderson seconded the motion and the vote was as follows:

Final Vote:

Elbert Balch	No
Dennis Vaughn	Absent
Larry Anderson	Absent
Charles Nola	No
Cindi Sanderson	No
Cindy Sensenberger	No
Gerald Clark	No

Motion Failed

There was general discussion about next steps and the removal of the carport. Staff indicated that the carport should be removed in 30 days.

2. COA-2020-015, 4257 Sullivan Street, Awning

Staff introduced the request and provided photographs of the property. The applicant's representative, Sonja Pederson, stated that parents dropping off and picking up children appreciate awnings during inclement weather and especially now due to the virus situation. She stated they have tried portable canopies, but they blow away.

Mr. Nola asked if the awning would come to the curb. The applicant relied in the affirmative.

A color sample of the awning was passed around to Commission members.

Mrs. Sanderson asked about the location of the existing awning, and staff reviewed the location.

Mrs. Sensenberger asked about the color of the existing awning, and Ms. Pederson replied that it was brown/black.

Mr. Clark asked if the doors are the same color as the sample, and Ms. Pederson replied that she thought so.

Motion: Cindy Sensenberger moved to approve case number COA-2020-015, 4257 Sullivan Street, as presented. Gerald Clark seconded the motion and the vote was as follows:

Final Vote:

Elbert Balch	Aye
Dennis Vaughn	Absent
Larry Anderson	Absent
Charles Nola	Aye
Cindi Sanderson	Aye
Cindy Sensenberger	Aye
Gerald Clark	Aye

Motion Carried

3. COA-2020-006, 110 Church Street, Fence Amendment

Staff introduced the request, indicating this was added to the agenda after it had been initially posted. Staff reported that the Commission approved a COA for replacement fences for the subject property in May 2020. The applicant has not been able to purchase the originally requested and approved dog-eared picket style for the front yard due to supply chain issues. The applicant is requesting to change the style of the picket fence to French Gothic. The applicant is not proposing any change to location, material or height.

Mr. Clark asked for clarification on the height of the picket fence. It was confirmed that the approved height was 42 inches.

Mr. Nola asked if the French Gothic style was available, and staff replied that it was.

Mr. Clark asked how old the house was. Staff replied that they did not recall but perhaps the 1930s.

Mr. Nola discussed the privacy fence style versus the picket fence style, indicating that he didn't think there was an issue with the change because the fences were different enough in design.

Mr. Clark asked if the proposed style would match the house. Mr. Nola asked what type style the house was. Mrs. Sensenberger thought it was a farmhouse style. Mr. Nola indicated the change in picket might not be noticeable.

The Commission discussed the possibility of continuing the request in order to evaluate the proposed style in context with other fencing along the street.

Mr. Nola showed views of other picket fences along Church Street, using his iPad, to the Commission.

Mr. Balch asked if the Guidelines were that strict given that there is a lot of non-conformity in the District. Mr. Clark noted that there is detail in the porch posts and that he could see having some leeway in the design.

Mr. Nola noted that another property on Church Street has some gingerbread detailing and has French Gothic pickets, which addresses Mr. Balch's point. Mr. Clark noted the house styles were a little different. Mr. Nola asked if Mr. Clark had enough information in terms of other fences such that he was comfortable with proceeding, and Mr. Clark replied in the affirmative. Mr. Clark noted the dog-eared pickets could be made.

Motion: Elbert Balch moved to approve case number COA-2020-006, 110 Church Street, to amend the type of picket fence to French Gothic. Cindi Sanderson seconded the motion and the vote was as follows:

Final Vote:

Elbert Balch	Aye
Dennis Vaughn	Absent
Larry Anderson	Absent
Charles Nola	Aye
Cindi Sanderson	Aye
Cindy Sensenberger	Aye
Gerald Clark	Aye

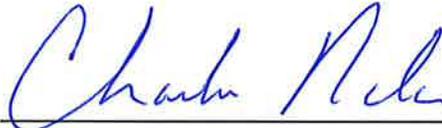
Motion Carried

Other Items for Discussion

Chairman Nola opened the floor to Commission members and City staff for other discussion items. There being no items for discussion, Chairman Nola closed the floor.

Adjournment

With no other business before the Commission, Chairman Nola adjourned the meeting at 6:22 p.m.



Approved: Charles Nola, Chairman
Madison Station Historic Preservation Commission



Attest: Mary Beth Broeren, Board Secretary

