



402 LEE STREET
DECATUR, ALABAMA 35601
December 12, 2024
MINUTES

Council Chambers

Architectural Review Board

4:00 PM

I CALL MEETING TO ORDER 4:00 PM

Roll Call:

Present: Ellis Chenault, Barbara Kelly, Patrick Rasco, Jacob Woods

Absent: Michael Rogers

II APPROVAL OF MINUTES: November 14, 2024

Vote: Motion made by Ellis Chenault to approve the Minutes as submitted, seconded by Barbara Kelly. Unanimous approval, motion carried.

III EXPEDITED CoAs SINCE THE NOVEMBER MEETING:

648 Johnston Street SE (Benadum) replace roofing (#47 for the CoA)

615 Oak Street NE (Baker) repair rotting rear deck in kind (#9 for the CoA)

601 Line Street NE (Shaw) repair rotting wood on gable of house and window and siding on auxiliary shed in kind (9 for the CoA)

IV NEW CoA REVIEWS:

CoA #1: 1018 Sherman (Stokes)

Background: Owner has been in front of the ARB and has worked with staff on a number of CoAs for this property. A new fence was installed without a CoA. House is located within the Albany district.

Action Requested: Retroactive CoA for fence. Rear fence to be 6' tall wood with a trellis over the alley gate. Fence design at rear is horizontal board with 6" posts. Fence connecting with neighbor to the east matches that installed by eastern neighbor, narrow vertical boards with spacers. Top of fence is scalloped.

Decatur's Design Review Standards: 16.0 Fences and Walls: 16.5 New fences should be compatible with the associated building, site, and streetscape in height, proportion, scale, material, and design. 16.6 Fences at back yards should begin no further forward than at half the depth of the principal structure including the porch. 16.9 Contemporary or utilitarian fence materials are not appropriate for fences in the public view.

Staff Assessment: The rear fence is not visible from the public view. The commission has allowed horizontal wood fencing in rear yards not visible from the sidewalk with prior CoAs. The side fence to the east appears to meet the standard for 6' tall set backs. The design, while not one that has been approved before, is not highly visible from the street.

Vote: Motion made by Ellis Chenault to approve the CoA as submitted. Motion seconded by Barbara Kelly. Unanimous approval, motion carried.

CoA #2: 409 Oak (Bridges)

Background: A prior CoA for a ribbon driveway was approved in absence of a quorum by the HPC two owners ago. That owner put in the ribbon driveway, but did not finish the landscaping before the house was sold. The house sold one more time between the original owner and current owner. Work to put in a larger solid filled driveway and expand the curb cut apron was started without a CoA.

Action Requested: Approval to fill in the ribbon driveway (7' fill width) and widen driveway on exterior edges 16" on each side, and to widen the curb cut as well. This would bring the driveway width to 9'8". (Field measurements of the excavated dirt on each side show the widened driveway at 13'3", with the throat measurements after the curb cut larger at 14'11")

Decatur's Design Review Standards: 19.0 Parking, Driveways and Sidewalks: 19.3 Design off-street parking to be unobtrusively located in the rear or side yard. Parking areas placed directly in front of a primary dwelling are not appropriate for the overlay districts. 19.4 Minimize the width of driveways to the extent possible. Driveway widths should be limited to a width of one car.

Staff Assessment: When the design review standards were level set and updated with community input in 2023 the community strongly felt that that front yard parking pads

were inappropriate and asked for the commission to clarify the standards and enforce them more consistently.

Discussion: Jacob Woods recommended an Emerald Zoysia for the lawn, which would grow in shade conditions. He also recommended Mondo Grass for the center of the ribbon. Barbara Kelly also suggested Mondo grass.

Vote: Motion made by Ellis Chenault and seconded by Barbara Kelly to approve the CoA as submitted. No votes were cast in favor of the motion, motion failed to pass.

Discussion with applicant for a new CoA which applicant supported. Staff and Board chair would meet with applicant to see where placing a wider parking pad might work behind the front corner of the house. Staff and chair could review the new CoA and approve without it coming back to the board if it met this requirement. **New CoA must be submitted within 30 days**, or the newly excavated areas of the lawn would need to be filled back in with dirt.

Motion made by Jacob Woods to allow a new CoA submittal meeting the standards above. Motion seconded by Patrick Rasco. Unanimous approval, motion carried.

CoA #3: 316 Lafayette (Davis)

Background: A metal carport was installed without an approved CoA to the rear of the house. Owner met with the commission at the October ARB meeting. Commission denied a CoA for the carport. The owner was given until November 27, 2024 to either remove the carport or return to the commission with a CoA that that will bring the carport into compliance.

Action Requested: Applicant would like to have the non-compliant metal carport approved by adding a wood privacy fence. Fence would be 6' tall and constructed of wood. Design would be a dog-eared fence. Application does now show gate location or size. At the time the agenda was set staff had reached out to applicant for this information but has not yet been given those details.

Decatur's Design Review Standards: The requested fence meets the design review standards for a fence, this application hinges on does the requested fence sufficiently mitigate a blue metal roofed carport by making it not readily visible. Carport is approximately 6.36' high on lowest portions of roof, and 8.76" high at the peak of the roof.

22.10 New carports should be located at the rear of dwellings and not readily visible. Prefabricated metal carport designs are not appropriate if visible from primary vantage points.

Staff Assessment: The board needs to determine if the proposed fence sufficiently shields the blue roofed carport from view.

Property owner was not present at start of agenda item.

Vote: Motion made by Jacob Woods to accept the CoA as submitted. Seconded by Ellis Chenault. No votes were cast in favor of the motion, motion failed to pass.

Discussion: Motion made by Jacob Woods to submit a CoA with a new solution within 30 days, or to remove entirely within 60 days. No one seconded the motion. Motion died.

4:50 PM property owner arrived to the meeting.

Discussion regarding a new application that would involve moving the carport, showing a site plan, possibly adding landscaping. Site visit by staff and chair to determine if moving the carport to shield from view would be viable.

Vote: Motion made by Jacob Woods to turn in a new CoA that meets the requirements of adequately shielding the carport based on the discussion above. CoA must be submitted within 60 days, or the carport must be completely removed. Motion seconded by Patrick Rasco. Unanimous approval, motion carried.

Motion to adjourn meeting at 5:13 by Ellis Chenault, seconded by Barbara Kelly. Unanimous approval, motion carried. Meeting adjourned.

Vote: Motion made by Patrick Rasco to approve an amended CoA allowing for a the horizontal center board of the fence (on the raw side) to be the new cross bar at the top of the fence, as long as the new fence is no higher than 48" (4 feet) tall. Alteration or removal of the fence must be complete within 90 days, by February 12, 2025. Motion seconded by Ellis Chenault. Unanimous approval, motion carried.