

# Historic Preservation Commission

## Staff Report

---

**Meeting Date:** November 9<sup>th</sup>, 2021

**Case #:** HPC-43-22

---

**Site Address:** 1021 / 1023 Myrtlewood Drive  
**Parcel ID:** 31-06-23-3-005-007.000  
**Applicant:** Griffin and Jeni Pickard  
**Owner:** Griffin and Jeni Pickard

---

**Proposed Work:** Property maintenance violation for review.  
**Current Zoning:** R-3H

---

**Historic District:** Myrtlewood Historic District  
**Architectural Style:** English Cottage  
**Year Built:** 1931  
**Contributing:** NA  
**Historic Survey:** Myrtlewood National Register

The house is derived from brick, stucco and cement, and features the half-timbering and gabled roof line. Its large exterior chimney features some brick patterning.

---

### HISTORY:

A complaint was received for possible property maintenance violations on this property. The Department of Urban Development Inspections for Property Maintenance conducted property maintenance and other City code inspections at this property on September 12<sup>th</sup> 2022. The following property maintenance violations were found:

1. REPAIR OR REPLACE PRIVACY/RETAINING WALL/FENCE.  
OR have an engineer assess the structure and report in writing that the wall is structurally sound and poses no threat of collapse or failure. Engineer must be State bonded and licensed by the City of Tuscaloosa.



After review of Sec. 20-15.30 Maintenance of historic properties in historic districts, any property with a property maintenance violation is required to go to the Historic Preservation Commission for review of the required work as outlined in the building inspector's report.

---

## **STAFF ANALYSIS:**

Sec. 20-15.30 of the city code lays out the following procedure for maintaining historic properties within historic districts:

1. Reports of maintenance code violations are reported to the Chief Building Official for investigation.
2. The Chief Building Official or his/her designee investigates, takes photographs, and documents the code violation(s). The inspector then prepares a written report.
3. If within a historic district, the report and photographs are forwarded to the planning division for further action.
4. The planning division contacts the property owner by letter or other means, reporting the violations and the extent of the repairs required to be corrected as identified by the building inspector.
5. The owner is instructed to contact the city to receive information on how to obtain the necessary building permits and when the next HPC meeting will be.
6. The HPC may approve the repairs only to the extent of such repairs as required and set forth by the Chief Building Official or his/her designee.
7. The property owner must obtain a building permit within 14 days from the date upon which the HPC approves the repairs.
8. The property owner must complete the repairs and pass a final inspection within six months of receiving a building permit.
9. If the owner fails to obtain a building permit within 14 days or fails to complete the work within six months of the issuance of a building permit, the Chief Building Official must then make a determination if the structure should be condemned or cited for a maintenance code violation. If the structure is to be condemned, the condemnation is forwarded to City Council for final determination. If the structure is subject to a maintenance code violation, the case is forwarded to municipal court for disposition.
10. If the owner fails to attend the HPC meeting, the HPC may continue the case to the next regular scheduled meeting or refer the matter to the Chief Building Official for disposition.

The property owner was initially informed of the violations on September 12th, 2022. This property has now been placed on the November 9<sup>th</sup> HPC agenda for review by HPC. HPC can approve the work as listed in the property maintenance violation for repair with same material and design. If approved, the property owner has 14 days to obtain a building permit from the date of the HPC meeting, and six months to complete the work once a building permit is issued.



The property owner is requesting to replace and repair items listed in the scope of work with the same materials.

---

## **APPLICABLE CODES:**

### **Sec. 20-15.30. - Maintenance of historic properties in historic districts.**

(a) *Expedited review procedures for approval of routine maintenance.* The historic preservation commission (HPC) may adopt expedited review procedures for approval of routine maintenance to historic properties or to buildings or structures in historic districts. Routine maintenance to historic properties includes ordinary maintenance or repair of any exterior architectural or environmental feature in or on a historic property to correct deterioration, decay or damage, or to sustain the existing form that does not involve a material change in design, material or outer appearance. Expedited review procedures shall waive the requirements for submission of an application for a certificate of appropriateness and for consideration at a public meeting.

(b) *Requirement to provide ordinary maintenance or repair.*

(1) Owners of properties within historic districts shall not allow their buildings to deteriorate by failing to provide ordinary maintenance or repair. At a minimum, owners shall keep such structure or property, including all accessory structures, adequately maintained and repaired in accordance with the 2003 International Property Maintenance Code, section 304.

(2) The commission shall monitor the condition of historic properties and existing buildings in historic districts to determine if they are being allowed to deteriorate by neglect. Such conditions as broken windows, doors and openings which allow the elements and vermin to enter, the deterioration of exterior architectural features, or the deterioration of a building's structural system shall constitute failure to provide ordinary maintenance or repair.

(c) *Failure to provide ordinary maintenance or repair. (Procedures and penalties)*

(1) Reports of maintenance code violations within Historic Districts shall be reported to the Chief Building Official for investigation.

(2) Upon receiving a report of a maintenance code violation concerning a structure within a historic district, the chief building official or his designee, shall dispatch a building inspector to the structure to investigate the report for maintenance code violations. The inspector shall take photographs of the structure to document the code violation if such violations are discovered. The inspector shall likewise prepare a written report to compliment the photographs stating therein any specific code violations



observed and submit the report and photographs to the chief building official or his designee.

(3) Upon review of the written report and photographs submitted by the building inspector, the chief building official or his designee shall:

(i) First confirm that the structure is located within a historic district.

(ii) If such structure is determined to be located within a historic district and in the opinion of the chief building official contain code violations, the chief building official or his designee shall forward the report and photographs to the office of planning and economic development (planning department) for further action. The report shall also contain the specific code violations and the extent of the repairs necessary to correct the violations.

(iii) If in the opinion of the chief building official the report and subsequent investigation of a maintenance code violation is found to be unwarranted, unfounded or unsubstantiated, no further action will be taken under this section.

(4) Upon receiving the report and accompanying photographs, the planning department staff will contact the owner(s) of the property by letter, or by such other reasonable means, setting forth the code violations and the extent of the repairs required to correct the violations as set forth by the chief building official or his designee. The owner will be instructed to contact the inspection department for information as to the process to obtain all necessary building permits and will be notified of the next HPC meeting for approval of the repairs pursuant to paragraph (a) of this section. The HPC may approve the repairs only to the extent of such repairs as required and set forth by the chief building official.

(5) The owner(s) must obtain a building permit within fourteen (14) days from the date upon which the HPC approves the repairs as set forth by the chief building official. Upon receiving a building permit, the owner(s) must complete the repairs and receive and pass final inspection by the inspection department within six (6) months from the issuance of the building permit.

In the event that the owner(s) fail(s) to obtain a building permit within fourteen (14) days from the date upon which the HPC approves the repairs, the chief building official shall dispose of the case pursuant to the procedures as set forth in paragraphs six (6) and seven (7) of this Section. However, the chief building official, in his discretion, may contact the owner(s) and extend the period of time in which to obtain a building permit but in no event shall the period of time be extended to exceed ten (10) consecutive calendar days from the termination date of the owner(s) fourteen-day period of time to obtain a building permit.



In the event that the owner(s) fail to attend the scheduled HPC as provided pursuant to the notice from the planning department, the HPC may in their discretion continue the case to the next regular scheduled meeting of the HPC or refer the matter to the chief building official for disposition pursuant to paragraphs (6) and (7).

(6) In the event the owner(s) fail(s) to complete the repairs, as set forth by the chief building official, to correct the code violations within six (6) months from the issuance of the building permit or fails to obtain a building permit within fourteen (14) days from the date upon which the HPC approves the repairs or fails to appear before the HPC and the HPC refers the matter to the chief building official as set forth in paragraph (5) of this section, the chief building official shall then make a determination if the structure should be condemned or cited for a maintenance code violation.

(7) If the chief building official determines that the structure is to be condemned, he shall forward the condemnation to the city council for their determination. If the chief building official determines that the structure is subject to a maintenance code violation, he shall refer the case to municipal court for disposition.





# HISTORIC PRESERVATION COMMISSION

## CERTIFICATE OF APPROPRIATENESS APPLICATION

*Last Updated, April 2021*

Please complete all of the following required fields:

### Property

Address of premises affected: 1021 Myrtlewood Drive, Tuscaloosa, AL 35401

Historic District: Myrtlewood

Owner Occupied ☒

Renter Occupied ☐

### Owner

Name: Griffin and Jeni Pickard

Phone: 408-805-6858

Email: griffin.pickard@gmail.com

Address: 1021 Myrtlewood Drive, Tuscaloosa, AL 35401

### Applicant (if different from owner)

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

### Contractor or Architect

Name: TBD

Phone: TBD

Email: TBD

Check the box that best describes your intended action(s) & include all estimated costs: \$ \_\_\_\_\_

☐ Exterior Alteration

☐ Addition or New Construction

☐ Signage

☒ Other (please explain):

Per request, we will replace the existing conc

Per request, we will replace the existing conc

### Certification of Applicant

I hereby certify that I have read and examined this application and known the same to be true and correct. I understand that consideration of this application is based upon the correctness of the information I have supplied and that any permit (s) granted may be revoked upon finding by the Tuscaloosa Historic Preservation Commission that any relevant information supplied on or with the application is substantially incorrect. I further understand that only complete applications including all required exhibits, and fees are considered by the commission and must be received by the City of Tuscaloosa Office of Urban Development, Planning Division by the scheduled deadline in order to be placed on the agenda.

It is my understanding that a Certificate of Appropriateness shall become void unless construction is commenced within six (6) months of the date of issuance. Certificates of Appropriateness shall be issued for a period of eighteen (18) months and are renewable. It is my understanding that a building permit issued by the City of Tuscaloosa Office of Urban Development, Planning Division is required for all applicable works being done in historic districts.

Finally, it is my understanding that the plans submitted with this application and approved by the Commission are *final*, and, pending Commission approval, I am bound to follow the plans as approved. Should there be any changes to the approved plans, I understand that those changes must be reviewed prior to any work associated with such changes occurring.

Applicant: \_\_\_\_\_

Date: \_\_\_\_\_

10/19/2022

**PLEASE SUBMIT AN ELECTRONIC COPY OF THIS AND ANY NECESSARY SUPPORTING MATERIALS TO:**

Office of Urban Development:  
Planning Division

2201 University Boulevard, Annex III, 3<sup>rd</sup> FL  
Tuscaloosa, AL 35401

Email: hpc@tuscaloosa.com



Please review the following information prior to application submission:

**2021 Meeting Dates & Deadlines:**

<b>DEADLINE (by 12 pm)</b>	<b>Meeting Date</b>
December 16, 2020	January 13, 2021
January 20, 2021	February 10, 2021
February 17, 2021	March 10, 2021
March 17, 2021	April 14, 2021
April 21, 2021	May 12, 2021
May 19, 2021	June 9, 2021
June 16, 2021	July 14, 2021
July 21, 2021	August 11, 2021
August 18, 2021	September 8, 2021
September 15, 2021	October 13, 2021
October 20, 2021	November 10, 2021
November 17, 2021	December 8, 2021

**Fee Schedule:**

Repair / Remodeling of Existing Building(s)	\$50.00
New Construction or Addition(s)	\$50.00
Demolition(s)	\$50.00
Sign(s)	\$25.00
Certificate of Economic Hardship	No Fee
Minor Works or Routine Maintenance	No Fee

**RECOMMENDED Application Materials:**

**Graphic Exhibits:**

Three-dimensional drawings (perspective, isometrics), though not generally required, are recommended for additional clarity.

The Commission may require other drawings, illustrations, descriptions, and/or specifications, as required on a case-by-case basis when the Commission considers such additional information necessary to make an informed decision.

**REQUIRED Application Materials:**

**New Construction, Alterations, or Additions:**

Dimensioned site plans: showing all buildings, additions, drives, sidewalks, fences, exterior lighting, large trees, landscaping, and other site work locations, drawn to scale no less than 1" = 10'-0".

- (1) Existing Conditions
- (2) Proposed Conditions

Dimensioned exterior elevations: including sufficient detail, both graphic and written, to describe all exterior design features and materials, drawn to scale no less than 1/4" = 10'-0".

- (1) Existing Conditions
- (2) Proposed Conditions

List of all materials to be utilized and samples or brochures of materials for proposed building or addition, including any site furnishings.

Where scale or massing of alteration is a concern, include elevations of neighboring buildings.

**Signage:**

Drawings and/or photographs of the sign.

For freestanding signs, a site plan showing proposed location. If a sign is four feet (4') or taller, an engineered drawing will be required for submittal.

**Landscaping & Parking:**

Dimensioned plans drawn to scale no less than 1" = 10'-0".

For parking, indicate the percentage (%) of the yard from the rear face of the house to the rear property line that will be occupied by parking. In cases where the area is over 500 square feet, the application and site plan will be reviewed by the Office of the City Engineer for runoff and storm water concerns.

List of all materials to be utilized.



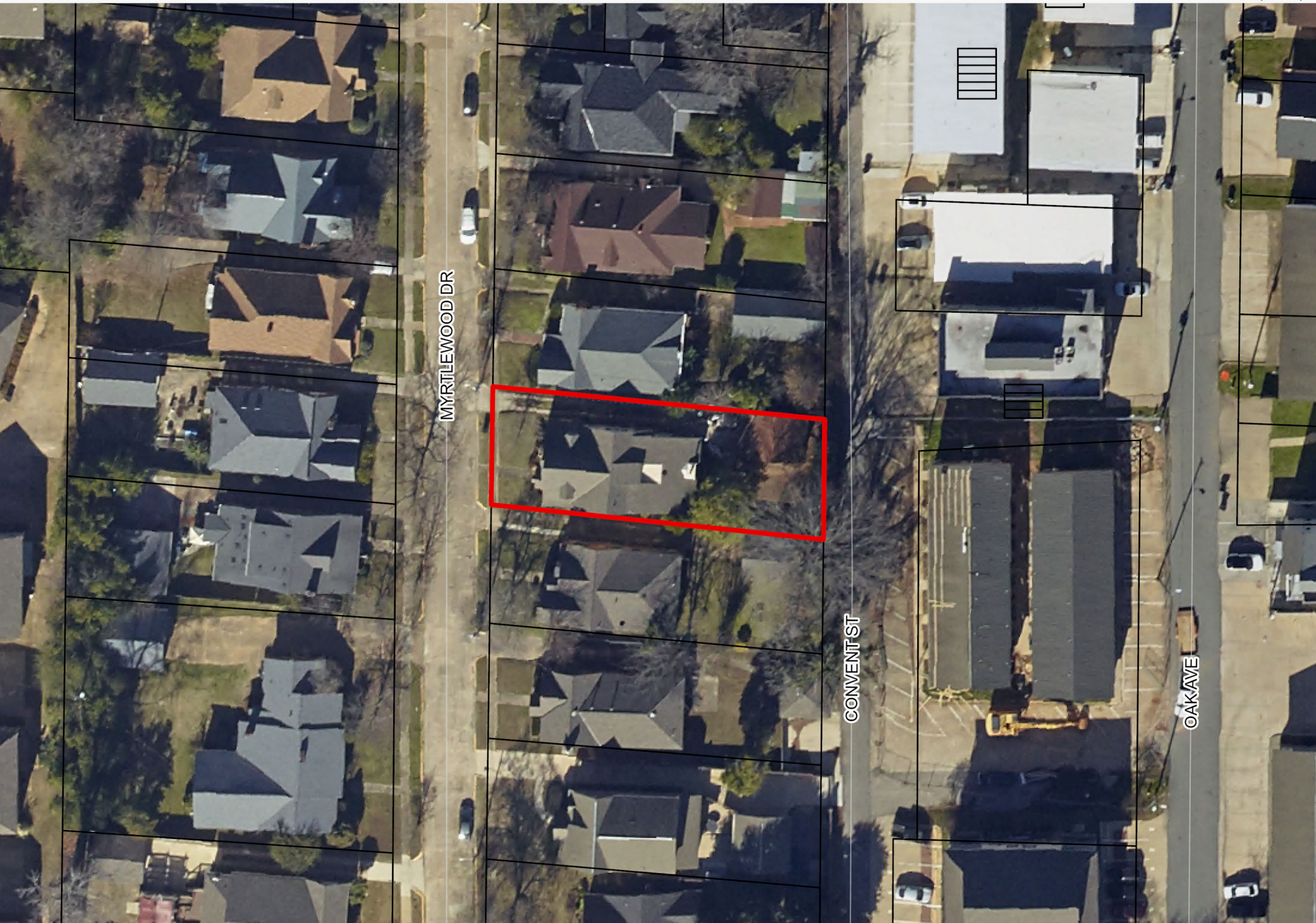


# 1021 & 1023 Myrtlewood Drive

1 inch = 50 feet

0 30 60 90 120

N



MYRTLEWOOD DR

CONVENT ST

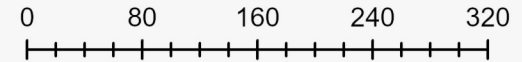
OAK AVE



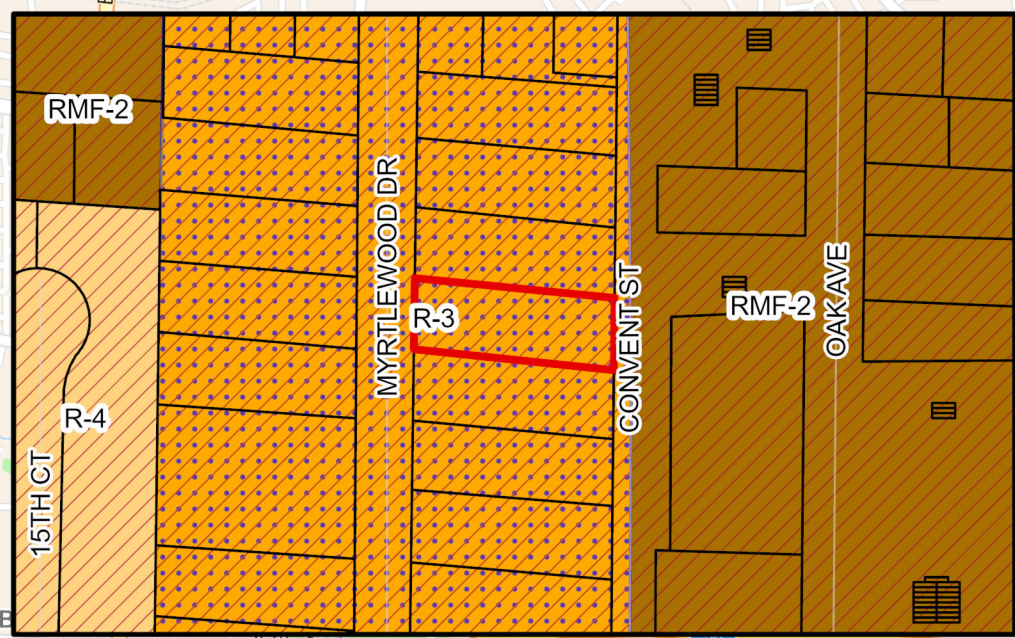
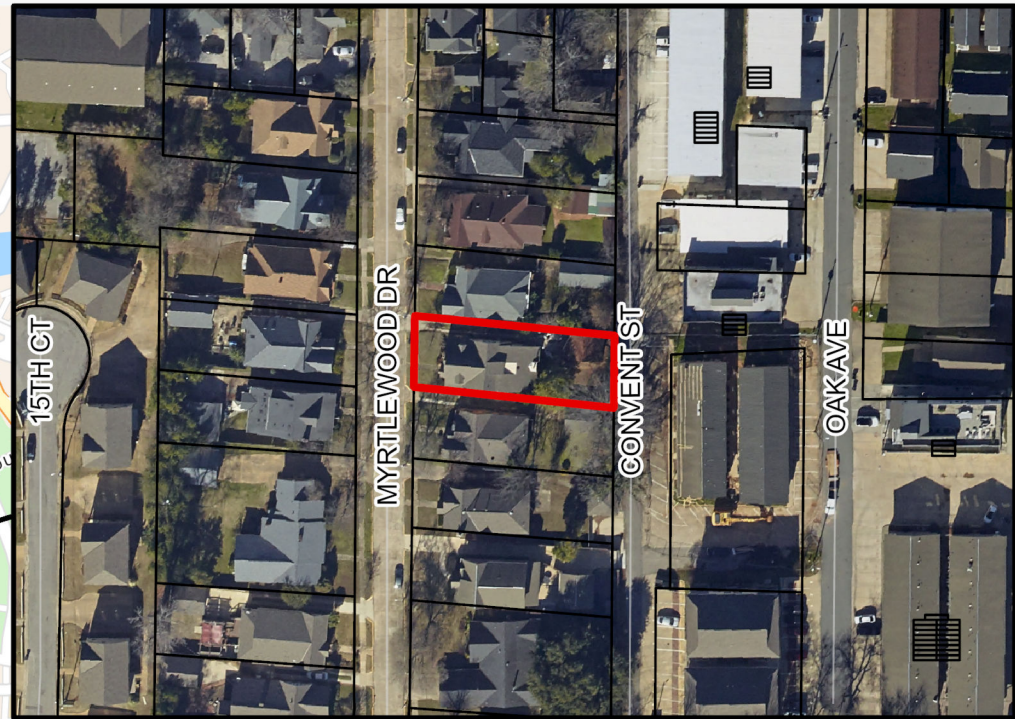
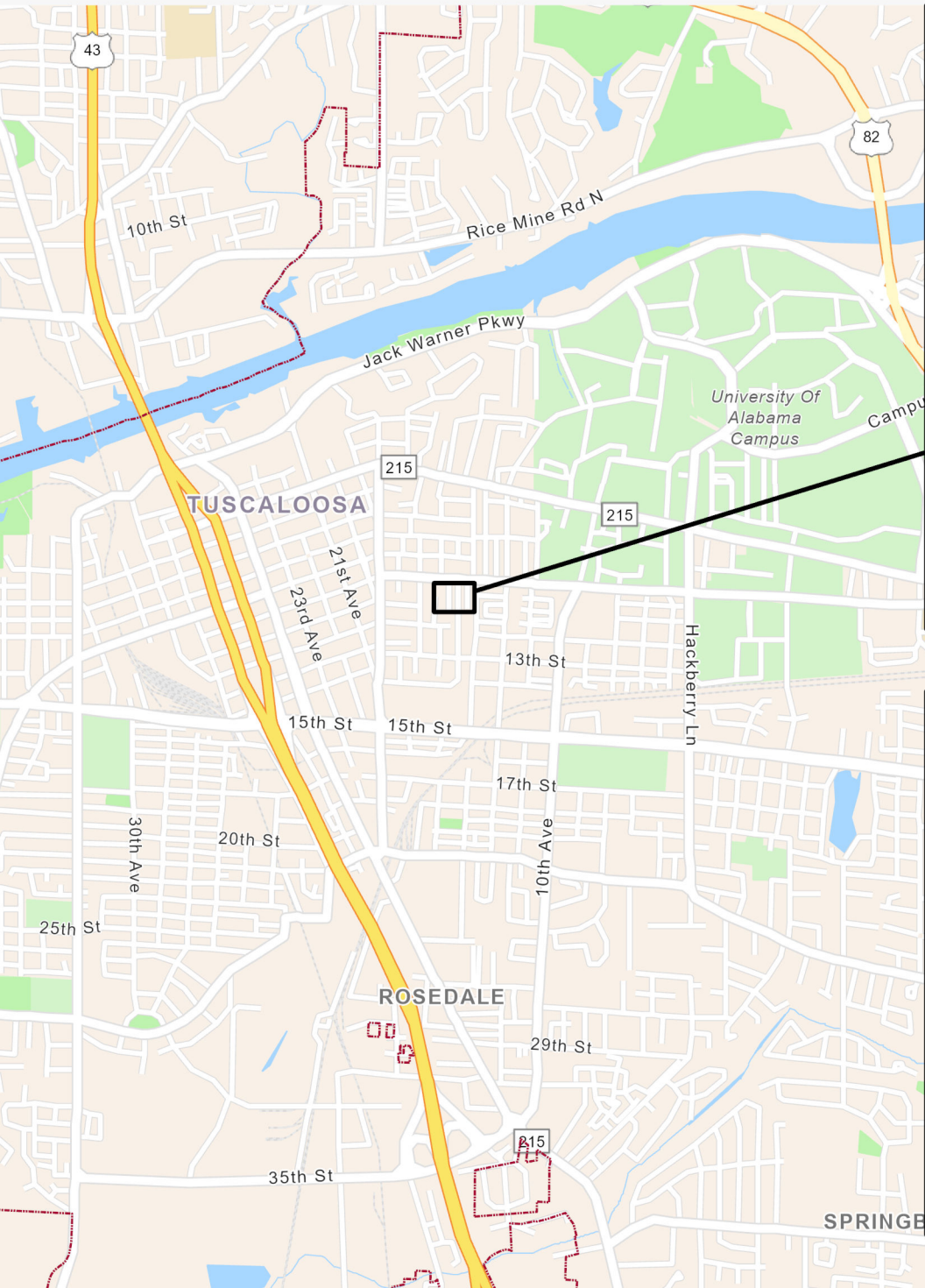


# 1021 & 1023 Myrtlewood Drive

1 inch = 133 feet



N















1022















