

## PHELAN PARK HISTORIC PRESERVATION PLAN

### I. PURPOSE OF LOCAL HISTORIC DESIGNATION

The City of Birmingham desires to protect its beauty and historical integrity, and stabilize and improve its neighborhoods by preserving historic buildings and districts. To accomplish this, it adopted Article 92 - 223 in September 1992 to authorize the designation of local historic buildings and districts. This designation will allow the neighborhoods the opportunity to initiate preservation and provide input into how that can be accomplished.

As a result of local historic designation, the City's Design Review Committee will be charged with reviewing all plans for rehabilitation, demolition, and new construction in the Phelan Park Historic District. By doing so, the City and the Five Points South Neighborhood believes the District's interests and the owners' interests will be enhanced.

### II. STATEMENT OF SIGNIFICANCE

The Phelan Park Historic District is significant as Birmingham's only physical reminder of Ellis Phelan, one of Birmingham's founding fathers. Phelan developed the area as one of the City's earliest middle - class suburbs complete with an outdoor park and a small commercial development as the focal point of the district. Its definition as a neighborhood enclave within the larger Five Points South area has been largely undisturbed since the 1920s. Its architecture is a good local example of early twentieth - century, middle - class, single - family and multiple - family styles.

### III. ELIGIBILITY

The Phelan Park Historic District was listed on the National Register of Historic Places in 1989 and is, therefore, automatically eligible for local historical designation per City of Birmingham Article 92 - 223.

### IV. HOW TO PROCEED: CERTIFICATES OF APPROPRIATENESS/WAIVERS

Local historic district designation mandates that no change to the exterior of any building or structure, including painting originally unpainted surfaces, will be undertaken unless the owner has received a Certificate of Appropriateness (COA) by the Design Review Committee (DRC), or a waiver by the Department of Planning and Engineering.

If a building permit is required, the applicant for a Certificate of Appropriateness (COA) or waiver must submit proposed drawings, photographs and plans for the subject property to the Department of Planning and Engineering staff who will determine whether a waiver or COA is necessitated.

If a building permit is not required, the owner will be asked to confer with the Phelan Park Paint/ Routine Maintenance Committee of the Five Points South Neighborhood Association before any work is undertaken. If no agreement is reached between the owner and the Committee, the owner will be referred to the Design Review Committee.

For any repairs which are determined to be Routine Maintenance, the Department of Planning and Engineering will present a written waiver to the owner to specify those minimum repairs which were approved under the Phelan Park Historic District Design Review Guidelines by the Paint/Routine Maintenance Committee and the allowable method by which such repairs can be accomplished.

If an application for a COA is approved, the DRC will transmit a COA to the owner and the Department of Buildings and Inspections, in letter form, clearly stating the work approved. If an application is not approved no building permit will be issued.

Applications for a COA shall be considered by the Design Review Committee at its regularly scheduled bi - weekly meetings. The applicant shall be informed in writing of the time and place of the hearing. The Neighborhood Association in each designated district shall elect a representative to serve as an advisory member of the Design Review Committee.

The DRC may break itself into subcommittees and conduct its hearing within designated districts to facilitate its business and as a convenience to affected property owners, except applications involving new construction which shall be heard by the full DRC.

#### V. PRESERVATION STRATEGY

The Five Points South Neighborhood Association has determined that preservation of the Phelan Park Historic District is critical to its overall goals for revitalization of the neighborhood. The Phelan Park neighborhood has focused on revitalization and historic preservation since 1980 when the Five Points South Neighborhood Association and the Southside Community Development Corporation developed the Five Points South Apartment Improvement Program and targeted the Phelan Park area for revitalization. In 1988, the Neighborhood Association appropriated funds to research the Phelan Park area; this effort led to the inclusion of the Phelan Park Historic District on the National Register of Historic Places in 1989. In 1992, the City established the Phelan Park Commercial Revitalization District in the area's commercial enclave.

The neighborhood believes that local historic designation is needed to protect property values by reviewing and regulating rehabilitations as well as new construction projects, and restricting demolition, demolition by neglect, and the destruction of public landscaping throughout the residential areas. In this way, the neighborhood believes it can protect the high visual and historical integrity of Phelan Park.

- 1) Upon local historic designation the Five Points South Neighborhood Association will notify owners and the general public of the existence and significance of the historic district by including information about the district in the City of Birmingham neighborhood flyer on a quarterly basis; regular announcement of the existence and significance of the district at neighborhood meetings; coordination with local realtors and real estate companies who frequently do business in the area in order to inform new and potential owners of the designation; and by organizing the Phelan Park Paint/Routine Maintenance Committee to communicate with owners who wish to rehabilitate their properties.
- 2) The General Residential Design Review Guidelines for historic properties and districts will be used as the basis for specifications to be adopted specifically for the Phelan Park Historic District after designation. The City's Standard Design Guidelines for Commercial Revitalization Districts will be used in the commercial areas.
- 3) Routine Maintenance refers to those minor repair items which do not require a building permit and for which no Certificate of Appropriateness will be required. In those instances, the neighborhood's Paint/Routine Maintenance Committee will review any plans.
- 4) Technical assistance will be offered to owners in the Phelan Park Historic District by the City of Birmingham's Department of Planning and Engineering staff, the Birmingham Historical Commission in the event of an appeal of a

Certificate of Appropriateness or request for any information concerning the availability of grants and loans for historic properties and districts, and by the Paint/Routine Maintenance Committee where minor repairs are anticipated.

- 5) There are presently no financial incentives available for the rehabilitation of the Phelan Park Historic District.
- 6) The Birmingham Historical Commission and the staff of the Department of Planning and Engineering will work with the Five Points South Neighborhood Association and the Paint/Routine Maintenance Committee to publicize local designation, its rights and responsibilities; and to assist in accessing financial and tax incentives for rehabilitation.

## GENERAL RESIDENTIAL DESIGN GUIDELINES

### General Standards for Review:

1. Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.
2. The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
3. All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier or later appearance shall be discouraged.
4. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
5. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.
6. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical, or pictorial evidence rather than or conjectural designs or the availability of different architectural elements from other buildings or structures.
7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building's materials shall not be undertaken.
8. Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to, any project.
9. Alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood or environment.
10. Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.

The following standards shall generally apply to all historic structures or structures in historic districts unless exceptions receive prior approval by the Design Review Committee:

#### A. Exterior siding

Replacement or covering of original siding materials with artificial sidings is prohibited. Replace damaged wood siding and corner boards with new wood to match; or, if reparable, treat with wood preservatives.

#### B. Primary porches

Deteriorated frame porch elements shall be repaired where needed. If replacement is necessary, it shall be with matching wood pieces, or other matching materials.

Enclosing a porch with glass or screening is discouraged. If approved, however, screening or glass shall not cover or obscure original elements such as balusters and columns. Framing for the enclosure shall be of wood; and aluminum or metal frames shall not be used.

Porch stairs shall be repaired or if repair is not possible, replaced with matching materials and essentially similar design.

C. Doors

Original doors shall be retained and maintained where possible. Deteriorated or missing pieces shall be replicated in kind with new frame, hardware, or glass to match the original.

Enclosing or covering of transoms and doors shall not be permitted. Transoms and sidelights shall be repaired and maintained.

D. Windows

Original windows shall be repaired and maintained. This shall include replacing broken panes with new panes to match; repair, and replacement of deteriorated frame elements with new frame to match; and regular painting.

Where window replacement is unavoidable, new frame units to match the original design are recommended.

The addition of large picture windows or other alterations to the main facade shall never occur. Window alterations on the rear of homes are acceptable so long as they are not readily visible from the street.

Replacement or new glass panes shall match the original.

Window replacement of solid construction is preferred over "snap on" muntins.

E. Window Shutters

Original shutters shall be repaired and maintained in working order where possible. New shutters shall not be metal or vinyl and shall be proportional to the window opening; they shall work or appear to work.

F. Storm Windows

Storm windows' horizontal rails shall match the profile of the rails of the original window. Aluminum storm windows shall be a baked enamel finish to match the color of the window trim wherever feasible.

G. Roofs

Historic roof materials shall be repaired and maintained where possible. Alterations of the historic roof forms such as gable and hipped design shall not be permitted.

H. Chimneys

Repair to chimneys shall be with matching materials.

I. Gutters and Downspouts

Size and profile of gutters and downspouts shall match the original where possible.

J. Foundations

Exposed concrete blocks shall be avoided.

K. Decorative Trim

All historic trim shall be repaired and maintained. Any elements of the trim which become deteriorated shall be repaired or replaced with new pieces to match.

Trim which is not appropriate to the historic house design shall be discouraged.

Window cornices shall not be removed.

L. Paint

Where a building permit is required, paint colors shall be reviewed as part of the project.

Colors shall be compatible with the age and style of the house. Remove paint using hand scraping or heat gun. Do not sandblast wood siding or brick under any circumstances. Circular sanding is also not recommended.

M. Additions, New Construction

Any additions shall be in keeping with the house design or district design(s).

New construction shall be in keeping with the historic district design.

N. Set - backs

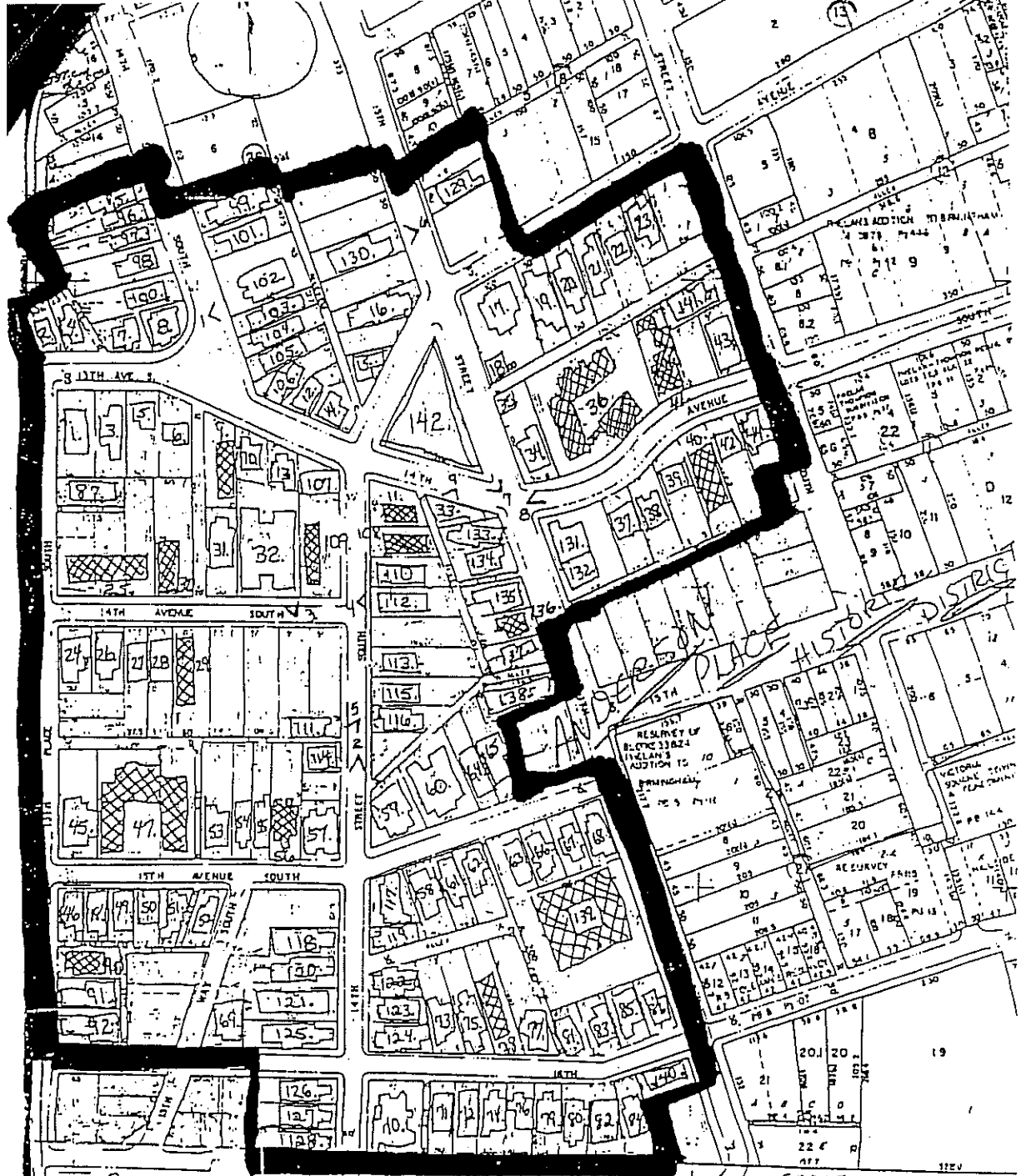
Set - backs shall be compatible with the general district and shall conform to zoning requirements.

O. Yards and landscape

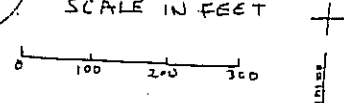
Historic trees in the public right of way shall not be removed.

P. Fencing

Front yard fencing shall be appropriate to the period of house and neighborhood and be in keeping with zoning regulations.

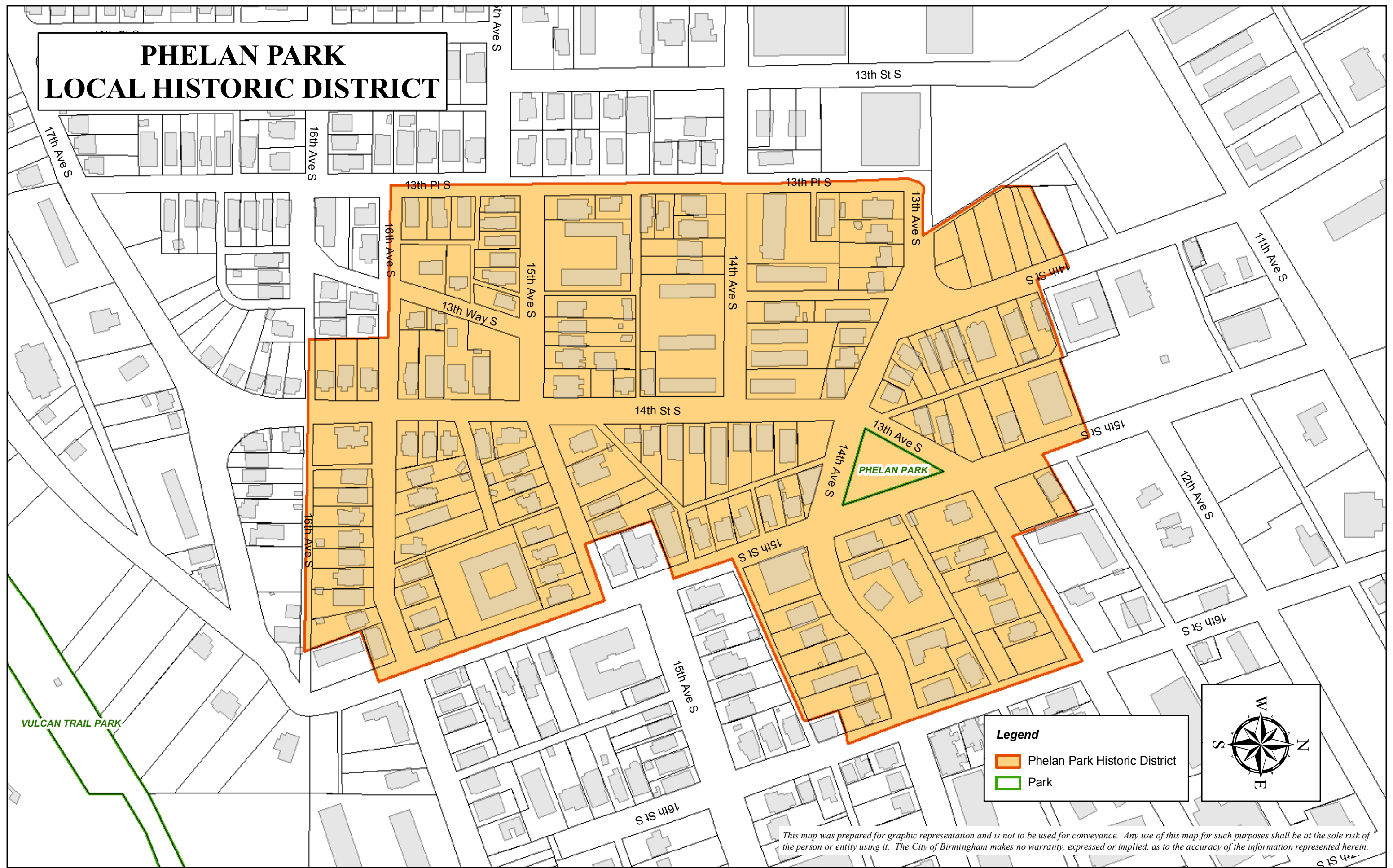


PROPOSED: PHELAN PARK HISTORIC DISTRICT  
 CONTRIBUTING: 109  
 NON-CONTRIBUTING: 109



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# PHELAN PARK LOCAL HISTORIC DISTRICT



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