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STAFF REPORT
October 9, 2013

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-13-241) for installation of a fence at 1057 Metropolitan Avenue – Property is zoned R-4A / Adair Park Historic District (Subarea 1) / Beltline.

Applicant: Rochelle Davidson
1057 Metropolitan Parkway

Facts: According to the District inventory sheet, this is newer house built since 1991, and considered non-contributing to the District. It is located on the northwest corner of Metropolitan Parkway and Catherine Street. The underlying zoning for the property is R-4A.

Per the photographs provided in the submission, it appears the Applicant has recently installed a chain link fence along the Catherine Street side of the property and along the west edge of the driveway. There does not appear to be fencing located in front of the house or along the north property line. The submission does not indicate the design, type, size, or material of the fence that is shown on the site plan along the north property line or north of the driveway in the rear yard.

Analysis: The following code sections apply to this application:

Per Section 16-20L.005 of the Atlanta Land Development Code, as amended:

Sec. 16-20I.006. Specific regulations--Residential Subarea I.

In addition to the general regulations set forth in section 16-20I.005, and any other applicable regulations, the following regulations shall apply to all properties located within Residential Subarea I:

1. *Certificates of Appropriateness: Certificates of appropriateness within this subarea shall be required as follows:*
 - (a) *When required:*
 2. *To erect a new structure or to make an addition to any structure within the subarea, when said new structure or addition can be seen from the public right-of-way; and*
2. *Architectural Standards:*
 - (i) *Fences: Fences shall be fabricated of brick, cast iron, wrought iron, stone and wood pickets. Fence lines shall follow the property line. Fences shall not obscure the front facade of the building. Chain link type of*

fencing shall be located to the rear of the lot and shall not extend beyond the front facade of the main structure into the front yard.

Sec. 16-28.008. Required yards and open space, detailed limitations on occupancy.

In addition to general limitations on yard or open space occupancy set forth herein, the following limitations and requirements shall apply:

(5) Walls or fences in required yards; height limits: Fences, walls or hedges may occupy required yards as follows; provided, however, that such fence, wall or hedge shall be maintained in a safe and sightly condition and that no such walls or fences create substantial impediments to visibility as prohibiting at section 16-28.008(9). The height of a retaining wall shall be measured as the greatest vertical length from one side of finished grade to the top of said adjacent retaining wall unless specified below.

(a) In the R-1 through R-5 districts, the following retaining walls and fences are permitted:

(1) Within the required front and half-depth front yards:

(i) Where no retaining wall is constructed, fences not exceeding four feet in height may be erected.

(2) Within the required side and rear yards:

(i) Where no retaining wall is constructed, fences or walls not exceeding six feet in height may be erected or maintained.

(c) The provisions of (a) and (b) above notwithstanding, in any dwelling district no fence or wall exceeding two and one-half feet in height, as measured from the grade at the intersecting street right-of-way lines, shall be erected or maintained within 20 feet of any street intersection.

Per R-4A regulations, fences not exceeding 4 ft. in height may be built in the front yard and half-depth front yard. Fences or walls not exceeding 6 ft. in height may be built in the side and rear yards. The district regulations specific the type of fence permitted and where on the property fences can be located (i.e. “fence lines shall follow the property line”).

In the District and on this property, the front yard is all of the property located between the front wall of the house and Metropolitan Parkway. The half-depth front yard would be all of the property located between the south wall of the house and Catherine Street. The side yard would be all of the property located between the north side of the house and north property line. The rear yard would be all of the property located between the rear side of the house and the rear or west property line.

While a variety of fence types are allowed in the District, chain link fencing “shall be located to the rear of the lot and shall not extend beyond the front facade of the main structure into the front yard.” In the case of a corner lot, this would mean that the chain link fence could not be located in the front yard or half depth front yard. The already installed chain link fence is almost entirely located in those yards. Further, the fence just west of the driveway would also have to be relocated to be essentially parallel to the rear property line, not following the angle of the driveway.

In addition, any replacement fence (in addition to meeting all of the District regulations) must be installed at least 20 ft. from the corner of the property closest to the street corner.

The Staff would recommend that all of the currently installed chain link fencing be removed and/or relocated to meet all of the District regulations.

The Staff would recommend the Applicant provide information about the size, height, type, material, location, and design of any proposed fencing. The Staff would also recommend that the size, height, type, material, location, and design of any proposed fencing meet all the District

and R-4A regulations, per Section 16-20I.006 and Section 16-28.008. Lastly, the Staff would recommend that the fence adjacent to the driveway be revised to meet the District regulations.

Staff Recommendation: Based upon the following:

- (a) The majority of the currently installed fence does not meet the District regulations, per Section 16-20I.006;
- (b) It is not clear from the plans that the remaining fencing to be installed meets the R-4A and District regulations, per Section 16-20I.006 and 16-28.008.

Staff recommends approval of Application for a Type II Certificate of Appropriateness (CA2-13-241) for installation of a fence at 1057 Metropolitan Avenue, with the following conditions:

- 1) All of the currently installed chain link fencing shall be removed and/or relocated to meet all of the District regulations, per Section 16-20I.006;
- 2) The Applicant shall provide information about the size, height, type, material, location, and design of any proposed fencing, per Section 16-20I.006 and Section 16-28.008;
- 3) The size, height, type, material, location, and design of any proposed fencing shall meet all the District and R-4A regulations, per Section 16-20I.006 and Section 16-28.008;
- 4) The location of the fence adjacent to the driveway shall be revised to meet the District regulations, per Section 16-20I.006; and
- 5) The Staff shall review and if appropriate approve the final fence or wall specifications and site plan.



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JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT October 9, 2013

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-13-243) for a revision to previously approved plans at **20 Howell St.** -- Property is zoned Martin Luther King, Jr. Landmark District (Subarea 2)/Beltline.

Applicant: Joseph Brown-Intown Builders
655 Ralph McGill Boulevard

Facts: This is currently a vacant lot.

At the June 26, 2013 meeting, applications for Type III Certificates of Appropriateness Applications for (CA3-13-192) for a variance to reduce the south side yard setback from 7 ft. (required) to 4 ft. (proposed), to reduce the rear yard setback from 10 ft. (required) to 5 ft. (proposed), and to reduce the length of the driveway past the front façade of the house from 20 ft. (required) to 10 ft. (proposed) and (CA3-13-148) for a new single family house at **20 Howell St.** with the following conditions:

CA3-13-192

1. The driveway variance shall be eliminated from the request.

CA3-13-148

1. The proposed driveway shall be located no less than 20' past the front façade of the house, per Section 16-20C.003(11);
2. The Applicant shall provide information on how the height was measured, per Section 16-20C.005(3)(b);
3. The proposed house shall meet the height requirement, per Section 16-20C.005(3)(b);
4. The design shall be revised to be consistent and compatible with one of the contributing houses on the block, per Section 16-20.009(6);
5. Additional windows shall be added to the side elevations, per Section 16-20.009(6);
6. The windows shall feature appropriate trim, headers and actual sills that are compatible with the historic windows on the block, per Section 16-20.009(6);
7. The plans shall indicate smooth cementitious siding with a 4"-6" reveal, per Section 16-20.009(6);
8. The elevations shall indicate all proposed building materials, per Section 16-20.009(6); and
9. Staff shall review and if appropriate, approve the final plans.

Analysis: The following code sections apply to this application:

Per Section 16-20.007 of the Atlanta Land Development Code, as amended:

(a) When Required, Generally: In addition to other permits which are required pursuant to any city ordinance, and in addition to any certificate of appropriateness which may be required pursuant to any other landmark or historic building, site or district regulation contained in part 16 of the Codes of Ordinances, certificates of appropriateness shall, unless provided otherwise in the detailed regulations governing Landmark or Historic Districts contained within a designation ordinance as provided in section 16-20.006 of the Code of Ordinances, be required for any of the following actions within each of the following categories:

(3) Landmark Districts:

b. To erect any new structure or to make an addition to any structure within a Landmark District.

Per Section 16-20C.003:

The following regulations shall apply to the entire Landmark District inclusive of all subareas. All rehabilitation, restoration or new construction shall require a certificate of appropriateness from the Atlanta Urban Design Commission (AUDC). All proposed development shall conform to the following regulations:

(1) Regulations shall be minimum standards which must be followed and shall be applied by the AUDC.

(2) The AUDC shall further adopt and maintain guidelines that shall extend the intent of these regulations, further define elements of architectural style, and shall further ensure the compatibility of future developments within this HC district.

(3) The power to hear, grant or deny variances and special exceptions from these regulations shall rest with the AUDC.

(4) Procedure for variance: Upon a determination by the AUDC that an application for renovation or new construction is in conflict with these regulations and/or the guidelines, the AUDC shall institute procedures for public notification and public hearing as are specified similarly for the board of zoning adjustment (section 16-26.001). Notification shall include any government or nonprofit institution which has legitimate interest in the historic integrity of this Landmark District.

(5) The compatibility rule: In general the intent of the regulations and guidelines structures and new construction are compatible with the design, scale and general character of the entire district, of each subarea, and of the immediately adjacent environment of a particular block. To further that intent and simultaneously retain flexibility, the regulations provide a "compatibility rule" which is: The element in question (roof form, architectural trim, building setback, etc.) shall match that which predominates on that block; or where quantifiable (i.e. building height, setback etc.), the average of all structures of like use in that block shall be adhered to. The rule shall apply as it is noted in these regulations and guidelines by reference to the "compatibility rule."

(11) *Off-street parking:*

a. Off-street parking shall not be permitted in the front yard of a lot used for residential purposes.

b. Off-street parking shall be permitted in the side and/or rear yard of a lot used for residential purposes.

Per Section 16-20C.005 – Residential District Sub-area 2:

In addition to the general regulations required in section 16-20C.003, the following regulations shall apply to any new development, rehabilitation or the conversion of any existing structures to permitted uses within the residential district subarea.

These regulations are intended to preserve the character and scale of the residential environment as it existed during the historic period of the Martin Luther King, Jr. Landmark District. These regulations are intended to ensure that permitted uses will maintain the historic integrity of the subarea and the district as a whole.

(1) *Permitted principal uses:*

a. Single-family dwellings.

(3) Development controls:

a. All front, side and rear yard setbacks shall be established through utilization of the compatibility rule on block-by-block basis. A variance of five percent (5%) may be allowed. All new construction shall maintain a minimum of seven (7) feet for side yard setback and 10 feet for rear yard setbacks where the compatibility rule would permit otherwise.

- b. *Maximum height:* The compatibility rule shall apply with variance up to 10 percent permitted.

Per Section 16-20.009. Further standards.

In deciding individual applications for certificates of appropriateness, the commission shall be guided by the purposes set forth in section 16-20.001, by findings contained in ordinances designating buildings and sites for protection, by purposes and objectives which are contained within individual Landmark and Historic District regulations, and by findings contained in reports prepared in support of Landmark and Historic District regulations as are required in article D of chapter 4 of part 6. Furthermore, in considering whether to grant approval, conditional approval or denial of an application for a type II or type III certificate of appropriateness, the commission shall apply the following standards:

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (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) 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.
- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object or site shall be kept where possible.
- (5) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect 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 historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (6) Contemporary design for 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.
- (7) Wherever possible, new additions or alterations to buildings, structures or sites 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 building, structure or site would be unimpaired.
- (8) Considerations on proposed moving of structures, in whole or in part, shall include the effect on the neighborhood from which the move is made. In general, where the structure forms a significant part of a complex of similarly meritorious buildings, preference shall be given to relocation on a site elsewhere in the district. Where the structure does not form part of such a complex, preference shall be given to removal to a location in which the addition will reinforce existing complexes of buildings of significant historic, architectural and/or cultural character.

The Applicant is applying for a revision to plans for a previously approved project. Staff will only make comments on items that are different from the originally approved project.

Site

The Applicant did not provide a site plan. Staff recommends the Applicant clarify whether the site plan has been revised. Staff recommends any previously approved conditions from (CA3-13-148 and 192) pertaining to the site be adhered to.

Massing and Building Height

The Applicant did provide any information regarding the height requirement. In the previous submittal there were questions and concerns regarding the allowable height and how the height was measured. Staff recommends any previously approved conditions from (CA3-13-148 and 192) pertaining to the height be adhered to.

Design

The proposed two-story house is defined by a gable roof and a full width porch with a hipped roof. While Staff finds that the proposed house is typical of many of the non-contributing houses on the block, Staff finds it is not consistent and compatible with the existing historic houses at 14, 24 or 28 Howell Street. Staff finds the main difference between the original proposal and the current proposal is the knee walls on the front façade are significantly smaller and the side bump out and deck have been removed. While the reduction in the size of the knee walls is a significant improvement from the previous design, Staff finds having knee walls on the front façade is not typical of historic houses.

Instead of being consistent and compatible with one of the contributing houses on the block, Staff finds the proposed design is a mixture of the three contributing houses on the block. Specifically, the proposed house has a similar height and massing as one house and a similar roof form as another. As such, Staff cannot support the design as proposed. As recommended in the previously approved proposal, Staff recommends the design be revised to be consistent and compatible with one of the contributing houses on the block.

Fenestration

The proposed windows are 3 over 1. In general, Staff finds the design of the windows are appropriate. The trim, mullion and material details are not indicated on the plans. Staff recommends all windows are either true divided lite or simulated divided lite. Staff recommends the material details of the windows are indicated on the plans. As recommended in the previous approval, Staff recommends the windows feature appropriate trim, headers and actual sills that are compatible with the historic windows on the block.

Materials

The plans indicate smooth cementitious siding with a 4 ½” reveal. Staff has no concerns regarding the siding. The chimney is indicated has having siding or stucco. Staff finds siding is not an appropriate material for a chimney. Staff recommends the plans indicate stucco or masonry for the chimney material.

Staff Recommendations: Based upon the following:

- a) The plan meet the regulations, with the exceptions noted in the above analysis, per Section 16-20C.005;

Staff recommends approval of the Application for a Type III Certificate of Appropriateness ((CA2-13-243) for a revision to a previously approved plans at **20 Howell St.** -- Property is zoned Martin Luther King, Jr. Landmark District (Subarea 2)/Beltline, with the following conditions:

1. All previously approved conditions from (CA3-13-148 and CA3-13-192) shall be adhered to;
2. All windows shall be either true divided lite or simulated divided lite, per Section 16-20.009(6);
3. The chimney shall be faced with stucco or masonry, per Section 16-20.009(6); and
4. Staff shall review and if appropriate, approve the final plans.



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STAFF REPORT

October 9, 2013

Agenda Item: Application for Type III Certificates of Appropriateness (CA3-13-246) for a front porch / deck addition and major alterations at **1066 Colquitt Avenue** – Property is zoned R-5/Inman Park Historic District (Subarea 1).

Applicant: Mark Arnold
1126 N. Highland Avenue

Facts: According to the District inventory sheet, the house was built in 1910 and is considered contributing to the District. The one-story, gable bungalow sits on a generally rectangular lot located on the southeast corner of Colquitt Avenue and Sinclair Avenue. The majority of the lot sits above sidewalk and street level, and is accessed by a set of site stairs up from the sidewalk.

As shown in the photographs provided with the application, at some point since January, 2012, a wood deck and railing has been built to the right of the original front porch. This wood deck covers what would appear to be an exterior access door to the basement. Since 2008, there have been no building permits issued for any work at the property. In October, 2012 a complaint was registered with the City's Office of Buildings regarding the construction of the deck.

The current proposal adds a trellised, open roof to the existing deck. The second story build out would be accommodated by the installation of two large gables on each side of the house. The left side gable faces Sinclair Avenue and is situated over a small hipped roof over the existing bay window.

Analysis: The following code sections apply to this application:

Per Section 16-20L.005 of the Atlanta Land Development Code, as amended:
The following general regulations shall apply to all properties located within the Inman Park Historic District.

1. General criteria.
 - a. Except as otherwise provided herein, the procedures for determining the appropriate type of certificate of appropriateness shall be those specified in section 16-20.008 of the Zoning Code.
 - b. In the Inman Park Historic District, the commission shall apply the standards referenced below only if the standards set forth elsewhere in this chapter 20L do not specifically address the application including multifamily residential, institutional, commercial, industrial and mixed use structures in Subarea 1:
 - i. A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
 - ii. The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.
 - iii. Each property shall be recognized as a physical record of its time, place, and use. Changes shall not be undertaken that create a false sense of historical development, such as adding conjectural features or elements from other historic properties.
 - iv. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
 - v. Distinctive materials, features, finishes, and construction techniques, or examples of craftsmanship that characterize a property, shall be preserved.
 - vi. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and, where possible, materials.
 - vii. Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
 - viii. Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
 - ix. New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
 - x. New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
 - d. Compatibility rule:
 - i. The intent of the mayor and council in establishing the regulations of the Inman Park Historic District is to ensure that alterations to existing structures, and new construction, in Subarea 1 and alterations to existing contributing structures in Subarea 2 and Subarea 3 are compatible with the historic design, scale, and general character of the entire district as it existed in 1945, of the contributing structures in each subarea, and of the contributing structures in the immediately adjacent environment of a particular block face; and further, to ensure that lot platting in Subarea 1 is compatible with the historic platting pattern of Subarea 1 and of a particular block face as it existed in 1945.
 - ii. To further that intent and simultaneously permit flexibility in design, the regulations provide a compatibility rule which is as follows:
 - (a) Where quantifiable (i.e. building height, setback, etc.), the element or building characteristic in question shall be no less than the smallest such element or building characteristic of buildings or site layouts in that block face that characterizes such like contributing buildings and shall be internally consistent with the historic design of the structure and shall be no greater than the greatest such element or building characteristic of buildings or site layouts in that block face that characterizes such like contributing buildings or site layouts and shall be internally consistent with the historic design of the structure.
 - (b) Where not quantifiable (roof form, architectural trim, etc.) it shall be compatible with that which predominates in contributing structures on that block face and shall be internally consistent with the historic design of the structure.
2. Certificates of appropriateness.
 - a. Notwithstanding any other provision herein, no certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - d. Type III certificates of appropriateness shall be reviewed by the commission and shall be required for:

- ii. Additions that are visible from a public street or park, unless such additions are specifically exempted from a certificate of appropriateness in the subarea regulations.

Sec. 16-20L.006. - Specific regulations for Inman Park Core District, Subarea 1.

In the Inman Park Core District, Subarea 1, the commission shall apply the standards referenced in section 16-20L.005(1)(b) only if the standards set forth below in this chapter 20L do not specifically address the application:

1. Design standards and other criteria for construction of and for additions to one- and two-family residential structures.
 - e. All front façades, front porches, front steps, and front doors of the principal structure shall face and be parallel to the street, except in those blocks in which the historic pattern is such that houses are situated at an angle to the street, in which case the compatibility rule shall apply.
 - f. The compatibility rule shall apply to the form and pitch of the primary roof of the principal structure.
 - i. Front porches on principal structures shall be required. The compatibility rule shall apply to the design and size of said front porches, provided that such porches shall be a minimum of 12 feet wide or one-half of the width of the front façade, whichever is greater, and a minimum of eight feet deep. Front porches shall contain roofs, balustrades, columns, steps, and other features compatible with porches in the existing block. Front porches may extend up to ten feet into the required front yard. All front porch steps shall have closed risers and ends.
 - j. Decks are permitted only when located to the rear of the principal structure. Such decks shall be no wider than the width of the house and shall not project beyond the side façade of the existing house.
 - n. The compatibility rule shall apply to the following aspects of fenestration, if visible from a public street or park upon completion:
 - i. The style of the individual window.
 - (1) Windows in the front façade shall be predominantly vertical in proportion.
 - (2) If muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
 - (3) Window and door casings widths and depths are subject to the compatibility rule.
 - ii. The size and shape of individual window openings.
 - iii. The overall pattern of fenestration as it relates to the building façade.
 - p. Wood lap siding, cementitious lap siding, brick, stone, external insulating finishing system ("EIFS"), and true stucco systems are permissible building materials for the façade of the principal structure. Corrugated metal, aluminum siding, and vinyl siding are not permitted.
 - q. The compatibility rule shall apply to building materials and design elements, if visible from a public street or park upon completion, and in addition to all other applicable regulations, as follows:
 - i. The dimensions of the exposed face of lap siding and wood shingles.
 - ii. The type of brick and pattern of brickwork.
 - iii. The type of stone and pattern of stonework.
 - iv. The material and texture of stucco.
 - v. The size and type of doors.
 - (1) Exterior doors shall be wood panel or fixed glass panel in wood frame.
 - vi. The materials and pattern of roofing.
2. *Setback requirements:*
 - b. *New additions to existing structures:* The following setback requirements and maximum floor area ratio shall apply to all permitted uses of new additions to existing structures: Rear setbacks shall be subject to the compatibility rule. The compatibility rule shall not apply to the front and side setbacks of any addition to an existing structure, however the front and side yard setbacks of the addition shall not be less than the respective setback, at its closest point, of the existing structure.

Site Work and Setbacks

There is no site work proposed as part of the application. The previously built deck meets the District's setback requirements given that it aligns with the front porch's front setback and is slightly inset from the existing house on the interior side of the lot. As the attic build out gables are within the existing footprint of the house, they also meet the District regulations.

Previously Built Wood Deck and Proposed Roof Trellis

The Applicant proposes to add a wood trellis to the existing wood deck. The existing deck has wood posts for a foundation. The Staff has three concerns about the existing deck. First, decks are not permitted in the front yard of the District. Second, the deck does not have a continuous masonry foundation as is the case with the rest of the house and the original front porch. Third, the railing of the wood deck mimics the railing of the original front porch. This design approach will make the two railings appear as if they were built at the same time and thus give them the same visual presence on the property and similar architectural significance to the house.

Regardless of other design and regulatory issues, adding a roof to a deck structure would convert it to a porch structure / design, thus eliminating a deck in the front yard. However, the District specific requirements for front porches regarding size, design, and architectural elements.

As to size, the District regulations require that front porches be “compatible with that which predominates in contributing structures on that block face and shall be internally consistent with the historic design of the structure.” Of the 14 contributing structures on the block face, all five two-story houses have full width front porches. Of the nine one-story houses, four have full width front porches and five do not. Total there are nine full width front porches and five non-full width front porches. As such, the Staff finds that a full width front porch is compatible with what predominates on the block face and, with design changes, can be internally consistent with the historic design of the structure.

In particular, the Staff is concerned about the trellis design, which is not found on the front of any house on the block face and very rarely anywhere else in the District. There is one house (#1094) with a full width front porch with a combined gable roof and flat roof. In that case, the front porch header and related-header trim is consistent across the entire front porch. In the proposed design, the trellis is a separate design element.

The Staff would recommend that the front porch addition have a continuous masonry foundation compatible with the foundation of the original front porch, a railing that is a simplified version of the original front porch railing, columns that are similar to the columns on the original front porch, and a flat or almost flat roof and header compatible with the original front porch roof and header.

Large Roof Gables

Given the size of the proposed roof gables, the Staff finds that they are part of the “primary roof” and as such the overall resulting form / design should meet the compatibility rule, which requires that the roof form be “compatible with that which predominates in contributing structures on that block face and shall be internally consistent with the historic design of the structure.”

Of the 14 contributing structure on the block face, all five two-story houses have hipped roofs (some with accent gables on the front façade.) Of the nine one-story houses, three have hipped roofs (some with accent gables on the front façade) and six have gabled roofs, included front facing gables, cross gables, and side gables. Taking into account the size of the proposed roof gables, the Staff finds the proposed roof form would be considered a “semi-cross gable”; a house

with hipped roof in one direction and gabled roof in the other. Total there are nine hipped roof houses and six gabled roof houses.

As such, the overall predominant roof form on the block face is hipped, while the predominant roof form on the one-story houses is gabled. Therefore, the Staff finds that with design changes, the proposed roof form can both meet the overall predominant roof form on the block face (hipped) and be internally consistent with the historic design of the structure (gabled). The most significant concern of the Staff is the overall size of the gables, which is presumably driven by the size of the rooms in the attic build out. The Staff would recommend that the size of the gables be reduced so as to reinforce the overall, hipped roof form of the house.

Lastly, the Staff is concerned that light pattern of the Sinclair Avenue gable windows is not consistent with the patterns of the existing windows on the house. The star light pattern is not found on the existing house and having such an elaborate design on the second level window, partly when it is more elaborate than the first level windows, is not compatible. The Staff would recommend that the light pattern in the Sinclair Avenue gable windows be the same as the light pattern of the existing double hung windows on the house.

Staff Recommendation: Based upon the following:

- (a) As currently design, the proposal does not meet all of the District regulations, per Section 16-20L.005 and Section 16-20L.006.

Staff recommends approval of the application for Type III Certificate of Appropriateness (CA3-13-246) for a front porch / deck addition and major alterations at **1066 Colquitt Avenue**, with the following conditions:

1. The front porch addition shall have a continuous masonry foundation compatible with the foundation of the original front porch, a railing that is a simplified version of the original front porch railing, columns that are similar to the columns on the original front porch, and a flat or almost flat roof and header compatible with the original front porch roof and header, per Section 16-20L.006(1)(i) and (j);
2. The size of the gables shall be reduced so as to reinforce the overall, hipped roof form of the house, per Section 16-20L.006(1)(f);
3. The light pattern in the Sinclair Avenue gable windows shall be the same as the light pattern of the existing double hung windows on the house, per Section 16-20L.006(1)(n); and
4. The Staff shall review, and if appropriate approve, the final elevations, plans, and documentation.



CITY OF ATLANTA

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JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT July 24, 2013

Agenda Item: Application for Type III Certificates of Appropriateness (CA3-13-177) for a subdivision at **962 Boulevard**-Property is zoned R-5/ Grant Park Historic District (Subarea 1).

Applicant: Glenn Landry
870 Oaklen View Drive, Sugar Hill

Facts: According to the Grant Park Inventory sheet this single-family house was built in 1913 and is considered contributing.

Analysis: The following code sections apply to this application:
Per Section 16-20K.006 of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to all properties located within the Grant Park Historic District.

- (1) *General Criteria.*
 - a. Notwithstanding any other provision herein, no Certificate of Appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - b. Except as otherwise provided herein, the procedures for determining the appropriate type of certificate shall be those specified in section 16-20.008 of the zoning code.
 - c. In Residential Subarea I, the commission shall apply the standards referenced in 16.20.009 only if the standards set forth in this Chapter 20K do not specifically address the application.
- (2) *Certificates of Appropriateness.*
 - a. Type I Certificates of Appropriateness for ordinary repairs and maintenance shall not be required in this district. Painting or repainting of any structure, or portion thereof, does not require a Certificate of Appropriateness.
 - b. Type II Certificates of Appropriateness shall be required for: minor alterations to those facades of any contributing principal structure that face public streets; fences; walls; accessory structures; decks; and paving. If the proposed alteration meets the requirements of section 16-20K.007, then the director of the commission shall issue the Type II Certificate. If the proposed alteration does not meet the requirements of section 16-20K.007, the director of the commission shall deny the application. Appeals from said decision of the director regarding the issuance and/or denial of Type II Certificates may be taken by any aggrieved person by filing said appeal in the manner prescribed in the appeals section of Chapter 16-20.008(a) for Type I Certificates.
 - c. Type III Certificates of Appropriateness shall be required for:
 1. All new principal structures
 2. All major alterations and additions to existing structure, with respect to any façade that faces a public street.
 - d. Type IV Certificates of Appropriateness shall be required for demolition or moving of any contributing principal structure. A partial demolition of a contributing principal structure shall

require a Type IV Certificate of Appropriateness only when said partial demolition will result in the loss of significant architectural features which destroys the structure's historic interpretability or importance.

- (3) *Subdivisions.* In addition to the requirements of the subdivision and zoning ordinances, including but not limited to sections 15-08.002(a)(2) and 15-08.005(d)(6), all subdivisions of lots shall conform to the historic platting pattern in the district with regard to lot size, dimensions, and configurations.
- (4) *Tree Preservation and Replacement.* The provisions of City of Atlanta Tree Ordinance, Atlanta City Code section 158-26, shall apply to this district.

According to the site plan submitted, the lot fronts 108.50' on Boulevard and has a depth of 188.70' on Robinson. In looking at the City of Atlanta cadastral map, the lot fronts 110' on Boulevard and has a depth of 190' on Robinson. Staff suggests the Applicant work with the Office of Planning subdivision Staff to resolve the lot dimension discrepancy.

The Applicant is proposing to subdivide an existing lot into two lots. Per the underlying R-5 zoning, the resulting lots would have to have a minimum of 50' of frontage and no less than 7500 square feet. The first proposed lot will front 108.50' on Boulevard and have a depth of 118.70' on Robinson, with a total of 12, 878.95 square feet. Staff finds the first lot meets the frontage and square footage requirement. The second proposed lot will front 70' on Robinson and have a depth of 109.80' on its longest side, with a total square footage of 7686 square feet. Staff finds the second lot meets the requirements.

The Grant Park Historic District regulations require the resulting lots to conform to the historic platting of the district in regards to lot size, dimension and configuration. In looking at the district as a whole, Staff finds that most lots have between 50-70 feet of frontage and have a depth between 140-200 feet. There are of course many different sized lots in between. In particular, there are a group of smaller lots in the northern part of the district near Woodward and Grant, Woodward and Cherokee and near Loomis and Bryan. There is also a block face on the western boundary of the district on Woodson with smaller lots. While Staff finds there are smaller and more square lots in the district, Staff finds these lots are exceptions as opposed to part of an overall pattern.

Staff looked at the Sanborn Fire Insurance Map to get a sense of what the lot in question looked like historically. According to the Sanborn maps, this lot was once two lots. The existing house was on one lot and the corner lot was vacant. There was never a rear lot. Staff finds the proposed lot is not consistent with the predominant pattern of lots in the district in regards to depth and shape. Staff finds the proposed lot is not consistent with the depths of the lots on the block. Staff finds the proposed lot is not consistent with the original layout as shown on the Sanborn Maps. Given the information we have at this time, Staff cannot support the subdivision as currently proposed.

Staff Recommendation: Based upon the following:

- 1) The plans do meet the regulations with the exception of the comments noted above per Section 16-20K.006(3);

Staff recommends denial of the application for a Type III Certificate of Appropriateness (CA3-13-177) for a subdivision at **962 Boulevard**-Property is zoned R-5/ Grant Park Historic District (Subarea 1).



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JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT October 9, 2013

Agenda Item: Applications for Type III Certificates of Appropriateness (CA3-13-233) for a variance to reduce the north side yard setback from 20' (required) to 14.4' (proposed) and (CA3-13-232) for demolition of an accessory structure and construction of a new accessory structure at **858 Oakdale Rd**– Property is zoned Druid Hills Historic District.

Applicant: Chris Hamilton
678 Seminole Avenue

Facts: According to the architectural survey in 2002, this dwelling built in 1915 is contributing.

At the June 12, 2013 meeting, an application for Type III Certificate of Appropriateness (CA3-13-143) for additions, renovation and site work was approved with conditions.

Analysis: The following code sections apply to this application:

Per Section 16-20.007 of the Atlanta Land Development Code:

(a) When Required, Generally: In addition to other permits which are required pursuant to any city ordinance, and in addition to any certificate of appropriateness which may be required pursuant to any other landmark or historic building, site or district regulation contained in part 16 of the Codes of Ordinances, certificates of appropriateness shall, unless provided otherwise in the detailed regulations governing Landmark or Historic Districts contained within a designation ordinance as provided in section 16-20.006 of the Code of Ordinances, be required for any of the following actions within each of the following categories:

(3) Landmark buildings and sites:

(b) To change the exterior appearance of any structure within any Landmark District;

Per Section 16-20B.003 of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to the entire district which includes both (1) the Ponce de Leon Corridor; (2) Fairview Road; and (3) Springdale/Oakdale/Lullwater.. Any proposed development shall require a certificate of appropriateness from the urban design commission and shall conform to the following regulations:

(5) *Minimum architectural controls:* Any construction in the Druid Hills District shall maintain the general architectural scale and character reflected in the original development of Druid Hills in order to preserve the historic character of the district.

Exterior architectural changes shall follow the standards set forth by the secretary of the interior. The secretary of the interior's standards for historic preservation projects are designed to assist individual property owners formulate plans for the development and continued use of historic properties. Separate guidelines are given for

each of seven (7) treatments. (Refer to the Secretary of the Interior's Standards of Historic Preservation Projects.)

The Secretary of the Interior's Standards for the Treatment of Historic Properties, 1995, Standards for Rehabilitation

REHABILITATION IS DEFINED AS the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

Sec. 16-20B.006. Springdale/Oakdale/Lullwater

The following regulations shall apply to any proposed development on any property located on Springdale Road, Oakdale Road, Lullwater Road or Lullwater Parkway:

(2) *Permitted accessory uses and structures.* Uses and structures which are customarily incidental and subordinate to permitted principal uses and structures, including but not limited to the following, subject to limitations and requirements set forth herein or elsewhere in this chapter.

- a. Greenhouse, fallout shelter, garden shed, private garage, storage room.
- b. Guest house, servants quarters, dwelling or lodging facilities for caretaker or watchman.
- c. Swimming pool and accessory buildings, tennis courts and the like not less than 25 feet from side or rear lot line.
- d. Home occupations.

(3) *Minimum lot requirements:*

- a. *Lot width:* Each lot shall have a minimum lot width of 100 feet.
- b. *Lot area:* Each lot shall contain a minimum lot area of 38,000 square feet.

(4) *Lot coverage:* Lot coverage for all structures, parking and driveways shall not exceed 35 percent of the lot area.

(5) *Minimum yard requirements:*

a. Setbacks:

3. West side of Oakdale Road, Ponce de Leon Avenue to city limit:

Front yard: 110 feet.

Side yards: 20 feet.

Rear yard: 100 feet.

The Commission reviews alterations to any structure within the district, whether or not said alterations can be seen from the public right-of-way

Variance

The Applicant is requesting a north side yard setback variance in order to accommodate the proposed accessory structure. In looking at the variance justification submitted by the Applicant, there was no indication that denial of the variance would be hardship based on the variance criteria. The main argument appears to be “forcing a less than optimal layout and severely curtailing views”, Staff finds that this is not one of the variance criteria. Further the Applicant did not provide good documentation

or explanation of why there are no other solutions that would meet the setback requirement. Further there is no documentation or explanations regarding why meeting the setback requirement would prohibit any views and why this is a severe detriment and hardship.

The Applicant points out numerous examples of other similar structures with similar setbacks. Staff finds the presence of other similar accessory structures with similar setbacks does not in itself prove a hardship. Given the size of the lot, Staff finds there are likely other solutions that could meet the setback requirements and provide the desired view. One option is to reduce the size of the accessory structure or to move it to another location. Based on the information we have at this time, Staff finds the request does not meet the variance criteria. Staff cannot support the variance request at this time.

Demolition

The Staff finds that the building has been considerably altered since its construction. Notably, the original garage space (which does not appear on the 1949 aerial) on the right hand side appears to have been demolished before 1949 and rebuilt sometime after 1949. The front porch appears to be rebuilt in the 1930s-1950s. Further, the rear of the structure appears to have undergone some significant change or large addition, though it is not clear if this was done at the same time or in segments. While there appears to be a core structure remaining from the original construction, the accessory structure has undergone significant alterations and additions, though it is not clear exactly when those alterations or additions occurred and/or if that is within the historic time period of the property and District.

Based on the information provided by the Applicant and consistent with the review of previous applications that have included the demolition of an accessory structure, Staff has determined that a Type IV Certificate of Appropriateness for demolition is not required.

Site

According to the site plan submitted, the existing lots fronts 110.05' on Oakdale Road and has a depth of 534.87' on its longest side. In looking at the City records, there is a slight difference in the depth. As the Office of Buildings will not issue a permit with a site plan that does not match the City records, Staff suggests the Applicant contact the Office of Planning subdivision staff to resolve the discrepancy.

Per regulations, the side yard setback for accessory structures shall be no less than 20'. As previously mentioned, Staff does not support the variance request. As such, Staff recommends the accessory structure have a side yard setback of no less than 20'. Per regulations, the rear yard setback for accessory structures shall be no less than 100'. Staff finds the rear yard setback requirement has been met.

The Applicant is proposing a new pool. Per regulations, the side and rear yard setbacks for a pool shall be no less than 25'. Staff finds the proposed pool meets the side and rear yard setback requirement. Per regulations the maximum lot coverage allowed is 35%. The calculations indicate the total lot coverage will be 35% and therefore meets the requirements.

Accessory Structure

The Applicant is proposing a two-story accessory structure with a breezeway that connects to the existing primary structure. As the accessory structure will be attached to the existing house through a breezeway, Staff finds it is important to see how the accessory structure impacts the existing house and is physically connected to the house. It is not clear from the submittal, where the breezeway connects to the house. Staff recommends the Applicant provide an additional elevation that clearly shows how the accessory structure connects to and impacts the existing house.

In looking at the survey picture, Staff finds the overall design, materials, height and massing are consistent and compatible with the existing house. The design in particular is a near mirror image of the existing house. Although not a typical feature, Staff finds there are examples of similar breezeways in the district. As the connection to the house is open as opposed to an enclosed living space, Staff does not have an overall concern with the proposed breezeway.

Staff does have concerns with the proposed chimney connected to the breezeway. Chimneys are usually connected to either the primary structure or an accessory structure. It is not at all unusual to see a chimney that services an outdoor fireplace. These types of outdoor fireplaces are often seen on decks or rear porches. Staff finds this particular configuration is not appropriate. Staff recommends the proposed chimney is either connected to the primary structure or the accessory structure.

Staff Recommendation: Based upon the following:

- a) The variance justification does not meet the requirements, per Section 16-20B.008.

Staff recommends denial of the Application for Type III Certificate of Appropriateness (CA3-13-233) for a variance to reduce the north side yard setback from 20' (required) to 14.4' (proposed) at **858 Oakdale Rd**– Property is zoned Druid Hills Historic District.

Staff Recommendation: Based upon the following:

- a) The plans meet the regulations, with the exceptions noted in the above analysis, per Section 16-20B.006.

Staff recommends approval of the Application for Type III Certificate of Appropriateness (CA3-13-232) for demolition of an accessory structure and construction of a new accessory structure at **858 Oakdale Rd**– Property is zoned Druid Hills Historic District, with the following conditions:

1. The accessory structure shall have a side yard setback of no less than 20', per Section 16-20B.006(3)(a)(3);
2. The Applicant shall provide an additional elevation that shows clearly how the accessory structure connects to and impacts the existing house, per Section 16-20B.003(5);
3. The proposed chimney shall either connect to the primary structure or the accessory structure, per Section 16-20B.003(5); and
4. Staff shall review and if appropriate, approve the final plans.



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JAMES SHELBY
Commissioner

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Director, Office of Planning

STAFF REPORT September 25, 2013

Agenda Item: Application for a Review and Comment (RC-13-237) for a neighborhood entrance sign in the public right of way at 990 Regency Crest Drive- Property is zoned FCR-3.

Applicant: David Getachew-Smith
590 Regency Park Drive

Analysis: The following code sections apply to this application:

Per section 6-4043 of the Atlanta City Code, as amended:

- (5) The Commission shall review the proposed location and design of buildings, bridges, viaducts, elevated ways, streets, high-ways, gates, fences, railings, lamp standards, and other structures or fixtures to be erected or placed on land belonging to the city, or on any private or public property which extends over or upon any property or right-of-way owned or controlled by the city.

Sec. 16-28A.004. Definitions.

Neighborhood Identification Sign: A sign identifying a neighborhood officially recognized by the City of Atlanta that does not exceed 35 square feet in sign area and does not exceed 10 feet in height

The address in question is located in NPU Q in the Midwest Cascade neighborhood. The Applicant is proposing to construct a neighborhood identification sign. In looking at the information submitted, it appears the sign will be located at the rear of the property on Regency Crest, on the west side of Danforth Road. There was no site plan or survey submitted, therefore it is not clear exactly where the sign will be located. Specifically, it is not clear whether the sign will be located in the street, on the sidewalk, on a traffic island or on private property. Staff suggests the Applicant provide a site plan or survey that clearly indicates where the sign will be located. It is unclear whether the sign will meet traffic requirements in regards to safety and the visibility triangle. As the Traffic and Transportation Department will need to make that determination, Staff suggests the Applicant contact that department.

In general, Staff does not have concerns regarding the installation of neighborhood identification signs. Neighborhood identification signs are allowed to be no more than 35 sq. ft. in sign area and no more than 10' in height. In looking at the elevations provided, Staff finds the height and square footage requirement has been met. The main portion of the sign will be faced with brick. The materials for the cap and base are not indicated. Staff suggests the elevations indicate all material details. The design

and materials of a neighborhood sign should be reflective of the predominate materials and architectural styles of the area it represents. The Applicant has not provided any pictures of the area near the sign or of the neighborhood. As such, Staff cannot determine whether the design and material of the proposed sign is appropriate for area. Pictures will help give some context for the design and materials of the proposed sign. Staff suggests the Applicant provide pictures of the area near the sign and of the neighborhood.

Staff suggests the Commission deliver its comments at the meeting.