



CITY OF ATLANTA

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DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
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JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT April 9, 2014

Agenda Item: Application for Type III Certificate of Appropriateness (CA3-14-068) for an addition and renovations at **1102 Lawton Place**-Property is zoned R-4A/West End Historic District.

Applicant: Alicia Hunter
115 West Peachtree Place

Facts: According to the Fulton County Tax records available online, this single family dwelling was constructed in 1920.

Analysis: The following code sections apply to this application:

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

The following general regulations shall apply to the West End Historic District.

(1) *Certificates of Appropriateness:* Certificates of appropriateness within this district shall be required as follows:

(a) *When required:*

(i) To change the exterior appearance of any portion of a structure within the district, when said change can be seen from the public right-of-way;

(b) *Type required:*

(i) Type I certificates of appropriateness for ordinary repairs and maintenance are not required in this district. This exemption in no way obviates the requirements for certificates of appropriateness for all minor alterations (type II), major alterations (type III) and demolitions (type IV, except partial demolitions) as set forth in chapter 20 of this part 16.

(2) *The Compatibility Rule:* The compatibility rule is a method of requiring that alterations and new construction are sensitive and sympathetic to existing elements of design, scale and general character of the district with particular attention to the immediate environment constituting a particular block. In accordance with this purpose, the compatibility rule is as follows: "To the maximum extent possible, the element in question, such as roof form or architectural trim, shall substantially match that which predominates on that block. When elements are quantifiable, such as building height or floor height, they shall equal the statistical average of all like elements of all structures of like use in that block." Those elements to which the compatibility rule applies are specified in these regulations by reference to "compatibility rule."

Sec. 16-20G.006. - Specific regulations.

In addition to the general regulations set forth in section 16-20G.005, and any other applicable regulations, the following regulations shall apply to all rehabilitations, new construction, alterations, and other changes:

(1) *Generally:* The following building elements and architectural features shall be considered when applying section 16-20.009 of this chapter to the West End Historic District: doors, windows, foundations, finished floor elevations, roofs, roof

features, gutters, downspouts, cornices, siding, porches, steps, terraces, dormers, shutters, awnings, gateways, archways, louvres, walls, fences, and gates.

(2) *Building Façades:*

- (a) All new construction shall conform to the existing building orientation by having sidewalks, front yards, porches and front doors facing and parallel to the street, and if located on a corner, the main façade shall face the principal street whenever possible.
- (b) At a minimum, the front of all new construction, including any portion thereof, shall be placed at the distance from the street determined by the compatibility rule. This requirement shall also apply to those sides of corner lots which also face a street.
- (c) All building materials, which upon completion are visible from the public right-of-way, are subject to the compatibility rule.
- (d) Siding repair or replacement shall match the original in material, scale and direction. For new construction and additions, brick, wood or horizontal smooth cementitious siding is permitted.
- (e) Contemporary design of new construction, compatible with adjacent and surrounding structures, is permitted.
- (g) No structure shall exceed that height established by the compatibility rule.

Site

The Applicant did not submit a site plan. As such, Staff cannot determine whether the project meets the setback, lot coverage and floor area ratio requirements. Additionally, Staff cannot determine whether the dimensions of the lot match the City records. Staff recommends the Applicant submit an appropriately scaled site plan. Staff recommends the Applicant provide documentation the project meets the setback, lot coverage and floor area ratio requirements.

Alterations

As this is an interior lot, Staff finds only the front a side facades are visible from the street. As such, Staff will only make comments regarding the front and side facades.

The Applicant is proposing to alter the existing roof in order to accommodate additional living space in the attic area. In general, Staff finds the overall shape, height of the ridgeline and design of the roof alteration and addition is not consistent or compatible with the existing historic house. Staff finds there are likely more appropriate design solutions that will allow for some additional living space in the attic area while being consistent and compatible with the architecture of the existing house. Staff recommends the proposal is redesigned so that the design of the addition and roof alteration is consistent and compatible with the architecture of the existing house. Staff recommends the proposed ridgeline is no taller than the existing ridgeline.

Staff Recommendation: Based upon the following:

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

Staff recommends deferral of the Application for Type III Certificate of Appropriateness (CA3-14-068) for an addition and renovations at **1102 Lawton Place**-Property is zoned R-4A/West End Historic District, to allow the Applicant time to address the following concerns of Staff:

1. The Applicant shall submit an appropriately scaled site plan, per Section 16-06A.008(2), (3), (5) and (6);

2. The Applicant shall provide documentation the project meets the setback, lot coverage and floor area ratio requirements, per Section 16-06A.008(2), (3), (5) and (6);
3. The proposal shall be redesigned so that the design of the addition and roof alteration is consistent and compatible with the architecture of the existing house, per Section 16-20.009;
4. The proposed ridgeline shall be no taller than the existing ridgeline, per Section 16-20.009; and
5. All updated plans and materials shall be submitted to Staff no later than eight days before the meeting to which the application is deferred.



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STAFF REPORT April 9, 2014

Agenda Item: Application for Type III Certificates of Appropriateness (CA2-14-069) for alterations at **483 Woodward Avenue**– Property is zoned R-5/Grant Park Historic District (Subarea 1).

Applicant: Jerry Davis
219 Fairfield Street, Decatur

Facts: According to the Grant Park Inventory sheet this single family dwelling built in 1912 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.

(2) Certificates of Appropriateness.

(B) Type III Certificates of Appropriateness shall be required for:

2. All major alterations and additions to an existing structure, with respect to any façade that faces a public street.

Per Section 16-20K.007:

(1) *Development Controls.*

(A) *Front Yards:* Front yard setbacks shall either: i) conform to the setback of the previously existing contributing building of like use; or ii) shall be no closer to the street than the closest and no farther from the street than the farthest contributing structure of like use on that side of the block.

(B) *Side Yards:* Side yards shall either: i) conform to the setback of the previously existing contributing building of like use; ii) conform to the setback of the existing building; iii) conform to any existing pattern of unequal side yard setbacks previously established by a majority of the contributing buildings of like use on that side of the block; or iv) be of a width of not less than seven feet.

(C) *Rear Yard:* Rear yard setback shall be seven feet.

(D) Off-street parking and driveway requirements:

1. Off-street parking shall not be permitted in the front yard or half-depth front yard.

3. If constructed, independent driveways within the front yard or half-depth front yard shall be a maximum of ten feet wide and shall have a maximum curb cut of ten feet, exclusive of the flare.

(2) *Architectural Standards.*

(A) *Statement of Intent.* The purpose of these regulations is to set forth basic, minimum standards of architectural design and construction that are compatible with and complementary to the existing historic residences within the neighborhood, as the cumulative historic diversity

of the built environment is a defining characteristic of this neighborhood. It is not the intent of these regulations to limit the design of new housing to replication of styles of existing structures, but to foster residential design that, with regard to massing, size, scale, materials, and architectural quality of the neighborhood and simultaneously encourages creativity. Additionally, these regulations are intended to integrate the physical characteristics of new construction into the existing neighborhood in a meaningful way so as to restore and promote the public health, safety, and welfare of this neighborhood.

The following residential architectural styles currently predominate in the neighborhood and contribute to its unique historic character; they are included here for reference only: American Four Square, Craftsman, English Vernacular Revival, Folk Victorian, Queen Anne, and Shotgun.

(B) *Design Standards and Criteria for New Principal Structures.*

1. Identified design elements of size, scale, massing and materials of new construction shall be substantially consistent with said identified design elements found in contributing structures of like use in the district as listed in subsection 16-20K.007(15)(c.).

15. On those facades of any structure that face a public street, the following regulations on building materials shall apply. Alternate materials may be submitted for review by the commission.

c. Siding/veneer: Horizontal lap siding, vinyl siding, aluminum siding, shingles, brick, hard stucco, and stone shall be permitted. Stacked stone is prohibited

(D) *Design Criteria for Alterations and Additions to Contributing Structures.* Alterations and additions to contributing structures requiring a Certificate of Appropriateness shall comply with one of the following provided that the mere increase in floor area otherwise authorized in the district shall not constitute a standard for review:

1. Alterations and additions shall be consistent with and reinforce the historic architectural character of the entire existing contributing structure and shall comply with the applicable regulations for new construction set forth in subsection 16-20K.007(2)(B) above; or
2. New additions, exterior alterations, or related new construction will not destroy historic materials that characterize the property. The new work may differentiate from the old. To protect the historic integrity of the property and its environment, any new work will be compatible with the massing, size, scale and architectural features of the property and environment.

In the Grant Park Historic District, only changes that face a public street are reviewed by the Commission. As this is an interior lot, Staff will make comments on the Woodward Avenue facade.

The Applicant is proposing to replace the existing shingle siding with cementitious siding. In looking at pictures submitted by the Applicant it is not clear why the existing siding requires replacement. If replacement is warranted, Staff finds the new siding should match the existing siding. Staff recommends the Applicant provide documentation the existing siding is beyond repair or is not original or historic. If the existing siding is original or historic and beyond repair, Staff recommends the new siding match the existing siding. If the existing siding is not original or historic, Staff recommends the replacement be smooth cementitious siding with a 4"-6" reveal.

The Applicant is proposing to repair the existing windows. In general, Staff does not have concerns regarding the repair and retention of windows. It is not clear what the condition of the windows is and how they will be repaired. Staff recommends the Applicant provide details regarding the repair and retention of the existing windows.

The Applicant is proposing to replace the front porch railing. In looking at pictures submitted by the Applicant, Staff finds the existing railing is not original. According to the Applicant, the proposed railing will match the original railing that is still present on the left elevation. Staff has no concerns regarding the proposed railing replacement. Staff would not that the railing shown in the elevations does not match the original railing indicated in the pictures submitted by the Applicant. Staff recommends the elevations accurately show the proposed railing.

The Applicant submitted site plans, however it does not appear that site work is proposed. Staff did look at the lot boundary map and found the lot dimensions do not match the City records. Staff suggests the Applicant resolve the lot discrepancy with the Office of Planning Subdivision Staff.

Staff Recommendation: Based upon the following:

1) The plans meet the regulations with the exception of the comments noted above per Section 16-20K.007;

Staff recommends approval of the application for a Type II Certificate of (CA2-14-069) for alterations at **483 Woodward Avenue**– Property is zoned R-5/Grant Park Historic District (Subarea 1), with the following conditions:

1. The Applicant shall provide documentation the existing siding is beyond repair or is not original or historic, per Section 16-20K.007(2)(D);
2. If the existing siding is original or historic and beyond repair, the new siding shall match the existing siding, per Section 16-20K.007(2)(D);
3. If the existing siding is not original or historic, the replacement shall be smooth cementitious siding with a 4”-6” reveal, per Section 16-20K.007(2)(D);
4. The Applicant shall provide details regarding the repair and retention of the existing windows, per Section 16-20K.007(2)(D);
5. The elevations shall accurately show the proposed railing, per Section 16-20K.007(2)(D); and
6. Staff shall review and if appropriate, approve the final plans.



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STAFF REPORT April 9, 2014

Agenda Item: Application for Type III Certificate of Appropriateness (CA3-14-070) for alterations, addition, and site work at **794 Springdale Road**– Property is zoned Druid Hills Historic District.

Applicant: Karen Soorikian
219 Fairfield Street, Decatur

Facts: According to the District inventory sheet and architectural survey in 2002, the house was built in 1912 and is contributing to the district. This property was part of the larger “Boxwoods” Estate that contained a significant amount of land to the left of the current parcel and house.

The Applicant proposes to:

1. Alter the fenestration, door openings, and architectural detailing on the rear portion of the right side of the house (including removal of a small stoop), the right side of the projecting rear ell and the rear façade of the projecting rear ell;
2. Alter the fenestration and door openings on the center of the rear elevation (a non-historic portion of the rear elevation), to include a new portico entrance;
3. Add a brick, one-story, hipped, metal roof addition in the corner of the rear elevation and the rear projecting ell, including a new portico entrance;
4. Remove a portion of a landscape wall to allow for the new, one-story addition and rebuild the rest of the landscape wall;
5. Create a new terrace level off of the rear elevation; and
6. Install a new entrance gate and fence at the front property line.

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:

- (3) Minimum landscaping requirements: The overall quality of the landscaped area visible from public ways should be preserved as an integral part of the historic character of Druid Hills, and the following regulations shall apply to all parcels located within the district:
- a. A certificate of appropriateness shall be required for the clearance or removal of any tree with a caliper of four (4) inches or greater and shrub massings or hedges over three (3) feet high.
 - b. All trees with a caliper of four (4) inches or greater as measured four (4) feet above the ground, outside of the building site which are cleared for any reason, shall be replaced with trees having a minimum caliper of one and one-half (1 ½) inches.
 - c. A certificate of appropriateness shall be required for any major change in the landscape which is visible from the public right-of-way. Removal or changes in topography, walls (retaining or freestanding), and fences shall constitute a major change.
 - e. Any construction in the Druid Hills Landmark District shall maintain the general landscaping scale and character reflected in the original development of Druid Hills in order to preserve the historic landscape character of the district. Landscape changes visible from the public right-of-way shall require a Certificate of Appropriateness and shall follow the standards set forth by the Secretary of the Interior. These standards, *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes*, are designed to assist individual property owners in the formulation of plans for maintenance and continued use of historic properties and landscapes.”
- (4) Minimum drainage controls: Structures shall be located so as to preserve the natural terrain of the district. Proper drainageways shall be provided to prevent increased water runoff and erosion, siltation of streams or flooding of property as required by the department of public works.
- a. No structure shall be permitted within any 100-year floodplain.
 - b. No single-family structure shall be constructed on natural slopes greater than 25 percent.
 - c. No structure other than single-family shall be permitted on slopes greater than 15 percent.
- (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:

- (1) Permitted principal uses and structures:
 - a. Single-family dwellings.
 - b. Parks, playgrounds and community buildings owned and operated by a governmental agency.
- (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:
 1. West side of Springdale Road, Ponce de Leon Avenue to city limit:
 - Front yard: 120 feet.
 - Side yards: 25 feet.
 - Rear yard: 50 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.

General Site Requirements

The lot fronts about 100' on the west side of Springdale Road and has a depth of about 420' on its longest side. Per the District regulations, the side yard setback shall be no less than 25'. The Staff finds that the proposed addition (which is interior to the existing, projecting rear ell) meets the minimum setback requirement. Per the District regulations, the rear yard setback shall be no less than 50'. The Staff finds that the proposed rear yard setback is more than 50' and therefore meets the District regulations. Per the district regulations, the lot coverage can be no more than 35%. The proposed lot coverage is not indicated on the site plan. The Staff would recommend the Applicant document compliance with the lot coverage requirement.

According to the surveyor's notes on the proposed site plan, none of the property is located within a 100 year floor plan.

No trees will be affected by the proposed work as the new addition's footprint and the proposed terrace are in areas without existing trees.

Project Components

Alter the fenestration, door openings, and architectural detailing on the rear portion of the right side of the house (including removal of a small stoop), the right side of the projecting rear ell and the rear façade of the projecting rear ell.

The Staff has concerns about the alterations to the rear portion of the right side of the house (including removal of a small stoop), the right side of the projecting rear ell and the rear façade of the projecting rear ell. It is not clear if the elements proposed for replacement or alteration are historic or original to the house. The Staff would recommend the Applicant provide more information as to whether the existing window and door elements on the rear portion of the right

side of the house (including removal of a small stoop), the right side of the projecting rear ell and the rear façade of the projecting rear ell are historic or original to the house.

Architecturally speaking the Staff is most concerned about the use of the very high, horizontally oriented “transom” windows on the rear portion of the right side of the house. While this proposed element would certainly be differentiated from the original elements of the house it also needs to be compatible, which the Staff finds it is not. The Staff would recommend that the transom windows on the rear portion of the right side of the house be replaced with a window configuration that is more compatible, but still differentiated from, the original architectural elements of the house.

Regarding potential window-for-window replacement, the Staff would recommend that any new windows replacing original windows replicate the original window in proportion, function, material, and have true divided lights. Or, the Staff would recommend that any new windows that are not replacing original windows be compatible with the house’s architectural style and have either simulated divided lights with the light division permanently affixed to the exterior of the glass or be true divided light.

Lastly, it is not clear how the brick repairs will be accomplished once the side stoop door and rear entry door are replaced with windows and the one window on the right side is filled in. The Staff would recommend the Applicant clarify the approach and technique of brick repairs associated with the installation of the windows in the door openings and the infill of the window opening on the rear portion of the right side of the house.

Alter the fenestration and door openings on the center of the rear elevation (a non-historic portion of the rear elevation), to include a new portico entrance.

Generally speaking, the Staff does not have concerns about the alterations to the non-historic portion of the house as the alterations will be compatible but differentiated from the historic architectural elements of the historic portions of the house.

However, the Staff is concerned about the use of an entrance portico that essentially looks the same the front entry portico as this would elevate the importance (both visually and architecturally) of this entrance to the same level as the front entrance. The Staff finds that even on high style houses such as the subject property, there is a hierarchy of ornamentation and detailing. Using a portico the same as the front (and most important entry) on the house would diminish this hierarchy. Further, the use of such similar ornamentation could create confusion as to the evolution of the house as a “historic” looking feature would be added to a clearly non-historic portion of the elevation. While the Staff acknowledges that this will not be visible from the public street at all, it still finds that it does not meet the District regulations. The Staff would recommend that the portico on the rear elevation be differentiated from the design of the front entry portico and be simpler in design.

Add a brick, one-story, hipped, metal roof addition in the corner of the rear elevation and the rear projecting ell, including a new portico entrance.

Generally speaking, the Staff has no concerns about the proposed addition. It will have a minimal effect on the existing fabric of the house, is completely secondary to the existing house, and uses materials that are compatible with the existing house.

However, similar to its comments on the portico on the center of the rear elevation, the Staff is concerned about the use of a entrance portico that essentially looks the same the front entry portico as this would elevate the importance (both visually and architecturally) to the same level as the front entrance. The Staff finds that even on high style houses such as the subject property, there is a hierarchy of ornamentation and detailing. Using a portico the same as the front (and most important entry) on the house would diminish this hierarchy. While the Staff acknowledges that this will not be visible from the public street at all, it still finds that it does not meet the District regulations. The Staff would recommend that the portico on the new addition be differentiated from the design of the front entry portico and be simpler in design.

Remove a portion of a landscape wall to allow for the new, one-story addition and rebuild the rest of the landscape wall.

While generally speaking the Staff would not support the removal of a significant portion of what appears to be an original landscape feature, in this case the Staff finds that the resulting “replacement” feature (the side of the new addition) will create a similar architectural and landscape effect. It will maintain the courtyard effect of the existing wall.

However, the Staff has concerns about the rebuilding or as noted on the site plan “repair” and “stabilization” of the rest of the wall. No other information is provided about the extent of the work, the specific approach of the repair or stabilization, or what is the cause of the current problems. The Staff would recommend the Applicant provide substantially more information about the repair, rebuilding, and/or stabilization of the landscape wall; how the proposed approach meets the District regulations, and graphics of the resulting appearance of the wall.

Create a new terrace level off of the rear elevation.

The Staff has no concerns about the creation of a new terrace level off of the rear elevation as it appears it does not alter the remaining portions of the historic formal garden and otherwise will not remove historic landscape or hardscape features of the property. The existing concrete stoop does not appear to be historic. Further, the terrace will be completed screened from the public street.

Install a new entrance gate and fence at the front property line.

The Applicant is proposing to install a gate and fence at the front of the property. The Applicant included several pictures of different gates and fences from other properties in the Druid Hills area. Many of them are outside of the City of Atlanta’s Druid Hills Landmark District. Further, in looking at District inventory photographs of houses on Springdale Road, the Staff found no examples of fences on the front of the property. The Applicant also included a historical landscape plan and narrative that has a description and drawing of the previously existing wood gate and what could be a front fence along Springdale Road.

The Staff has concerns that a fence on the front of the property would obscure the front landscape. An uninterrupted front landscape is one of the defining features of properties in the District. Given the information we have at this time, Staff cannot support the installation of a fence on the front of the property. If the Applicant provides more explicit documentation of an original fence at the front of the property, Staff would consider this component of the project. The Staff recommends the Applicant provide more explicit documentation of an original fence at the front of the property to justify this component of the project.

In regards to the front gate, as there is historic documentation of a front gate, the Staff does not have concerns with the installation of a new gate. The Staff finds that either wrought iron or wood are appropriate materials for a gate. As there is documentation of a historic wood gate, Staff finds that installation of a wood gate to match the material and design of the original gate would be the best preservation solution. The Staff recommends the Applicant provide a properly scaled elevation of the proposed gate.

Staff Recommendation: Based upon the following:

- a) The plans meet the regulations, with the exceptions noted in the above analysis, per Section 16-20B.003 and 16-20B.006.

Staff recommends approval of the application for Type III Certificate of Appropriateness (CA3-14-070) for alterations, addition, and site work at **794 Springdale Road**– Property is zoned Druid Hills Historic District, with the following conditions:

1. The Applicant shall document compliance with the lot coverage requirement, per Section 16-20B.006(4);
2. The Applicant shall provide more information as to whether the existing window and door elements on the rear portion of the right side of the house (including removal of a small stoop), the right side of the projecting rear ell and the rear façade of the projecting rear ell are historic or original to the house, per Section 16-20B.003(5);
3. The transom windows on the rear portion of the right side of the house shall be replaced with a window configuration that is more compatible, but still differentiated from, the original architectural elements of the house, per Section 16-20B.003(5);
4. The Applicant shall clarify the approach and technique of brick repairs associated with the installation of the windows in the door openings and the infill of the window opening on the rear portion of the right side of the house, per Section 16-20B.003(5);
5. The porticos on the rear elevation and new addition shall be differentiated from the design of the front entry portico and be simpler in design, per Section 16-20B.003(5);
6. The Applicant shall provide substantially more information about the repair, rebuilding, and/or stabilization of the landscape wall; how the proposed approach meets the District regulations, and graphics of the resulting appearance of the wall, per Section 16-20B.003(3) and (5);
7. The Applicant shall provide more explicit documentation of an original fence at the front of the property to justify this component of the project, per Section 16-20B.003(3) and (5);
8. The Applicant shall provide a properly scaled elevation of the proposed gate, per Section 16-20B.003(3) and (5); and
9. The Staff shall review and if appropriate, approve the final plans.



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Director, Office of Planning

STAFF REPORT

April 9, 2014

Agenda Item: Application for Type III Certificates of Appropriateness (CA3-14-073) for a revisions to plans for alterations and an addition at **833 Virgil Street** – Property is zoned R-5/Inman Park Historic District (Subarea 1).

Applicant: Janet Best
833 Virgil Street

Facts: According to the District inventory sheet, the house was built in 1925 and is considered contributing to the District. The one-story, hipped-roof bungalow sits on a rectangular lot. The lot slopes rises from front to back. There is a small retaining wall next to the sidewalk. The front porch is accessed by a set of site stairs up from the sidewalk through the retaining wall.

In March of 2013, the Commission reviewed and approved with conditions an application (CA3-13-042) for renovations and an addition to the subject property. Three of the several conditions included as part of that approval called for:

- *The proposed design shall include front stairs that are parallel to the street or the proposed front porch stair design shall be removed from the proposed design and the Applicant shall apply for a variance for the desired front stair design, per Section 16-20L.006(1)(e) and (i);*
- *The foundation access door under the front porch landing shall be removed from the proposed design, per Section 16-20L.005(1)(b)(ix) and Section 16-20L.006(1)(q)(viii);*
- *The Applicant shall document the visibility from the public street of the skylight locations and the rationale for their installation, per Section 16-20L.006(1)(q)(x);*

In May, 2013, the Commission reviewed and approved a variance (CA3-13-094) to address the concerns / conditions in the March, 2013 approval related to the front porch (including the orientation of the stairs, foundation design, and foundation access door), and skylights. The Commission approved this application for the variance with the following conditions:

- *The foundation access door under the front porch landing shall be removed from the proposed design or an alternative, District compliant solution shall be included in the design for storage, per Section 16-20L.005(1)(b)(ix), Section 16-20L.006(1)(q)(viii), and Section 16-26.003(1);*
- *All conditions included in the Commission's approval of CA3-13-042 not modified by the variance requests shall be met in the final design proposal, per CA3-13-042; and*

- *The Staff shall review, and if appropriate approve, the final elevations, plans, and documentation for compliance with applications CA3-13-042 and CA3-13-094.*

In August, 2013, the Staff approved a final set of building permit ready plans that reflected both of the Commission’s conditional approvals.

At this time, the Applicant is requesting approval of a slightly revised proposal, as follows:

1. An increase in the depth of the addition by 2.5 ft. for a total depth of 18 ft. No change in the width is proposed;
2. Addition roof form changed from hip to gable, with one flat, curb mounted skylight on the right side roof plane;
3. Installation of a retaining wall in the back yard; and
4. Removal of the skylight over the bathroom.

It also appears that chimney’s design has changed from completely projecting outside the façade to only partially projecting and a change in materials.

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.
 - f. Building height shall be measured on the front elevation from the average point of grade on the front elevation to the highest point of the roof or façade, whichever is higher.
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.
 - e. 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 that destroys the structure's historic interpretability or importance.

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.
 - d. A paved walkway from the front sidewalk to the front entry of the principal structure shall be provided.
 - 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.
 - g. The compatibility rule shall apply to the height, scale, and massing of the principal structure, except as noted below. In no case shall the height of a structure exceed 35 feet. (See section 16-28.022 for excluded portions of structure.)
 - i. The height of additions shall not be subject to the compatibility rule, but shall be no higher than the existing structure.
 - ii. Notwithstanding the compatibility rule, any new roof ridge line shall be no higher than the highest roof ridge line of the existing 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.

- k. The use of chimneys with new principal structures is encouraged. When any portion of a chimney is visible from a public street or park as a façade element, the chimney shall originate at grade.
 - m. The compatibility rule shall apply to the height of portions of retaining walls located in a required front yard or in a required yard adjacent to a public street that are visible from a public street or park. Such retaining walls shall be faced with stone, brick, or smooth stucco. The compatibility rule notwithstanding, no single section of such retaining wall shall exceed four feet in height.
 - 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.
 - o. Mechanical equipment shall be located to the side and rear of the principal structure and where possible in the location least visible from a public street or park. Screening with appropriate plant material or fencing is required if the equipment is visible from a public street or park.
 - 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.
 - viii. Visible foundation materials.
 - (1) Foundations shall constitute a distinct building design element and shall contrast with the primary façade siding material. Exposed concrete or CMU foundation walls are prohibited as a finished surface.
 - ix. Visible portions of chimneys.
 - (1) Chimneys shall be faced with masonry. Siding on chimneys is not permitted.
 - x. Skylights are permitted where not visible from a public street or park wherever possible. Protruding bubble skylights are prohibited.
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.
4. *Principal uses and structures:*
- a. Properties that have an underlying zoning designation of R-5 shall be used only for the following principal purposes subject to the following provisions:
 - i. Single-family detached dwelling.
 - v. Floor area ratio shall not exceed 0.50.

An increase in the depth of the addition by 2.5 ft. for a total depth of 18 ft. No change in the width is proposed.

The Staff has no concerns about the increased depth of the addition, as it still meets the compatibility rule requirements of the District regulations. The house at 843 Virgil Street (which is a contributing house to the District) is 44 ft. away from the rear property line. With the inclusion of the addition, the lot coverage and floor area ratio still meet the District regulations.

The addition will still utilize all of the same materials as the existing house. However, the foundation materials are not specified on the plans. The Staff would recommend the exterior material for the foundation for the addition meet the District regulations.

False corner boards are proposed for where the existing house ends, which will provide some differentiation from the public street to indicate the evolution of the house.

Addition roof form changed from hip to gable, with one flat, curb mounted skylight on the right side roof plane.

The proposed addition will still not be taller than the existing house. The Staff does not have concerns about the shift to a rear facing gable as there are a variety of roof forms at the rear of the contributing houses on the block face and this revision will likely not be visible from a public street. The skylight is the same skylight shown in the previous plans, just moved slightly farther to the rear than before.

Installation of a retaining wall in the back yard.

The Staff has no concerns about the installation of the retaining wall in the back yard. The height, design, and materials of a retaining wall in the rear yard is not subject to the District regulations.

Removal of the skylight over the bathroom.

The Staff has no concerns about the removal of the skylight. However, the plans submitted with this application show the same two skylights that are shown on the August, 2013 final set of building permit ready plans. The rear-most skylight has been shifted to the rear (now on the side roof plane of the rear facing gable), but there are still two skylights shown on the plan.

The Staff would recommend that the Applicant confirm the total number of skylights to be included in the project and their location on the house.

Chimney's design has changed from completely projecting outside the façade to only partially projecting and a change in materials.

It is not clear the exterior material for the chimney, as the graphic for the chimney has changed from the previous drawings. The District regulations require that chimneys originate at grade (which the proposed chimney does) and be faced with masonry. The Staff would recommend the chimney be faced with masonry. The Staff would suggest that the portion of the chimney below the eave connect with the portion of the chimney above the eave as well.

Staff Recommendation: Based upon the following:

- (a) The proposal meets the District regulations, per Section 16-20L.005 and Section 16-20L.006, except as noted above.

Staff recommends approval of an application for a Type III Certificates of Appropriateness (CA3-14-073) for a revisions to plans for alterations and an addition at **833 Virgil Street** – Property is zoned R-5/Inman Park Historic District (Subarea 1), with the following conditions:

1. The exterior material for the foundation for the addition shall meet the District regulations, per Section 16-20L.006(1)(q)(viii);
2. The Applicant shall confirm the total number of skylights to be included in the project and their location on the house;
3. The chimney shall be faced with masonry, per Section 16-20L.006(1)(q)(ix);
4. All conditions included in the Commission’s approval of CA3-13-042 as modified by the Commission’s approval of CA3-13-094 shall be met in the final design proposal, per CA3-13-042 and CA3-13-094; and
5. The Staff shall review, and if appropriate approve, the final elevations, plans, and documentation for compliance with applications CA3-13-042 as modified by CA3-13-094, and CA3-14-073.



CITY OF ATLANTA

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MAYOR

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JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT April 9, 2014

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-14-077) for a variance to reduce the rear yard setback from 100' (required) to 43' (proposed), to reduce the east side yard setback from 25' (required) to 7' (proposed); and to allow parking within 20' of the side lot line, and (CA3-14-076) for an addition at **1348 Fairview Rd.** - Property is zoned Druid Hills Landmark District.

Applicant: Maria Akridge
1348 Fairview Road

Facts: According to the architectural survey in 2002, this dwelling built in either 1913 or 1923 and is contributing.

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.005. Fairview Road regulations.

The following regulations shall apply to any proposed development on any property located on Fairview Road:

- (1) *Permitted principal uses and structures:*
 - a. Single-family dwellings.
 - b. Parks, playgrounds and community buildings owned and operated by a governmental agency.
- (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 18,000 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:
 - (2) North side, Springdale Road to Oakdale Road, NE:

Front yard: 90 feet.

Side yards: 25 feet.

Rear yard: 100 feet.
- (6) *Maximum height:* No building shall exceed a height of 35 feet.

Variance Request

In looking at the variance request submitted by the Applicant there is a difference between the request by the Applicant and the measurements on the site plan. Specifically, the Applicant indicates that the variance request is to reduce the rear yard setback from 100' (required) to 68' (proposed). In measuring the site plan, the proposed rear yard setback is 43'. It is not clear whether the site plan is drawn incorrectly or whether the Applicant's request is not accurate. Staff recommends the Applicant

clarify what the proposed rear yard setback is. Staff would note that the variance request was advertised and reviewed based on the site plan submitted.

The Applicant is requesting three variances to allow for the construction of an addition that includes a garage. According to the Applicant, the variances are needed in order to allow for additional space while maintaining the architecture and views from the main house, yard/gardens and pool house. The location of the proposed secondary addition/garage would require approval of a side yard setback variance, a rear yard setback variance and a variance from the requirement that no parking be allowed within 20' of a side property line.

In the submitted narrative, the Applicant indicates that the proposed expansions are not only for the existing family living in the home, but also to accommodate an infirm parent and nurse.

While Staff is supportive of appropriate additions to existing homes, Staff has concerns regarding the size of the proposed additions. One of the defining features of this lot and other similar lots is the landscaping and the views. Staff would agree that those views should be protected. With that said, Staff finds there may be an opportunity to reduce the size of the main addition and then move and or reconfigure the secondary addition. Variances may still be required, however some of the variances could either be eliminated or reduced.

As Staff finds there may be solutions that could eliminate or reduce the requested variances, Staff cannot support the variances as currently proposed. Staff finds it would helpful to see a design solution that would eliminate or reduce some of the variances while allowing for additional space and protecting the existing historic landscape and views. Staff recommends the Applicant provide documentation that there are no other solutions that allow for additional space while protecting the historic landscape and views

Site

The lot in question fronts 125' on Fairview Road and has a depth of 300.9' on its longest side. According to the City of Atlanta lot boundary maps, the lot in question fronts 110' on Fairview Road and has a depth of 239.9' Oakdale Road. Per regulations, the side yard setback shall be no less than 25' and the rear yard setback shall be no less than 100'. As indicated in the above variance analysis, Staff has concerns regarding the proposed setbacks.

Per regulations, swimming pools and accessory structures shall have side and rear yard setbacks of no less than 25'. In looking at the site plan, the proposed swimming pool meets the setback requirements. The notations on the pool house indicate it will be either repaired or rebuilt. The pool house as it currently sits does not meet the rear yard setback requirements. If the structure were to be demolished and rebuilt, an additional rear yard setback variance would be required.

Per regulations, lot coverage can be no more than 35%. The proposed lot coverage is not indicated on the plans. Staff recommends the Applicant provide documentation the proposed project meets the lot coverage requirements. Staff would note that FAR is not reviewed in this subarea.

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

Alterations

The Applicant is proposing to install fixed doors and transoms in existing openings on the front and left elevations. In looking at pictures submitted, it is not clear what is in the existing openings. Staff

recommends the Applicant provide additional pictures of the existing arched openings on the front and left elevations.

On the rear elevation, there is a partial demolition proposed. Staff finds the partial demolition is necessary to accommodate the new rear addition. Staff finds that while historic fabric will be impacted, it will be minimal and therefore Staff does not have concerns. The notations indicate that windows will be salvaged for re-use. Staff recommends the Applicant clarify whether the windows and doors that are being removed will be re-used as part of the proposed project.

On the part of the rear elevation that is not impacted by the proposed addition, three doors will be removed. One of the doors does not appear to be original, therefore Staff has no concerns regarding the removal. In looking at the picture submitted, the status of the other two doors is not clear. Staff recommends the Applicant provide additional pictures and information regarding the two rear doors closest to the proposed rear addition.

The Applicant is proposing renovations to the existing pool house. In looking at the aerial pictures submitted, the details of the pool house are not clear. Staff recommends the Applicant provide additional pictures of the existing pool and pool house. While Staff has no general concerns regarding the repair and retention of the existing pool house, having pictures of the existing conditions would be helpful in determining whether the proposed repairs are appropriate.

Additions

The project includes a main rear addition, a breezeway and a secondary addition. In general, Staff finds the materials, fenestration and design are appropriate. Staff's main concern is the massing and location of the proposed additions. The combination of the proposed main addition, breezeway and secondary addition will be larger than the existing house. Staff has concerns that the combination of all the additions will compete with the historic main house instead of being appropriately subordinate. Staff recommends the proposed additions are redesigned to reduce the massing enough to allow the historic house to remain the dominant feature.

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 deferral of the Application for Type III Certificate of Appropriateness (CA3-14-077) for a variance to reduce the rear yard setback from 100' (required) to 43' (proposed), to reduce the east side yard setback from 25' (required) to 7' (proposed); and to allow parking within 20' of the side lot line at **1348 Fairview Rd.** - Property is zoned Druid Hills Landmark District, to allow the Applicant time to address the following concerns of Staff:

1. The Applicant shall clarify what the proposed rear yard setback is; and
2. The Applicant shall provide documentation that there are no other solutions that allow for additional space while protecting the historic landscape and views ;

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 deferral of the Application for Type III Certificate of Appropriateness (CA3-14-076) for an addition and a new accessory structure at **1348 Fairview Rd.** - Property is zoned Druid Hills Landmark District, to allow the Applicant time to address the following concerns of Staff:

1. The Applicant shall provide documentation the proposed project meets the lot coverage, per Section 16-20B.005(4);
2. The Applicant shall provide additional pictures of the existing arched openings on the front and left elevations, per Section 16-20B.003(5);
3. The Applicant shall clarify whether the windows and doors that are being removed will be re-used as part of the proposed project, per Section 16-20B.003(5);
4. The Applicant shall provide additional pictures and information regarding the two rear doors closest to the proposed rear addition, per Section 16-20B.003(5);
5. The Applicant shall provide additional pictures of the existing pool and pool house, per Section;16-20B.003(5);
6. The proposed additions shall be redesigned to reduce the massing enough to allow the historic house to remain the dominant feature, per Section16-20B.003(5); and
7. All updated plans and information shall be submitted no later than eight days before the deferred meeting.



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JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT April 9, 2014

Agenda Item: Application for Type III Certificates of Appropriateness (CA3-14-079) for alterations and an addition at **913 Bernina Avenue** – Property is zoned I-1/Inman Park Historic District (Subarea 1) / Beltline.

Applicant: Ian Jones
770 Crandall Court, Decatur

Facts: According to the District inventory sheet, the former one-story house was built in 1915. At the time of the District's designation, the building had been converted to non-residential use and had been substantially renovated such that it did not have the appearance of a residential structure. The last several tenants have been various restaurants.

The Applicant proposes to:

1. On the north façade facing the east-west portion of Bernina Avenue, rebuild and re-configure the porch, including removing the entrance stairs and entrance, add a larger permanent roof covering, and install roll-up / movable windows;
2. On the east façade facing the north-south portion of Bernina Avenue add a front entrance, metal awning, window shade structure, and re-pave in front of the new front entrance;
3. On the south façade, demolish an existing freezer addition and replace it with a new slightly larger freezer addition;
4. On the west façade, replace an existing exterior exit stair with a new exit stair, closer to the building; and
5. On the south façade, install a 6 ft. tall privacy fence screening a new trash area and on the west façade install a 6 ft. tall privacy fence screening new mechanical equipment.

The property is also subject to the Beltline Zoning Overlay, which requires the approval of a Special Administrative Permit (SAP) to ensure compliance with those zoning regulations. This a separate review completed by the Office of Planning Staff that will follow the Commission's review of the project. The Applicant must file for that review separately from the certificate of appropriateness request which is before the Commission at this time.

The Staff would also note that there is signage shown in a perspective rendering submitted with the application materials, but no specific plans or details were provided about proposed signage. Therefore, any proposed signage will be subject to a separate review under the District regulations.

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.
 - f. Building height shall be measured on the front elevation from the average point of grade on the front elevation to the highest point of the roof or façade, whichever is higher.
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.
 - d. A paved walkway from the front sidewalk to the front entry of the principal structure shall be provided.
 - 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.
 - g. The compatibility rule shall apply to the height, scale, and massing of the principal structure, except as noted below. In no case shall the height of a structure exceed 35 feet. (See section 16-28.022 for excluded portions of structure.)
 - i. The height of additions shall not be subject to the compatibility rule, but shall be no higher than the existing structure.
 - ii. Notwithstanding the compatibility rule, any new roof ridge line shall be no higher than the highest roof ridge line of the existing structure.
 - 1. Fences and walls, excluding permitted retaining walls, visible from a public street or park upon completion, subject to the provisions of [section 16-28.008\(5\)](#) and the following limitations, may occupy required yards:
 - i. Fences not exceeding four feet in height may be erected in the front yard or half-depth front yard. Walls, excluding permitted retaining walls, are not permitted in the front yard or in other yards adjacent to public streets,
 - ii. Fences and walls not exceeding six feet in height may be erected in side or rear yards.
 - iii. Fences located in the required front yard adjacent to a street shall be constructed of brick, stone, metal vertical pickets or wood pickets. Chain link fencing is not permitted in front yards or in other yards adjacent to public streets.
 - o. Mechanical equipment shall be located to the side and rear of the principal structure and where possible in the location least visible from a public street or park. Screening with appropriate plant material or fencing is required if the equipment is visible from a public street or park.
 - 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.
 - vi. The materials and pattern of roofing.
 - vii. Paving materials for walks and drives.
 - (1) Asphalt is not permitted.

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.
3. Off-street parking and driveways. In addition to the provisions of section 16-28.008(7), which shall apply and are incorporated herein, the following parking requirements shall apply to all permitted uses:
 - a. Off-street parking shall not be permitted between the principal structure and any public street.
 - b. Parking shall not be permitted on walkways that are located between the street and the façade of the principal structure.
4. Principal uses and structures:
 1. Properties that have an underlying zoning designation of I-1 (Light Industrial) district shall be used as is otherwise permitted pursuant to the provisions of chapter 16 of this part and shall comply with all applicable provisions of this chapter 20L

On the north façade facing the east-west portion of Bernina Avenue, rebuild and re-configure the porch, including removing the entrance stairs and entrance, add a larger permanent roof covering, and install roll-up / movable windows.

and

On the east façade facing the north-south portion of Bernina Avenue add a front entrance, metal awning, window shade structure, and re-pave in front of the new front entrance.

Generally speaking, given the extensive alterations that have already occurred on the building, the Staff does not have any architectural concerns about the proposed alterations to the east façade. The proposed alterations and materials (metal and cmu) are compatible with the “contemporary” style of the building, will not destroy any historic fabric (if any remains), and will not affect any distinctive finishes, materials, or features (if any remain).

However, the Staff does have two concerns. First, the Staff is concerned about the almost blank wall created on the north façade with the elimination of the remaining windows and the installation of a “ribbon” window in the middle of the façade. This appears to be a public part of the floor plan (vs. the kitchen, storage, etc.) and as such additional windows or larger windows could be retained or added to be more commercial and less industrial in nature. The Staff would recommend that the west end of the north façade have additional and/or larger windows added.

Second, the Staff is concerned about pedestrian access to the entrance. With the reconfiguration of the front entrance from the north façade of the building to the east façade of the building, patrons will have to either walk through the existing parking lot from the north-south portion of Bernina Avenue or the two-way driveway entrance off of the east-west portion of Bernina Avenue. While there is a requirement for a walkway from the public sidewalk to the front entry of the principal structure, the commercial use of the property (and its current configuration) would suggest a design solution other than a residential looking front walk. In this case, the Staff would not suggest trying to make a walkway to the north-south portion of Bernina Avenue, but rather improve the access along the façade of the building to the east-west portion of Bernina Avenue by creating a pedestrian space or “zone” next to the driveway that would create a distinct and identifiable area for pedestrians to be.

The Staff would recommend that some type of pedestrian access way be established from the east-west portion of Bernina Avenue to the new front entrance.

The Staff would add that removing the front entrance from Bernina Avenue could present an issue with the Beltline Zoning Overlay SAP review.

On the south façade, demolish an existing freezer addition and replace it with a new slightly larger freezer addition.

Given the new freezer addition will be located behind the new 6 ft. tall privacy wall and the commercial use of the building, the Staff does not have concerns about the design (a simple flat roofed box) or materials (metal panels) of the new freezer addition. Further, as an addition to the building, its front and side yard setbacks are limited by the existing building's proximity to the front and side property lines and the rear set back is governed by the compatibility rule. The proposed freezer addition is not closer to the property line than the other freezer to the east which will remain unchanged in the renovations. Given it is behind the other freezer to the east and a set of stairs to the west, it is not effecting the front or rear yard setback measurement. The freezer addition will not be taller than the existing building.

On the west façade, replace an existing exterior exit stair with a new exit stair, closer to the building.

The Staff does not have concerns about the replacement of the egress stairs, but it concerned about the proposed pressure treated wood material. Given the clearly commercial use of the building and the extensive use of metal components in the rest of the renovations, the Staff finds that these exterior stairs, which will be highly visible from Bernina Avenue, should be metal and not pressure treated wood. The use of metal would be more compatible with the commercial status of the property.

The Staff would recommend that the new egress stairs on the west façade be metal.

On the south façade, install a 6 ft. tall privacy fence screening a new trash area and on the west façade install a 6 ft. tall privacy fence screening new mechanical equipment.

The Staff has no concerns about the installation of the privacy fences or the location of the mechanical equipment and trash area. The mechanical equipment is to the side or rear of the principal structure will be screened by the new privacy fences.

Staff Recommendation: Based upon the following:

- (a) The proposal meets the District regulations, per Section 16-20L.005 and Section 16-20L.006, except as noted above.

Staff recommends approval of the application for Type III Certificates of Appropriateness (CA3-14-079) for alterations and an addition at **913 Bernina Avenue** – Property is zoned I-1/Inman Park Historic District (Subarea 1) / Beltline, with the following conditions:

1. The west end of the north façade shall have additional and/or larger windows added, per Section 16-20L.005(1)(b);
2. Some type of pedestrian access way shall be established from the east-west portion of Bernina Avenue to the new front entrance, per Section 16-20L.005(1)(b);
3. The new egress stairs on the west façade shall be metal, per Section 16-20L.005(1)(b); and
4. The Staff shall review, and if appropriate approve, the final design, site plan, elevations, and material specifications, including any changes to the project required by the Beltline Overlay Zoning District regulations.



CITY OF ATLANTA

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JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

April 9, 2014

Agenda Item: Review and comment (RC-14-082) on a text amendment (Z-14-005) regarding urban gardens and market gardens in various zoning categories, including Landmark and Historic Districts.

Applicant: Office of Planning
55 Trinity Avenue, SW

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

- (e) Powers and Duties: The commission is the city agency responsible for developing and administering the city's historic preservation and urban design activities and shall have the following powers and duties:
 - (6) The commission shall review and make written recommendation to the zoning review board and to the board of zoning adjustment on any proposed action pending before said boards regarding any building, site or district which has been designated for historic protection pursuant to this article or by chapter 20 of part 16 of the Code of Ordinances.

The Mayor's Office of Sustainability is seeking to encourage access to "healthy, local and affordable foods; encourage community building; and support local agriculture and economic development" While Farmer's Markets are allowed in certain zoning categories, there are no definitions that address Urban Gardens and Market Gardens. The proposed text amendment would amend various sections of the Atlanta Zoning Ordinance for the purpose of defining Urban Gardens and Market Gardens as a permitted use.

The purpose of an Urban Garden is for the beautification, education, recreation, community use, or consumption. In residentially zoned districts, Urban Gardens would be allowed as a principal use on an undeveloped lot by applying for a Special Use Permit (SAP) or as an accessory use for a dwelling that serves as the principal use. In non-residential districts, Urban Gardens would be allowed as either a principal use an accessory use. There are no parking requirements or sales hours as no on-site sales are permitted.

The purpose of a Market Garden is for Community Supported Agriculture (CSA) and on-site sales. In residentially zoned districts, Market Gardens are only allowed as an accessory use on certain institutional lots. In Non-residentially zoned districts, Market Gardens as both a principal and accessory use. There are both parking requirements and sales hours.

The revision to the zoning ordinance includes adding Urban Gardens and Market Gardens as permitted uses in Landmark and Historic Districts. The same requirements and restrictions indicated above, apply to Landmark and Historic Districts. For Urban Gardens that require an SAP, the Director of the Urban Design Commission will review those applications. Staff is not concerned with the proposed text amendment as Urban Gardens and Market Gardens will not have a negative impact on historic structures or the overall historic fabric of Landmark and Historic Districts. Staff finds that this text amendment will allow Landmark and Historic Districts to have the benefits of “healthy, local and affordable foods; community building; and support of local agriculture” without impacting the historic buildings, structures and landscapes.

Staff Recommendation: Staff recommends that a letter of support and comments for Review and comment (RC-14-082) on a text amendment (Z-14-005) regarding urban gardens and market gardens in various zoning categories, including Landmark and Historic Districts, be sent to the appropriate Office of Planning Staff.



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JAMES SHELBY
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CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT April 9, 2014

Agenda Item: Review and Comment (RC-14-054) on V-13-034 for a variance to reduce the front yard setback from 35' (required) to 30' (proposed) and the north side yard setback from 7' (required) to 1.5' (proposed) and for additions at **51 Woodcrest Avenue**- Property is zoned R-4/ Brookwood Hills Conservation District.

Applicant: Sean Cash
4510 Wieuca Road

Facts: According to the Brookwood Hills Inventory, the single-family dwelling was built in 1929 and is considered contributing.

Analysis: The following code sections apply to this application:
Per Section 16-20.007(b) of the Atlanta Land Development Code, as amended:

Conservation Districts Exempted: Certificates of appropriateness are not required for Conservation Districts. However, no person shall construct, alter, demolish or move, in whole or in part, any building, structure or site located within a Conservation District until the Commission shall have reviewed the proposed action(s) and made written recommendations regarding any such action to the owner(s) of the property.

Sec. 16-20.009. Same; 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.

Brookwood Hills Conservation District does not have specific architectural regulations similar to Atlanta's historic or landmark districts, therefore the Commission should refer to Further Standards listed in Chapter 20 of the zoning ordinance, which apply to all locally designated districts and properties.

Variance Request

The Applicant is requesting a variance to reduce the front yard setback and side yard setback in order to accommodate a second story addition. Staff would note that the proposed addition will be located on top of the existing single story side wing on the front of the house. The proposed addition will not encroach any further into the setback than the existing house.

According to the Applicant, there is a hardship because the existing house does not meet the front yard or side yard setback requirements. As such, any second story additions to the existing footprint would require a variance. The main question for Staff is whether there is a way to construct an addition that would meet the setback requirements. Given the size of the lot, the simplest solution would be a rear addition.

The problem with a rear addition is that the proposed addition is specifically for an additional bathroom for the master bedroom on the second floor. Adding a rear addition would create additional space but it would not be added to the master bedroom and therefore would not accomplish the purpose of the project. The only way to make a rear addition work is a partial internal demolition and reconfiguration of the second floor. By moving the master bedroom to the rear of the house, a rear addition would allow for additional space without the need for a variance. Staff finds that requiring and internal demolition and reconfiguration of space is a hardship. Staff finds that a reasonable solution is to allow for a variance.

Addition

While Staff is generally supportive of the variance request, Staff does have concerns with the proposed design. In looking at other similar houses in the district, Staff found that having an additional wing on one or both sides of the house was not uncommon. Staff did not see an example of a two-story wing that could be seen from the street.

While Staff has no concerns regarding allowing additions to accommodate more space, Staff has concerns that a two-story wing so close to the front of the house is not consistent or compatible with other similar houses. Staff does not have concerns with the fenestration on the side and rear elevations. Staff does have concerns regarding the fenestration and shutters on the front façade. Staff finds the combination of the fixed shutter and window on the front façade appears awkward and incompatible. Staff suggests either an additional window is added so that it appears like an enclosed porch or the window is centered with shutters that are similar to the rest of the front of the house.

Staff has concerns regarding the proposed material. While Staff finds that using that using a different material helps differentiate that proposed addition from the existing house, Staff finds that having a stucco addition at the front of a brick house will take away from the historic house. Staff acknowledges that the solution to the façade material is difficult. Using siding would be less compatible and trying to match the brick is difficult as well. While Staff has no concerns with allowing an addition, Staff is not in support of the location, materials and front façade fenestration.

Staff recommends the Commission send a letter with comments to the Applicant.



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STAFF REPORT

April 9, 2014

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-13-322) for alterations and an addition at **2968 Hardman Court** – Property is zoned R-LC-C.

Applicant: James Donnelly
2974 Hardman Court

Facts: This property was rezoned with 11 other properties in 1987 (Z-87-12) to Residential-Limited-Commercial. As part of that rezoning, four conditions were placed on the properties, including the following:

“Any additional construction shall be of the same architectural character as the existing structures as determined by the Urban Design Commission.”

At the January 8, 2014 meeting, this application was deferred to allow the Applicant time to apply for a side yard setback variance. On March 13, 2014, the Board of Zoning Adjustment approved variance application (V-14-011) to reduce the north transitional yard from 20’ to 7’ for an addition.

On March 26, 2014, this application was deferred to allow the Applicant time to submit updated plans.

Analysis: Based on the requirement that “additional construction shall be of the same architectural character as the existing structures”, the Staff finds that the following code sections shall be applied to this application

Sec. 16-20.009. Some; further 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.

Renovations and Alterations

The Applicant is proposing install larger windows in the existing window openings on the front and side elevations. In looking at pictures submitted by the Applicant, it is clear the existing windows are not original or historic. Further it appears the original window openings have been partially filled in. Staff has no concerns regarding the installation of full size windows in the existing openings. The material and design details are not clear. There are specs from a manufacturer, however it is not clear what will ultimately be installed. Staff recommends the windows in the former porch area are wood windows and are either true divided lite or simulated divided lite.

The Applicant is proposing to replace all of the windows on the existing house. In looking at the pictures submitted it is not clear whether all of the windows are original or historic. The windows on the rear addition and in the former porch area are clearly not historic. In looking at historic windows at another house on the street, the windows are wood and the lite divisions appear to be thicker. It is possible that the existing windows are not original or historic, but it is difficult to determine with the pictures submitted. Staff recommends the Applicant provide additional pictures and information regarding whether the existing windows are original or historic. If the windows are not original or historic, Staff has no concerns regarding the window replacement as proposed. If the windows are original or historic, Staff finds the windows are not beyond repair and should be therefore repaired and retained.

On the right elevation, the Applicant is proposing to change two original window openings to create a triple window opening. Staff finds that changing the original window openings in not appropriate or compatible with the architecture of the existing house. Staff recommends all original window openings are retained. The Applicant is proposing to add shutters to the front façade windows. In looking at examples of vernacular Tudor Style homes, shutters are not a common feature. Further there are no existing shutters on the house. As such, Staff recommends the shutters are removed from the elevations.

The Applicant is proposing to replace the existing front door. In looking at pictures submitted by the Applicant, the condition of the door is not clear. The door does not appear to be beyond repair. Staff recommends the Applicant provide documentation the front door is either beyond repair or is not original or historic. If replacement is warranted, Staff has no concerns regarding the proposed custom built door to match the existing. The Applicant is proposing to replace the existing asphalt shingles in-kind. Staff has no concerns regarding the proposed re-roofing in-kind.

Demolition

The Applicant is proposing to demolish an existing rear addition. Staff would note that the existing rear addition is clearly differentiated from the historic house with two different types of siding and different windows. Staff finds demolition of the existing rear addition will not significantly impact the historic fabric of the main historic structure. Staff has no concerns regarding the proposed addition.

New Additions

Per underlying zoning and the conditions of the rezoning, there are several requirements for this project. Per rezoning conditions, any expansions shall not exceed 50% of the existing structure. The Applicant provided calculations that indicate the proposed additions are less than 50% of the existing structure.

Per underlying zoning the side yard setbacks shall be no less than 7' on one side and 20' where adjacent to a residential use. As the variance to reduce the side yard setback was approved, Staff has no concerns regarding the side yard setback. Per underlying zoning, the rear yard setback shall be no less than 20'. Staff finds the rear yard setback has been met. Per underlying zoning, there are maximum bulk limitations. Staff suggests the project meet the maximum bulk limitation requirements.

The proposed additions are no wider than the existing house and the proposed ridgelines are significantly lower the ridgeline of the main historic structure. As such, Staff finds the historic house remains the dominant feature. The proposal includes a stucco foundation, 5" cementitious siding and windows that match the design of the existing windows. While a masonry addition would be preferable, Staff finds the difference in façade and foundation material will clearly delineate the proposed addition from the existing historic house. Staff recommends the proposed siding is indicated as smooth.

Staff Recommendation: Based upon the following:

- 1) The plans meet the regulations, with the exception of the comments above, per Section 16-20.009; and

Staff recommends approval of the application for a Type III Certificate of Appropriateness (CA3-13-322) for alterations and an addition at **2968 Hardman Court** – Property is zoned R-LC-C., with the following conditions:

1. The windows in the former porch area shall be wood and either true divided lite or simulated divided lite, per Section 16-20.009 (1) and (5);
2. The Applicant shall provide additional pictures and information regarding whether the existing windows are original or historic, per Section 16-20.009 (1) and (5);
3. If the windows are original or historic, the windows shall be repaired and retained, per Section 16-20.009 (1) and (5);
4. All original window openings shall be retained, per Section 16-20.009 (1) and (5);
5. The shutters shall be removed from the elevations, per Section 16-20.009 (1) and (5);
6. The Applicant shall provide documentation the front door is either beyond repair or not original or historic, per Section 16-20.009 (1) and (5);
7. The proposed siding material shall be indicated as smooth, per Section 16-20.009 (1) and (5); and
8. Staff shall review and if appropriate approve the final plans.

