



CITY OF ATLANTA

M. KASIM REED
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
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CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT April 08, 2015

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-15-084) for site work at **68 Mitchell Street (Atlanta City Hall)** – Property is zoned SPI-1 (Subarea 1) / Landmark Building or Site.

Applicant: City of Atlanta
Office of Enterprise Assets Management
150 Garnett Street

Facts: Atlanta City Hall and the entire block upon which it is located are individually designated under the Landmark Building / Site category of protection. The proposed work will take place at the sidewalk and entry ramp along the northeast corner of the 1929 building that faces Mitchell Street and will consist of the replacement of the lower portion of the sidewalk leading from Washington Street and the entry ramp/landing on the Washington Street side of the building with ADA compliant sidewalks, ramps, and handrails; and the installation of a new ADA compliant sidewalk leading from Mitchell Street.

Analysis: The following code sections apply to this application:

Per Section 16-20.007 of the Atlanta Land Development Code, as amended:
A Certificate of Appropriateness is required to change the exterior appearance of any Landmark Building or Site.

Section 16-20.009:

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, for purposes and objectives 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 regulations as are required in article D of chapter 4 or 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 buildings, structure or site would be unimpaired.

Staff has no general concerns with the sidewalk, ramp, and entry replacements, the new sidewalk, or with the proposed handrails. The Staff would recommend that the curb profile of the new sidewalk be similar to the curb profile of the existing sidewalks.

Staff Recommendation: Based upon the following:

- (1) The proposed work meets the criteria found in Section 16-20.009;

Staff recommends approval of the Application for a Type II Certificate of Appropriateness (CA2-15-084) for site work at **68 Mitchell Street (Atlanta City Hall)** – Property is zoned SPI-1 (Subarea 1) / Landmark Building or Site with the following conditions:

1. The curb profile of the new sidewalk be similar to the curb profile of the existing sidewalks, Per Sec. 16-20.009; and
2. The Staff shall review and if appropriate, approve the final plans.



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STAFF REPORT April 08, 2015

Agenda Item: Application for a Review and Comment (RC 15 085) for site work at **215 Lakewood Way**. Property is zoned I-1-C

Applicant: City of Atlanta
Office of Enterprise Assets Management
150 Garnett Street

Facts: The Applicant is proposing to install 4 new handicapped parking spaces in an existing handicapped drop off zone in front of the building by reducing the plaza/sidewalk area, and convert 4 existing handicapped parking spaces into standard parking spaces in the main parking lot. The project will also include alterations to the existing handicapped ramp in front of the building to accommodate the added parking spaces.

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

- (7) The commission shall review the alteration, demolition, movement or construction of any structure, site or building which involves the use of capital expenditures by the City of Atlanta or capital expenditures by other public agencies or authorities which are required to submit plans for review by the city.

Per Section 16-20.009. Same; 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) Whenever 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.

Staff has no general concerns with the design of the proposed project. However Staff would note that the proposed entrance ramp appears small for the number of adjacent parking spots. Staff would recommend the Applicant consider widening or otherwise enlarging the proposed ramp to ensure ease of access to the ADA accessible entrance. The Staff is also concerned about how regular drop off actions would take place if all of the handicapped spaces are full.

Staff Recommendation:

Staff recommends that the Commission confirm the delivery of comments at the meeting.



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STAFF REPORT April 8, 2015

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-15-087) for a replat at **91 and 95 Hogue Street**-Properties are zoned Martin Luther King, Jr. Landmark District (Subarea 2)/Beltline.

Applicant: April Ingraham
1656 West Wieuca Road

Facts: This is currently a vacant lot.

Analysis: The following code sections apply to this application:

Sec. 16-20C.004. General regulations

The following general regulations shall apply to all properties within the Martin Luther King, Jr. Landmark District, except where otherwise stated.

1. General criteria. The Commission shall apply the standards set forth below only when the standards set forth elsewhere in Chapter 20C do not specifically address the application in whole or in part:
 - a. A property shall be used for its historic purpose or be placed in a new use authorized in Section 16-20C.005 using minimal change to the defining characteristics of the building and its site and environment.
 - b. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
 - c. Each property shall 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 architectural elements from other buildings, shall not be undertaken.
 - d. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
 - e. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
 - f. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
 - g. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
 - h. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
 - i. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with

the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

- j. 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.
2. The compatibility rule.
 - a. Block definitions. The following words and terms, when used in this chapter, shall have the meanings ascribed to them in this section:
 - i. Block. An area of land located within a continuous perimeter of public streets. An individual block shall begin at the back edge of curb of the adjacent street. Interstate 75/85, when no intervening street exists, shall be permitted to count as an adjacent street for purposes of meeting this definition, beginning at the edge of the adjacent 75/85 right-of-way.
 - ii. Block face. One side of a block, located between two consecutive street intersections.
 - b. The intent of these regulations is to ensure that alterations to existing structures and new construction are compatible with the massing, size, scale, and architectural features of each Subarea and of the immediately adjacent environment of a particular block or block face. To further that intent and simultaneously retain flexibility, the regulations provide a "compatibility rule" which is: The element in question, such as roof form or architectural trim, shall match that which predominates:
 - i. On contributing buildings of like use along the same block face in Subareas 1 and 2.
 - c. Where quantifiable, such as building height or floor height, the element shall be no smaller than the smallest or larger than the largest such dimension of the contributing building(s) along the same block face in Subareas 1 and 2 and on individual blocks in Subareas 3 and 4.
 - d. Those elements to which the compatibility rule applies are specified in these regulations by reference to "compatibility rule."
 - e. 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.
 - f. For new construction of single-family or two-family dwellings, the final average finished grade of the lot shall be no higher than the highest grade level existing prior to such construction or related land disturbance at any point along the front yard property line adjacent to the public right-of-way. The intent and purpose of this grade provision is to prevent manipulation of grade levels in order to construct a taller dwelling than would otherwise be authorized.
 - g. Whenever individual block faces in Subareas 1 and 2 or individual blocks in Subareas 3 and 4 are void of contributing structures, the contributing structures located on the opposing block face shall be utilized for purposes of adhering to compatibility rule provisions. If the opposing block face is void of contributing structures, the contributing structures on the nearest block face along the same street frontage shall be utilized.
 3. Certificates of Appropriateness.
 - a. General Provisions.
 - i. The procedures for determining the correct type of Certificate of Appropriateness shall be those specified in Section 16-20.008, except as otherwise provided herein.
 - ii. No certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - c. Type III Certificates of Appropriateness. The following Type III Certificates of Appropriateness shall be reviewed by the Commission and shall be required for:
 - i. All new principal structures;
 - v. Variances, special exceptions and administrative appeals.
 7. *Lot Consolidations, Subdivisions and Replatting*. No subdivision, consolidation or replatting of parcels or lots shall be approved unless the applicant establishes:
 - a. That the proposed subdivision, consolidation or replat is substantially consistent with the historic character of the district and meets all lot requirements set forth in Chapter 20C; and
 - b. That the proposed subdivision, consolidation or replat will facilitate development that furthers the historic qualities and regulations of the District. In addition, within Subareas 1 and 2, all subdivisions, consolidations or replats of parcels or lots shall conform to the historic platting pattern in these Subareas with regard to lot size, dimensions, and configurations.
- Sec. 16-20C.006. Lot Controls and Building Heights.
1. The following Lot Controls and Building Heights provisions shall apply to Subareas 1 and 2.
 - a. Lot controls.
 - i. The compatibility rule shall apply for the purposes of determining permitted lot coverage.
 - b. Building heights.

- i. Within the portion of this Subarea 2 lying along the southeastern side of Auburn Avenue east of Randolph Street, and along the eastern side of Randolph Street south of Auburn Avenue, the maximum height of any alteration, addition, or new construction shall be 32 feet.
 - ii. Within the portion of this Subarea 2 lying along the southern side of Irwin Street and the eastern side of Boulevard, the maximum height of any alteration, addition, or new construction shall be 32 feet.
 - iii. For all other areas, the height of any alteration, addition, or new construction shall be established through the compatibility rule.-
1. The following additional Yards provisions shall apply to Subareas 1 and 2.
- b. Subarea 2.
 - i. Except as provided below, all front, side and rear yard setbacks shall be established through utilization of the compatibility rule. All new construction shall maintain a minimum of 10 feet for rear yard setbacks where the compatibility rule would permit a smaller rear yard setback, except as otherwise provided for accessory structures.

The existing lots front 25' and 50' on Hogue Street and have depths of 140'. The Applicant is proposing to replat the two existing properties in order to create two lots that front 37'6" on Hogue. The proposal also includes a shared driveway between the two proposed houses.

Per regulations, the proposed replat shall conform to the historic platting pattern in regards to lot size, dimensions, and configurations of the lots within Subarea 2. Subarea 2 is bounded by Boulevard, Irwin, Old Wheat and Randolph. The Applicant submitted a Sanborn Fire Insurance Map, however the map does not include all of Subarea 2. Specifically, Randolph Street is not indicated on the map. Staff recommends the Applicant provide a Sanborn Map that indicates all lots in Subarea 2.

In order to determine whether the proposed replat conforms to the historic platting pattern, the Applicant must show that the size of the resulting lots is compatible with the lots indicated on the Sanborn map. While the Applicant indicates some of the lot sizes on the map, more than half of the lots were not measured. In measuring some of the lots using the scale provided, the scale is not accurate and therefore some of the Applicants measurements are not accurate. Based on the information provided, Staff cannot determine whether the proposed replat meets the historic platting pattern. The Applicant did not provide a narrative that provides an adequate argument to support approval of the proposed replat. Staff recommends the Applicant provide documentation the proposed replat conforms to the historic platting pattern in regards to lot size, dimensions and configuration.

Per regulations, the proposed replat shall be substantially consistent with the historic character of the district and meet all lot requirements set forth in Chapter 20C; and the proposed replat shall facilitate development that furthers the historic qualities and regulations of the District. While the Applicant has submitted site plans and elevations for two proposed houses, the Applicant has not provided any information that indicates the proposed replat will allow for two houses that meet all the requirements. Staff recommends the Applicant submit compatibility information regarding height, setbacks and lot coverage.

Staff Recommendations: Based upon the following:

- a) The plans do not meet the regulations, with the following exceptions noted in the above analysis, per Section 16-20C.003, and .005;

Staff recommends deferral of an application for a Type III Certificate (CA3-15-087) for a replat at **91 and 95 Hogue Street**-Properties are zoned Martin Luther King, Jr. Landmark District (Subarea 2)/Beltline, to allow the Applicant time to address the following concerns of Staff:

1. The Applicant shall submit a Sanborn Map that indicates all lots in Subarea 2, per Section 16-20C.004(7);
2. The Applicant shall submit documentation the proposed replat conforms to the historic platting pattern in regards to lot size, dimensions and configuration, per Section 16-20C.004(7);
3. The Applicant submit compatibility information regarding height, setbacks and lot coverage, per Section 16-20C.004(7); and
4. Appropriate copies of all updated plans and information shall be submitted to Staff no later than eight days before the deferred meeting.



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STAFF REPORT

April 8, 2015

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-15-088) for alterations and an addition at **743 Bonnie Brae Avenue** - Property is zoned R4-A/Adair Park Historic District.

Applicant: Jonathan Mayweather
875 York Avenue

Facts: According to the Adair Park Inventory this single family dwelling built in 1899 is considered a contributing structure.

Analysis: The following code sections apply to this application:
Per Section 16-20L.005 of the Atlanta Land Development Code, as amended:

Sec. 16-20I.005. General regulations.

The following regulations shall apply to all properties within the Adair Park Historic District.

1. *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 heights, 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 regulations by reference to "compatibility rule."

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

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

1. *Certificates of Appropriateness:* Certificates of appropriateness within this subarea shall be required as follows:
 - (a) *When required:*
 1. To change the exterior appearance of any portion of a structure within the subarea, when said change can be seen from the public right-of-way;
 2. To erect a new structure or to make an addition to any structure within the subarea, when said new structure or addition can be seen from the public right-of-way; and
 3. To demolish or move any contributing structure, in whole or in part, within the subarea.
 - (b) *Type required:*
 1. Type I certificates of appropriateness for ordinary repairs and maintenance are not required in this subarea. 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).
2. Except with regard to Type I certificates, the procedures for determining the appropriate type of certificate required under subsection 16-20L.006(1)a. above shall be those specified in section 16-20.008 of the zoning code, provided, however, that a partial demolition shall require a Type IV certificate of appropriateness only when said partial demolition will result in the loss of significant architectural features which destroys the structure's historic interpretability or importance.
 2. *Lot Size:* In addition to the requirements of the subdivision and zoning ordinances, the compatibility rule specified in this chapter 20I shall apply to all subdivisions and aggregations of lots with regard to lot size, dimensions and configurations.
 3. *Architectural Standards:*
 - (a) *Building facades:*
 1. All new construction shall conform to the existing building orientation (setbacks) by having sidewalks, front yards, porches and front doors facing and parallel to the street, and if located on a corner, the main facade shall face the principal street whenever possible.
 2. At a minimum, the front of all new construction, including any portion thereof, shall be placed at the distances from the street determined by the compatibility rule. This requirement shall also apply to those sides of corner lots which also face a street.
 3. All building materials which upon completion are visible from the public right-of-way, shall be compatible with those which predominate in the subarea.
 4. Siding repair or replacement shall match the original materials in scale and direction. Wood clapboard, if original is preferred; however, aluminum, masonite vinyl or other horizontal siding is permitted if window trim, cornerboards, and fascia/bargeboards are left in place or replaced with new material to match the original.
 5. Contemporary design of new construction, compatible with adjacent and surrounding structures, is permitted.
 6. No structure shall exceed that height established by the compatibility rule, with a permitted differential of ten (10) percent.
 - (b) *Windows and Doors:*
 1. Architecturally significant windows and doors, including details, trimwork, and framing, shall be retained.
 2. Original window and door openings shall not be blocked or enclosed, in whole or in part.
 3. Replacement windows and doors shall be permitted only when originals cannot be rehabilitated. Replacement windows and doors shall match the original in style, materials, shape and size with no more than a one-inch width or height difference from the original size.
 4. Dropped ceilings, when located below the head of a window, shall be sufficiently recessed from the window opening to maintain the original exterior appearance.
 5. New doors and windows, when permitted, shall be compatible in scale, size, proportion, placement, and style to existing windows and doors.
 6. The ratio of openings to solid for all new construction (for example, windows to wall) shall be established by the compatibility rule, with a permitted differential of ten (10) percent.
 7. The scale, size, and proportion of all openings in new construction shall be established by the compatibility rule with a permitted differential of ten (10) percent.
 8. New windows or doors added to existing structures shall be located on sides or to the rear of buildings, rather than on the front.
 - (c) *Foundations:*
 1. Foundation materials, including infill materials, shall replicate the original materials in size, shape, color, texture and mortar, and shall be installed using construction techniques similar to the original.
 2. New foundations shall be of masonry or concrete construction. Other foundation materials are permitted provided they are appropriate to the building on which they are located and in scale, materials, and style with adjacent and surrounding buildings.
 3. Slab on grade is not permitted.
 4. Lattice, painted concrete block, brick or stucco shall be used as infill between foundation masonry piers when infill is otherwise required.
 - (f) *Roofs:*
 1. Roofing materials shall be of the same size, texture and materials as existing, exposed roofing materials when the existing, exposed roofing materials constitute a significant architectural feature of the structure.
 2. Cold-rolled roofing is permitted only on flat roofs. Corrugated metal and corrugated fiberglass roofs are not permitted.
 3. The shape and pitch of roofs for new construction shall be subject to the compatibility rules.

4. Decks, skylights, solar panels and communication equipment, when otherwise allowed by these or other regulations are permitted on roofs of buildings provided they cannot be seen from the public right of way.
- (g) *Porches:*
1. Architecturally significant porches, steps and stoops shall be retained.
 2. Replacement porches, steps and stoops shall match the original in size, style and materials.
 3. Porches may be enclosed with screenwire or glass if the main characteristics of a front porch are maintained.
 4. Porches shall contain balustrades, columns and other features consistent with porches in that block.

Existing Conditions and Discrepancies

In looking at a survey picture taken in 2010, the windows are boarded, the porch railings have been removed, the original columns have been altered, the original siding is intact and the property appears to be in need of repairs.

In looking at the pictures submitted by the Applicant, the existing conditions of all the elevations visible from the street are not clear. In particular, there is not a picture that shows the entire front façade of the house. Staff recommends the Applicant submit additional pictures of the front and side elevations. In looking at some of the pictures submitted, there appears to be new lumber and a partial new roof on the rear a side facades. Staff recommends the Applicant clarify what work has already occurred. All of the windows are boarded. It is not clear whether the historic windows are still in place or missing. Staff recommends the Applicant clarify the status of the windows on the house.

In comparing the rear elevation pictures to the drawings, the rear elevation is not accurately depicted. Given the discrepancy in the as-built drawings, Staff has concerns the proposed drawings may not be accurate. While the rear elevation is not within our purview, discrepancies in the existing and proposed conditions may have an impact on the side elevations within our purview. Staff recommends the Applicant submit accurate as-built and proposed drawings.

Site

In looking at the City's records, the existing interior lot fronts 52.5' on Bonnie Brae and has a depth of 144.5' on the west side of the property. The site plan submitted has a different measurement for the west side of the property. As no permit will be issued until the discrepancy is resolved, Staff suggests the Applicant contact the Office of Planning subdivision staff.

The Applicant is proposing a rear addition. Per underlying zoning, the side yard shall be no less than 7' and the rear yard shall be no less than 15'. Staff finds the side and rear yard setback requirement has been met. Per underlying zoning, the maximum lot coverage allowed is 55%. The lot coverage is indicated as 25% and therefore meets the requirement. Per underlying zoning, the maximum floor area ratio (FAR) allowed is .50. The proposed FAR is .20 and therefore meets the requirements.

Alterations

The Applicant is proposing to replace the existing siding with cementitious siding. In looking at the pictures submitted, it appears that most of the historic siding is still in place and that only a portion of the siding is missing. Staff recommends the existing siding be repaired and retained. If the siding is missing or beyond repair, Staff recommends the new siding is wood and match the direction and scale of the existing wood siding on the house. Cementitious siding can be used for the proposed addition. Staff recommends the siding for the addition is indicated as smooth cementitious siding with a 4" to 6" reveal.

The Applicant is proposing to replace all of the windows. As previously indicated, the status of the existing windows is unknown. If the original or historic windows are on the property and in repairable condition, the windows shall be repaired and retained. If the windows are either missing or beyond repair, the windows shall be wood, have actual sills and no lower apron and match the trim of the historic windows. Staff recommends all windows fit within the original window openings.

The Applicant is proposing to install a new porch railing. As the porch railing is currently missing, Staff does not have a concern with the proposal. Staff finds the proposed porch railing is appropriate. The Applicant is proposing to replace the existing porch columns. The existing columns appear to be replacement. Staff recommends the new columns match the historic square columns indicated in the survey picture taken in 1991. In comparing survey pictures to the drawings, it appears the slope of the porch roof is different. Staff recommends the Applicant clarify whether there is proposed work to the porch roof.

Addition

In general, Staff finds the massing, height, location and design of the proposed addition is appropriate. The lowered height, corner board and change in material will help clearly differentiate the addition from the existing historic house.

Staff Recommendation: Based upon the following:

- (a) Except as noted above, the plans meet the regulations per Section 16-20I.005 and 16-20I.006;

Staff recommends approval of the Application for a Type III Certificate of (CA3-15-088) for alterations and an addition at **743 Bonnie Brae Avenue** - Property is zoned R4-A/Adair Park Historic District, with the following conditions:

1. The Applicant shall submit additional pictures of the front and side elevations;
2. The Applicant shall clarify what work has already occurred;
3. The Applicant shall clarify the status of the windows on the house;
4. The Applicant shall submit accurate as-built and proposed drawings;
5. The existing siding shall be repaired and retained, per Section 16-20I.006(3)(a)(4);
6. If the siding is missing or beyond repair, the new siding shall be wood and match the direction and scale of the existing wood siding on the house, per Section 16-20I.006(3)(a)(4);
7. The siding for the addition shall be indicated as smooth cementitious siding with a 4" to 6" reveal, per Section 16-20I.006(3)(a)(3) and (4);
8. If the original or historic windows are on the property and in repairable conditions, the windows shall be repaired and retained, per Section 16-20I.006(3)(b)(1);
9. If the windows are either missing or beyond repair, the windows shall be wood, have actual sills and no lower apron and match the trim of the historic windows, per Section 16-20I.006(3)(b)(3);
10. All windows shall fit within the original window openings, per Section 16-20I.006(3)(b)(3);
11. Any new columns shall match the historic square columns indicated in the survey picture taken in 1991, per Section 16-20I.006(3)(g)(4);
12. The Applicant shall clarify whether there is proposed work to the porch roof; and
13. Staff shall review and if appropriate, approve the final plans.



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CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT April 8, 2015

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-15-089) for a partial demolition, alterations, additions and site work at **519 Memorial Drive**- Property is SPI-22 (Subarea 4)/ Grant Park Historic District (Subarea 2).

Applicant: David Cochran
4330 Paces Ferry Road

Facts: This property consists of an entire block with frontage on Memorial Drive to the north, Woodward Street to the south, Park Avenue to the east and Loomis Avenue to the west.

In looking at the City of Atlanta lot boundary map, the zoning map and the historic district map, Staff finds that more than half of the property is located in SPI-22 and therefore is not within the purview of the Commission. Specifically, the Memorial Drive elevation, half of the Park Avenue elevation and half of the Loomis Avenue elevation are out of the district. The portion of Park Avenue in the district (the corner property) is a church that is not part of the proposed project.

The Commission reviews the facades that face a public street within the district. As such, Staff will only comment on the Woodward Avenue elevation and the southwestern corner of the property located at Woodward Avenue and Loomis Avenue.

Analysis: The following code sections apply to this application:

Per Section 20.009 of the Atlanta Land Development Code, as amended:

- (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.

Per Section 16-20K.006 of the Atlanta Land Development Code, as amended:

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

- (1) *General Criteria.*
 - a. Notwithstanding any other provision herein, no Certificate of Appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - b. Except as otherwise provided herein, the procedures for determining the appropriate type of certificate shall be those specified in section 16-20.008 of the zoning code.
- (2) *Certificates of Appropriateness.*
 - c. Type III Certificates of Appropriateness shall be required for:
 - 2. All major alterations and additions to existing structure, with respect to any façade that faces a public street.

Section 16-20K.008. Specific Regulations – Commercial Subarea II.

In addition to the general regulations set forth in section 16-20K.006, the following regulations shall apply to all properties located within Commercial Subarea II.

- (1) *The intent of the regulations for the Commercial Subarea II is as follows:*
 - a. To mitigate any negative effects that existing and proposed commercial properties may have on adjoining residential properties in the district.
 - b. To ensure harmony between existing and future uses of the properties in this subarea and the overall residential character of the district.
 - c. To discourage displacement of residents, to allow for a variety of housing opportunities that are compatible with and complementary to the architectural character of the neighborhood and to ensure the health, safety and welfare of the residents of the neighborhood.
- (4) *Commercial Uses.* For commercial uses the following controls and requirements shall apply as applicable:
 - a. Development Controls:
 - 1. *Setbacks.* The front yard setback shall not be less than five (5) feet nor greater than fifteen (15) feet. Other setbacks shall be regulated by the applicable commercial district regulations.
 - 2. *Bulk Limitations.* Floor area ratio shall not exceed an amount equal to one (1.0) times net lot area.
 - b. Height:
 - 1. *Maximum building heights.* Buildings which are within one-hundred and fifty (150) feet of a single-family or a two-family residential district boundary shall have a maximum height of thirty-five (35) feet. Buildings that are between one hundred-fifty (150) feet and three hundred (300) feet from a single-family or a two-family residential district boundary shall have a maximum height of fifty-two (52) feet.
 - 2. *Transitional height planes.* Where this use adjoins a district in R-1 through RG classification without an intervening street, height within the subarea shall be limited as follows: No portion of any structure shall protrude through a height limiting plane beginning thirty-five (35) feet above the buildable area boundary nearest to the common residential district boundary and extending inward over the commercial subarea at an angle of forty-five (45) degrees.
 - c. Off-street parking requirements. Off-street parking shall not be permitted between the principal structure and any public street.
 - d. Architectural Standards. The standards outlined in section 16-20.009 shall apply as applicable.

Site and Partial Demolition

In looking at the existing site within the purview of the Commission, there is an existing single story non-contributing commercial building, a loading area adjacent to Loomis Avenue and an existing parking lot adjacent to Woodward Avenue. The Applicant is proposing to demolish a portion of the existing building. As the existing building is non-contributing, Staff finds a Type IV Certificate of Appropriateness to allow a partial demolition is not required. Staff has no concerns regarding the proposed partial demolitions.

Per regulations, parking between the principal building and the street is not allowed. This project includes the conversion of the loading dock area into a formal parking area for 14 cars. As the loading area is currently used for trucks, Staff finds that creating a formal parking area for cars is similar and less intrusive than the existing use. As such, Staff finds a variance is not required. The existing parking lot adjacent to Woodward Avenue is being reconfigured, re-stripped and trees are being added. Staff finds no variance is required to reconfigure and renovate an existing parking lot.

In looking at the site plan, there is a dumpster enclosure, planters, guardrails, sidewalk zones, tree planting zones and a bicycle area. Staff would note that these alterations and additions to the site are regulated by the SPI-22 requirements. Staff recommends the proposed project meet the SPI-22 requirements. Staff recommends any changes necessitated by the SPI-22 requirements are reviewed and if appropriate, approved by Staff.

Alterations and Additions

On Woodward Avenue, the Applicant is proposing to alter the existing building by installing larger storefront windows, vertical metal siding and aluminum fins for shading. As previously indicated, the existing building is non-contributing, therefore Staff has no concerns regarding the destruction of historic fabric. While Staff does not have a concern regarding the material used, it is not clear whether the metal siding is a decorative feature or is part of a roof top addition. While Staff finds the height is not an issue on this elevation, it is not clear how the metal siding sections relates to the building. Staff recommends the Applicant clarify whether the vertical metal siding additions are simply attached to the side of the building or are part of a roof top addition.

One of the facades of the building is adjacent to Loomis Avenue. While the Applicant provided an elevation for the portion of the Loomis elevation that is located outside of the historic district, the portion of the Loomis elevation located in the historic district is not clear. The elevation is largely obscured by the graphics for the planters and guardrails. It appears that windows or doors are being added to façade. While Staff has no concerns regarding the addition of windows and doors on the Loomis Avenue façade, Staff recommends the Applicant submit a clear elevation for the portion of the Loomis elevation located in the historic district.

In general Staff finds the alterations and additions to the existing non-contributing building are appropriate. Both the office use and the low height of the alterations are appropriate given the location of the single family residences across the street on Woodward Avenue.

Staff Recommendations: Based upon the following:

The plans, with the exceptions noted above, meet the regulations per Section 16-20K.007(C);

Staff recommends approval of the Application for a Type II Certificate of Appropriateness (CA3-15-089) for a partial demolition, alterations, additions and site work at **519 Memorial Drive**- Property is SPI-22 (Subarea 4)/ Grant Park Historic District (Subarea 2), with the following condition:

1. The proposed project shall meet the SPI-22 requirements;
2. Any changes necessitated by the SPI-22 requirements shall be reviewed and if appropriate, approved by Staff;
3. The Applicant shall clarify whether the vertical metal siding additions are simply attached to the side of the building or are part of a roof top addition;
4. The Applicant shall submit a clear elevation for the portion of the Loomis elevation located in the historic district; and
5. Staff shall review and if appropriate, approve the final plans.



CITY OF ATLANTA

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CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT April 08, 2015

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-15-093) for alterations and new signage at **476 Edgewood Ave.** Property is zoned Martin Luther King, Jr. Landmark District (Subarea 4) / Beltline.

Applicant: Tracy R. Mitchell
445 Hemlock Circle

Facts: According to the 2002 photographic inventory this commercial structure was constructed in 1909 by W. H. Roane and is considered contributing to the District.

The current application consists of replacement of windows and alterations to the building on the west side façade, alterations to an existing storefront window on the south side facade, and new signage.

Analysis: The following code sections apply to this application:

Sec. 16-20C.004. General regulations

The following general regulations shall apply to all properties within the Martin Luther King, Jr. Landmark District, except where otherwise stated.

1. *General criteria.* The Commission shall apply the standards set forth below only when the standards set forth elsewhere in Chapter 20C do not specifically address the application in whole or in part:
 - a. A property shall be used for its historic purpose or be placed in a new use authorized in Section 16-20C.005 using minimal change to the defining characteristics of the building and its site and environment.
 - b. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
 - c. Each property shall 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 architectural elements from other buildings, shall not be undertaken.
 - d. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
 - e. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

- f. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
 - g. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
 - h. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
 - i. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
 - j. 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.
2. *The compatibility rule.*
- a. Block definitions. The following words and terms, when used in this chapter, shall have the meanings ascribed to them in this section:
 - i. Block. An area of land located within a continuous perimeter of public streets. An individual block shall begin at the back edge of curb of the adjacent street. Interstate 75/85, when no intervening street exists, shall be permitted to count as an adjacent street for purposes of meeting this definition, beginning at the edge of the adjacent 75/85 right-of-way.
 - ii. Block face. One side of a block, located between two consecutive street intersections.
 - b. The intent of these regulations is to ensure that alterations to existing structures and new construction are compatible with the massing, size, scale, and architectural features of each Subarea and of the immediately adjacent environment of a particular block or block face. To further that intent and simultaneously retain flexibility, the regulations provide a "compatibility rule" which is: The element in question, such as roof form or architectural trim, shall match that which predominates:
 - i. On contributing buildings of like use along the same block face in Subareas 1 and 2.
 - ii. On contributing buildings on the same block in Subareas 3 and 4.
 - c. Where quantifiable, such as building height or floor height, the element shall be no smaller than the smallest or larger than the largest such dimension of the contributing building(s) along the same block face in Subareas 1 and 2 and on individual blocks in Subareas 3 and 4.
 - d. Those elements to which the compatibility rule applies are specified in these regulations by reference to "compatibility rule."
 - e. 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.
 - f. For new construction of single-family or two-family dwellings, the final average finished grade of the lot shall be no higher than the highest grade level existing prior to such construction or related land disturbance at any point along the front yard property line adjacent to the public right-of-way. The intent and purpose of this grade provision is to prevent manipulation of grade levels in order to construct a taller dwelling than would otherwise be authorized.
 - g. Whenever individual block faces in Subareas 1 and 2 or individual blocks in Subareas 3 and 4 are void of contributing structures, the contributing structures located on the opposing block face shall be utilized for purposes of adhering to compatibility rule provisions. If the opposing block face is void of contributing structures, the contributing structures on the nearest block face along the same street frontage shall be utilized.
3. *Certificates of Appropriateness.*
- a. General Provisions.

- i. The procedures for determining the correct type of Certificate of Appropriateness shall be those specified in Section 16-20.008, except as otherwise provided herein.
 - ii. No certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - iii. No certificate of appropriateness shall be required to repaint any structure or portion thereof, or, to make ordinary repairs and maintenance using in-kind materials.
 - iv. No Certificates of Appropriateness shall be required for demolition or moving of non-contributing structures.
- b. Type II Certificates of Appropriateness.
- i. Type II Certificates reviewed by the Director. The following shall require a Type II Certificate of Appropriateness, and shall be reviewed by the Director of the Commission:
 - (1.) Fences, walls and retaining walls;
 - (2.) Decks, skylights, solar panels, mechanical equipment and where authorized, antennas and related equipment;
 - (3.) New accessory structures and alterations to existing accessory structures; (4.) Shutters and awnings;
 - (5.) Security doors and window grates;
 - (6.) Replacement of elements that otherwise meet the regulations including but not limited to siding, windows, porch railings, porch columns, porch flooring, and exterior doors; and
 - (7.) Paving intended for pedestrians including sidewalks, walkways, paths and porches.

If such Type II Certificates of Appropriateness meet the requirements of this Chapter and other criteria applicable to Type II Certificates the Director shall issue the Type II Certificate within 14 days of receipt of the completed application. If such Type II Certificates of Appropriateness do not meet the requirements of this Chapter and such other criteria, the Director shall deny the application, with notice to the Applicant, within 14 days of receipt of the completed application. Appeals from the decision of the Director either approving or denying such Type II Certificates may be taken by any aggrieved person by filing an appeal in the manner prescribed in the appeals Section of Chapter 16-20.008(a) for Type I Certificates.
 - ii. Type II Certificates reviewed by the Commission. All required Type II Certificates of Appropriateness not listed above shall be reviewed by the Commission. In addition, the following shall be reviewed by the Commission as a Type II Certificate of Appropriateness:
 - (1.) Alterations to any façade of any principal structure; and
 - (2.) All site work, except as noted in Section 16-20C.004(3)(b)(i)(7).

Sec. 16-20C.008. Design Standards.

- b. *Fenestration.*
- i. The compatibility rule shall apply to the following aspects of fenestration: (1) The style and material of the individual window or door.
 - (2) The size and shape of individual window and door openings.
 - (3) The overall pattern of fenestration as it relates to the building façade.
 - (4) The use of wood or aluminum for exterior framing, casing, and trim for windows and doors, and the use of wood, aluminum, brick, or stone for bulkheads.
 - ii. Painted glass and reflective glass, or other similarly treated fenestration, are not permitted.
 - iii. Except as otherwise provided in 16-20C.008(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.
- f. *Awnings and Canopies.*
- i. Original awnings and canopies shall be retained.
 - ii. Replacement awnings or canopies are permitted only when original awnings or canopies cannot be rehabilitated.
 - iii. Awnings and canopies must have a minimum clearance of eight (8) feet above the sidewalk level, and shall not encroach more than five (5) feet over the public sidewalk.

- iv. Installation of new canopies upon contributing structures shall be designed in a manner that is compatible with the design, materials and general character of canopies from the time period of historical significance for the structure.
- v. Installation of new canopies upon non-contributing structures shall be designed in a manner that is compatible with the design, materials and general character of canopies from the time period of historical significance for the district.
- vi. New awning frames attached to storefronts, doors or windows shall replicate the shape of the covered area and fit within that area.
- vii. New awnings shall be attached to the area above the display and transom windows and below the cornice and signboard area, or attached to the storefront display window and the transom window.
- viii. Multiple awnings on a single building shall be similar in shape and configuration. ix. Only that portion of the awning used for signage shall be illuminated.

Sec. 16-28A.010. - District regulations.

(27) *M.L. King, Jr. Landmark District.* The following signs shall be permitted in the M.L. King, Jr. landmark district:

- a. *General Regulations: Signs* within the M.L. King, Jr. landmark district are subject to the following regulations:
 - 1. No general advertising signs shall be permitted in the M.L. King, Jr. landmark district.
 - 2. No sign shall be permitted within the M.L. King, Jr. landmark district except after approval by the urban design commission of a certificate of appropriateness as specified in chapter 20 of this part.
 - 3. One (1) identification sign, not exceeding 20 square feet in sign area, shall be permitted for multi-family uses.
 - 4. For all other uses permitted in this district, one (1) identification sign per street frontage shall be permitted. Such sign shall not exceed 35 square feet in sign area.
- f. *Edgewood Commercial Corridor (Subarea 5):* The sign regulations for Edgewood commercial corridor (Subarea 5) shall be the same as the regulations for the SPI-1 (Central core) district, provided that:
 - 1. No individual sign shall exceed 100 square feet in sign area.
 - 2. No freestanding sign shall exceed 20 feet above ground level.
 - 3. No projecting sign shall exceed eight (8) square feet in sign area.
 - 4. Sign location on the building shall correspond with that portion of the building owned or leased by the person erecting the sign.
 - 5. Sign shall be located as follows:
 - i. In the area of the storefront above the transom and below the second floor windows or centered between the transom and the cornice.
 - ii. On or in display windows or upper facade windows.
 - iii. On or in the glazing of the doors.
 - iv. On the valance of awnings.
 - v. On the fascia or top edge of canopies.
 - vi. Projecting perpendicularly from the building.
 - 6. No changing signs shall be permitted.

SPI-1 Downtown District:

- a. *General Regulations:* Signs within SPI-1 Downtown District are subject to the regulations set forth in this section (12). For purposes of this section (12), "street" means public streets and private streets, as well as associated public right-of-way including public right-of-way accessible only to pedestrians.
- b. *Building Business Identification Signs:*
 - 1. Type: Wall signs, projecting signs, canopy signs, parapet wall signs, suspended signs, and marquee signs shall be permitted. Only one of the signs may be either suspended or projecting along each street frontage per business establishment, provided that corner business establishments may have two projecting signs limited to one projecting sign per street frontage.

2. Number:

(a) Sidewalk-Level Business Establishments: A maximum of three business identification signs shall be allowed for each business establishment on the sidewalk-level of a building. For the purposes of this section (12), "sidewalk-level" shall be as defined by Section 16-18A.005(3) except where additional signage identifying the business is authorized on a monument sign or multi-tenant sign.

(b) Second-Level Business Establishments: A maximum of three business identification signs shall be allowed for each second-level business establishment engaged in a permitted use listed under the commercial/retail and institutional headings of the Use Table in Section 16-18A.006 and having a facade that faces a street except where additional signage identifying the business is authorized on a monument sign or multi-tenant sign. For purposes of this section (12), "second-level" means the building floor level immediately above sidewalk-level.

(c) Corner Business Establishments: One additional business identification sign shall be allowed for each business establishment occupying a corner space that faces two streets and is located on the sidewalk-level or second-level, provided such sign is oriented toward the additional street.

3. Area: Where a business establishment is permitted to have business identification signs, the following regulations shall apply:

(a) Sidewalk-Level and Second-Level Business Establishments: The combined area of the business identification signs except for that signage on monument signs or multi-tenant signs if allowed shall not exceed ten percent of the total area of the walls of the business establishment that face the street but at least 60 square feet of combined sign area is allowed for each business establishment.

(b) Corner Business Establishments: The area of the additional sign authorized by subsection (12)b.2.(c.) shall not exceed ten percent of the total area of the walls of such business establishment that face the additional street, or 60 square feet, whichever is less and this calculation shall exclude that signage on monument signs or multi-tenant signs if allowed.

(c) No individual sign shall exceed 200 square feet.

4. Height: The height limitation set forth in Section 16-28A.007(m) may be exceeded as follows:

(a) Subject to subsection (12)b.4.(a.) above, no portion of a business identification sign for a sidewalk-level business establishment shall be located more than 40 feet in height above the elevation of the nearest sidewalk clear zone.

Alterations

The Applicant is proposing to remove the existing clerestory windows on the west side façade and replace them with taller one over one double hung windows that will match the height and style of the existing second story windows. The Applicant is also proposing to install new planter boxes along the bottom sill of the proposed windows. Staff is concerned with the resulting loss of the historic windows and the historic façade materials that this alteration would cause. Staff recommends that the original clerestory windows be retained.

The Applicant is proposing to alter the existing storefront window on the south side façade by adding a sliding window for walk-up service. No compatibility information has been submitted to show that this proposed fenestration arrangement exists elsewhere on the block face. Staff Recommends that the Applicant submit information which details the compatibility of the proposed fenestration configuration of the south side façade display window. Should the Applicant provide documentation which shows the compatibility of the window style, Staff still has concerns regarding the design of the proposed sliding window. Staff recommends the Applicant provide more detailed information regarding the design of the proposed sliding window.

The proposed awnings will require review via a Type II Staff Review Application. Staff would note that should the proposed awnings contain signage of any kind they would require an additional review via the Type II Certificate of Appropriateness Commission Review process.

New signage

The Applicant is proposing to install 6 business identification signs and a window sign along the west side façade. Staff has confirmed the interpretation of the sign amount with the Sign Permitting Staff of the Office of Buildings. Staff finds that while the combined area of the business identification signs meets the 60 sq. ft. limit, the property, as a Corner Business Establishment, is only allowed a total of 4 business identification signs provided only 3 are placed on a single facade. Staff recommends that the Applicant revise their design to have a maximum of 4 business identification signs, with no more than 3 signs on a single façade. Staff finds the application does not include sufficient details regarding how the signs will be attached to the building. As this is a historic building, Staff recommends the wall signs be mounted into the mortar joints. Staff recommends that the sign material for the proposed wall signs meet the District regulations.

The Applicant is also proposing a 12.5 sq. ft. window sign which will be located in the west side storefront window which measures approximately 42 sq. ft. Per regulations, the maximum sign area allowed for a window sign is 4 square feet or 25 percent of the window area, whichever is less. 25 percent of the window would allow for a sign which is 10.5 sq. ft. meaning that the maximum window size allowed for the window in question is 4 sq. ft. Staff recommends that the Applicant alter their design to show a window sign no larger than 4 sq. ft.

Staff Recommendation:

Staff recommends deferral of an Application for a Type II Certificate of Appropriateness (CA2 15 093) for alterations and new signage at 476 Edgewood Ave. Property is zoned Martin Luther King, Jr. Landmark District (Subarea 4) / Beltline to allow the Applicant to respond to the following concerns:

1. The original clerestory windows shall be retained, per Sec. 16-20C.004;
2. The Applicant submit information which details the compatibility of the proposed fenestration configuration of the south side façade display window, per Sec. 16-20C.004;
3. The Applicant provide more detailed information regarding the design of the proposed sliding window, per Sec. 16-20C.004;
4. The Applicant revise their design to have a maximum of 4 business identification signs, with no more than 3 signs on a single façade per Sec. 16-28A.010;
5. The wall signs shall be mounted into the mortar joints, per Sec. 16-28A.007(v);
6. That the sign material for the proposed wall signs meet the District regulations, per Sec. 16-28A.010(27)(a)(6);
7. The Applicant alter their design to show a window sign no larger than 4 sq. ft., Per Sec.16.28A.007(q)(1).



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STAFF REPORT

April 8, 2015

Agenda Item: Application for Type III Certificates of Appropriateness (CA3-15-095) for a variance to allow a reduction in the rear yard from a minimum 68' (required) to 57' (proposed) and CA3-15-094) for an addition at **479 Seminole Avenue** - Property is zoned R-5 / Inman Park Historic District.

Applicant: Stephen Gorsuch and Melissa Runge
479 Seminole Avenue

Facts: According to the District inventory sheet, the house was built in 1912 and is considered contributing to the District.

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.
 - 3. Variances, Special Exceptions, and Appeals.

Variance applications, applications for Special Exceptions, and appeals from these Regulations shall be heard by the Commission. The Commission shall have the authority to grant or deny variances from the provisions of this Chapter when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, and criteria for decisions regarding such variances shall be the same as those specified in Chapter 26 of this Part 16. The Commission shall have the authority to grant or deny applications for Special Exceptions pursuant to the standards in Chapter 25. The Commission shall have the authority to grant or deny applications for appeal pursuant to the standards in Section 16-30.010 and the appeal provisions for said decision, set forth in Section 16-30.010(e), shall also apply to the Commission's decision.
- 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.
 - 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.

- n. The compatibility rule shall apply to the following aspects of fenestration, if visible from a public street or park upon completion:
 - i. The style of the individual window.
 - (1) Windows in the front façade shall be predominantly vertical in proportion.
 - (2) If muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
 - (3) Window and door casings widths and depths are subject to the compatibility rule.
 - ii. The size and shape of individual window openings.
 - iii. The overall pattern of fenestration as it relates to the building façade.
- p. Wood lap siding, cementitious lap siding, brick, stone, external insulating finishing system ("EIFS"), and true stucco systems are permissible building materials for the façade of the principal structure. Corrugated metal, aluminum siding, and vinyl siding are not permitted.
- q. The compatibility rule shall apply to building materials and design elements, if visible from a public street or park upon completion, and in addition to all other applicable regulations, as follows:
 - i. The dimensions of the exposed face of lap siding and wood shingles.
 - ii. The type of brick and pattern of brickwork.
 - iii. The type of stone and pattern of stonework.
 - vi. The materials and pattern of roofing.
 - 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:
 - v. Floor area ratio shall not exceed 0.50.

Per Section 16-26.003:

- (1) Findings Required: Except as permitted by the provisions of subsection (2) below, variances may be granted by the board only upon making all of the following findings:
 - (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;
 - (b) The application of the Zoning Ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship;
 - (c) Such conditions are peculiar to the particular piece of property involved; and
 - (d) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta.

Variance Analysis:

The Applicant is requesting to reduce the rear yard setback from a minimum 68' (required) to 57'. According to the Applicant, the tapering of the lot in the rear and the setbacks established do not allow for a viable project. The Applicant further notes that the project would meet the R-5 requirement.

Per R-5 requirement, the minimum side yard setback is 7'. The side yard setbacks established by the existing house actually allow for a wider addition than would be allowed if using the R-5 requirements. Staff would agree that under the R-5 requirements, a variance would not be required for the rear yard setback. Given the location and size of the proposed addition, Staff finds the tapering of the lot does not actually negatively impact the ability to construct and reasonable rear addition. The real issue is

the rear yard setback established by the block face would require the Applicant to reduce the proposed addition from 33' 10" to 22' 10".

The proposal includes the addition of a master bedroom, master bathroom and a keeping room. Staff finds the proposed addition is appropriate in size. As the existing house is a single-story with a low pitched roof, Staff finds there is not an opportunity to create additional living space in the attic. Staff finds the ability to add living space to existing homes is essential to keeping homeowners in their homes and keeping historic districts stable. Staff finds that denial of the variance would cause a hardship because the applicant would not be allowed to add a reasonable amount of living space to the existing house. Staff finds that the size and location of the addition will not cause a detriment to the public good. Given the information we have at this time, Staff supports the proposed variance.

Site Analysis:

In comparing the site plan submitted to the City of Atlanta lot boundary map, Staff finds there is a slight discrepancy in the property line dimensions. Staff suggests the Applicant contact the Office of Planning subdivision staff to resolve the discrepancy.

Per regulations, the addition shall be no wider than the existing house. As the proposed addition is inset from the corners of the existing house, Staff finds the side yard setback requirement has been met. As indicated above, Staff supports the rear yard setback. Per regulations, the maximum lot coverage allowed is 55%. The existing lot coverage exceeds the maximum allowed. The project includes the reduction of some of the paved areas on the lot. The proposed lot coverage is 53.5% and therefore meets the requirements. The maximum FAR allowed is .50. The proposed FAR is .31 and therefore meets the requirements.

Design Analysis:

In looking at the site plan, the online map and pictures provided by the Applicant, Staff finds the south and east elevation will not be visible from a public right-of-way or park. As such, Staff will only make comments regarding the north elevation.

In general, Staff finds the height, massing, materials and architectural details of the proposed addition are appropriate. The different pattern of the fenestration and the inset of the addition from the corners help clearly differentiate it from the existing historic house. The proposed ridgeline is lower than the main ridgeline and therefore allows the existing house to remain the main feature. Staff finds the addition is appropriate. All of the material details are not indicated on the plans. Staff recommends all material details are indicated on the plans.

Variance (CA3-15-095):

Staff Recommendation: Based upon the following:

(a) The Applicant has not shown that the variance criteria have been met, per Section 16-26.003(1).

Staff recommends approval of the application for a Type III Certificate of Appropriateness (CA3-15-095) for a variance to allow a reduction in the rear yard from a minimum 68' (required) to 57' (proposed) at **479 Seminole Avenue** - Property is zoned R-5 / Inman Park Historic District.

1. The Applicant shall provide documentation regarding the impact of a pier foundation on a rear addition, per Section 16-26.003(1); and
2. The Applicant shall provide additional analysis regarding the hardship of plumbing walls, relocating the existing drain line and replacement of existing cabinets, per Section 16-26.003(1).

Design Review (CA3-15-094):

Staff Recommendation: Based upon the following:

- (a) The Staff recommendation regarding CA3-15-095; and
- (b) Some components of the proposal meet the District regulations, per Section 16-20L.005 and Section 16-20L.006.

Staff recommends approval of an application for a Type III Certificate of Appropriateness CA3-15-094) for an addition at **479 Seminole Avenue** - Property is zoned R-5 / Inman Park Historic District, with the following conditions:

- 1. All material details shall be indicated on the plans, per Section 16-20L.006(q); and
- 2. Staff shall review and if appropriate, approve the final plans.



CITY OF ATLANTA

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CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT April 8, 2015

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-15-096) for a revision to plans at **499 Glenwood Avenue** - Property is zoned R-5 / Grant Park Historic District (Subarea 1).

Applicant: Antrell Gales
1751 Bolton Road

Facts: The 1900s contributing building appears to be relatively unaltered from its original configuration, though there appears to be several additions / alterations at the rear of the property. The house sits on the southeast corner of Glenwood Avenue and Loomis Avenue. The property drops slightly from front to back.

In December, 2014, the Commission approved the following work with several conditions:

1. Remove the two previous alterations / additions at the rear of the house that are farthest from Loomis Avenue;
2. Repair any existing siding with “clad wood”;
3. Install a new “front exterior door”;
4. Construct a rear addition with a hipped roof equal to the height of the rear portion of the house with a double garage at the ground level facing the rear of the property;
5. Construct a driveway to the rear-facing garage; and
6. Install a 36 in. picket fence.

At this time, the Applicant proposes to increase the size, height, and massing of the proposed addition, and to change its roof form.

No other components of the project are being revised at this time.

Given the District regulations, none of the alterations or additions to the interior side and rear facades of the house or addition are subject to review by the Commission.

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

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

- (1) *General Criteria.*
 - a. Notwithstanding any other provision herein, no Certificate of Appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - b. Except as otherwise provided herein, the procedures for determining the appropriate type of certificate shall be those specified in section 16-20.008 of the zoning code.
 - c. In Residential Subarea I, the commission shall apply the standards referenced in 16.20.009 only if the standards set forth in this Chapter 20K do not specifically address the application.
- (2) *Certificates of Appropriateness.*
 - c. Type III Certificates of Appropriateness shall be required for:
 2. All major alterations and additions to existing structure, with respect to any façade that faces a public street.
 - d. Type IV Certificates of Appropriateness shall be required for demolition or moving of any contributing principal structure. A partial demolition of a contributing principal structure shall require a Type IV Certificate of Appropriateness only when said partial demolition will result in the loss of significant architectural features which destroys the structure's historic interpretability or importance.

Section 16-20K.007. Specific Regulations - Residential Subarea I

- (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 (7) 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.
 2. The commission shall have the authority to vary section 28.006(10) relative to the requirement for an independent driveway connected to a public street.
 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 elements, enhances the 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).
 5. Roof form above the front façade of the principal structure shall be gabled and/or hipped. Roof pitch shall be a minimum of 6 in 12. Roof pitch above porches shall not be restricted.
 6. The height of the principal structure shall not exceed 35 feet. (See section 16-28.022 for excluded portions of structures.)

8. Garages entrances are prohibited on the front façade. Single car-width garage entrances are permitted on the half depth front yard façade of the structure. Double car-width garage entrances are permitted at the rear of the structure.
 11. Any façades that face a public street shall consist of fenestration that is either: 1) substantially consistent with fenestration on contributing structures of like use in the district, or 2) shall be no less than 15 percent and no greater than 40 percent of the total surface wall area. Windows may be individual or grouped. No individual window unit shall exceed 28 square feet. Within each individual window unit, no individual window sash, either fixed or operable, shall exceed 16 square feet.
 14. Fences and walls, adjacent to a public street upon completion, shall be subject to the provisions of section 16-28.005(5) and the following limitations:
 - a. Fences not exceeding four feet in height may be erected in a front yard. Other than retaining walls, walls shall not be erected in a front yard or a half-depth front yard.
 - b. Fences and walls not exceeding six feet in height may be erected in the side or rear yards.
 - c. In a half-depth front yard, when a fence exceeds four feet in height, the standard zoning requirements for a variance are in effect. Where no sidewalk exists, the fence shall be set back three feet from a public street. Portions of retaining walls facing a public street and located in a required front yard or half-depth front yard shall be faced with brick, stone or masonry wall covered with a parge coat of stucco, such as Portland stucco cement.
 - d. The finish side or front side of one-sided fences shall face the public street.
 15. On those façades 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.
 - a. Paving materials for walks and drives: Black asphalt is prohibited.
 - b. Visible foundation materials: Foundations shall constitute a distinct building design element and shall contrast with the front façade siding material. Brick, stone, concrete, stucco, and architectural concrete masonry units (C.M.U.) shall be permitted. Standard, unfinished concrete block and stacked stone is prohibited.
 - c. Siding/veneer: Horizontal lap siding, vinyl siding, aluminum siding, shingles, brick, hard stucco, and stone shall be permitted. Stacked stone is prohibited.
 - d. Roofing: Asphalt shingles, wood shingles, metal shingles, slate, and pre-finished metal panels shall be permitted.
- (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.

Overall Documentation Concerns

The Staff is concerned that the materials submitted for the proposed revision are not internally consistent. In particular, the proposed Loomis Street elevation does not match the roof plan. The Loomis Street elevation shows the main gable of the proposed addition aligning with the existing hipped roof ridge line while the roof plan shows it slightly below the existing ridge line. The Staff would recommend that the roof plan and elevations are internally consistent.

Remove the two previous alterations / additions at the rear of the house that are farthest from Loomis Avenue.

These two previous additions would still be removed under the revised proposal. The Staff still has no concerns about the removal of the two previous additions as it finds that the partial demolition will not result in the loss of significant architectural features which destroy the structure's historic interpretability or importance. While it is likely that one of the additions being removed was actually an enclosed rear porch, given the extent of the alterations to make it as such, its removal would not remove any extensive, intact historic fabric.

Revisions to the rear addition component of the project.

In the revised proposal, the lot coverage resulting from the construction of the revised addition (and driveway) would still appear to meet the underlying zoning requirements. There is no floor area ratio calculation included in the revised submission, though the resulting floor area ratio would appear to meet the underlying zoning requirements.

Regarding the setbacks of the proposed addition, the interior side and rear yard setbacks still meet the District regulations. While the front yard setback to Glenwood Avenue is not applicable, the setback to Loomis Avenue is applicable, is governed by the District regulations, and would be based on the setback on the existing house. The proposed addition is substantially farther away from Loomis Avenue than the closest point of the existing house given the curve of Loomis Avenue and that the addition is set back about 7 ft. from the rear corner of the existing house.

As noted above, the height, size, and massing of the proposed addition have been increased and the roof form has been changed to include a dormer / vertical wall extension that is set between an upper and lower roof. The roof pitch of the proposed addition's main roof (6:12) does meet the District regulations. However, the Staff has several concerns about the proposed addition.

First, the Staff is concerned about the increased height of the addition as it relates to the height / ridge line of the existing house. The proposed ridge line aligns with the existing ridge line creating a substantial roof plane facing Loomis Avenue which diminishes the significance of and overshadows the massing of the existing house. Second, the Staff is concerned about the proposed dormer / vertical wall extension given that it creates a split roof plane with one side continuing the eave at a lower slope and one side creating a more traditional dormer projection. Third, the Staff is also concerned about the multiple eave lines within the addition or renovated portion of the house.

These first three concerns could be addressed with a redesign of the roof form of the addition, including lowering the main roof form (as shown on the roof plan but not on the elevations) such that all of the eaves of the addition align with the main eave of the existing house, and the dormer is made slightly smaller allowing it to sit completely on the roof plane both on its bottom and rear edge. The Staff would recommend the height of the addition be lowered so that its main eave line aligns with the main eave line of the existing house and that the length of the dormer is reduced.

Fourth, the Staff is concerned that the two sets of paired windows in the dormer / vertical wall extension are not compatible with the fenestration pattern of the house and the size of the proposed dormer. They occupy too much of the wall of the dormer. However, the Applicant can show that the amount of fenestration on the Loomis Avenue façade of the addition meets the percentage requirements. The Staff would recommend the design of the fenestration in the dormer / vertical wall extension of the addition be revised to be compatible with existing house or the overall fenestration pattern on the addition meets the District percentage requirements.

The Staff would recommend the Applicant clarify all of the proposed exterior materials of the addition and that such materials meet the District regulations as to the material itself and its location.

Other Proposed Work

While the application is focused on the revisions to the addition, the Staff would note that there are two items shown on the plans that are not related to the addition and are not clear. First, the plans indicate that the "existing residence" will get "cosmetic appointments". Second, the elevations note "proposed

relocation of stair to existing porch 45". The Staff would recommend that the front porch stairs remain in their current location and be repaired in-kind as necessary. The Staff would further recommend that the Applicant clearly describe "cosmetic appointments" and that all such actions meet the District regulations.

The Staff would lastly recommend that all conditions of CA3-14-388 not related to the addition itself be considered part of the approval of this application.

Staff Recommendation: Based upon the following:

1. Except as noted above, the proposal meets the District regulations, per Section 16-20K.006 and 16-20K.007.

Staff recommends approval of an Application for a Type II Certificate of Appropriateness (CA2-15-096) for a revision to plans at **499 Glenwood Avenue** - Property is zoned R-5 / Grant Park Historic District (Subarea 1), with the following conditions:

1. The roof plan and elevations shall be internally consistent;
2. The height of the addition shall be lowered so that its main eave line aligns with the main eave line of the existing house and that the length of the dormer is reduced.
3. The Applicant shall clarify all of the proposed exterior materials of the addition and that such materials shall meet the District regulations as to the material itself and its location, per Section 16-20K.007(2)(D) and 16-20K.007(2)(B)(15);
4. The design of the fenestration in the dormer / vertical wall extension of the addition shall be revised to be compatible with existing house or the overall fenestration pattern on the addition meets the District percentage requirements, per Section 16-20K.007(2)(D) and 16-20K.007(2)(B)(14);
5. The front porch stairs shall remain in their current location and be repaired in-kind as necessary, per Section 16-20K.007(2)(D);
6. The Applicant shall clearly describe "cosmetic appointments" and that all such actions meet the District regulations, per Section 16-20K.007(2)(D);
7. All conditions of CA3-14-388 not related to the addition itself shall be considered part of the approval of this application; and
8. The Staff shall review, and if appropriate approve, the final design and supporting documentation.



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CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

January 28, 2015

REVISED

April 8, 2015

(Revised text shown in italic.)

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3 15 004) for a variance to allow a new accessory structure in the Augusta Pl. front yard between the principal structure and the street, to allow double garage doors on a front façade facing the street, to allow a driveway which exceeds 10 feet in width in the front yard, and reduction in the Augusta Place front yard setback from a minimum 12.5 feet (required based on a non-contributing accessory structure) to 10 feet (proposed) at **704 Oakland Ave.** Property is zoned R 5 / Grant Park Historic District (Subarea 1).

Applicant: William Stephenson
1145 Alta Ave.

Facts: According to the District inventory sheet, the house was built in 1908 and is considered contributing to the District. The front yard of the property, which faces Oakland Avenue, is relatively flat and even with the public sidewalk. The rear of the property abuts Augusta Place, thus creating two frontages and two “front” yards. The Applicant proposes to place the two-car garage between the house and Augusta Place. Given that accessory structures are not permitted in the front yard or between the principal structure and public street (i.e. Augusta Place), a variance is required to allow the garage in the Augusta Place front yard.

On January 28, 2015, the Commission deferred this application to allow the Applicant time to respond to the Staff's concerns and comments. On March 31, 2015, the Applicant provided a revised design and variance analysis, which are taken into account in this revised Staff Report.

The accessory structure itself could be reviewed under the Type II Staff Review process given the District regulations to confirm that all other aspects of the accessory structure otherwise meet the District regulations.

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.

- (3) Variances. Variance requests shall be heard by the commission which will have the authority to grant or deny variances from the provisions of this chapter when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, criteria and appeal provisions for decisions regarding such variances shall be the same as those specified in chapter 26 of this part 16.

Section 16-20K.007. Specific Regulations - Residential Subarea I

- (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.
 - 2. The commission shall have the authority to vary section 28.006(10) relative to the requirement for an independent driveway connected to a public street.
 - 3. If constructed, independent driveways within the front yard or half-depth front yard shall be a maximum of ten (10) feet wide and shall have a maximum curb cut of ten (10) 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 elements, enhances the 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.

- 8. Garages entrances are prohibited on the front façade. Single car-width garage entrances are permitted on the half depth front yard façade of the structure. Double car-width garage entrances are permitted at the rear of the structure.
- 11. Any façades that face a public street shall consist of fenestration that is either: 1) substantially consistent with fenestration on contributing structures of like use in the district, or 2) shall be no less than 15 percent and no greater than 40 percent of the total surface wall area. Windows may be individual or grouped. No individual window unit shall exceed 28 square feet. Within each individual window unit, no individual window sash, either fixed or operable, shall exceed 16 square feet.
- 13. Accessory structures, such as carriage houses, smoke houses, tenant and alley houses, private garages, carports, electric vehicle charging stations equipped with Level 1 and/or Level 2 EVSE, and mechanical equipment shall be located to the side and/or rear of the principal structure within the buildable area of the lot and shall not project beyond the front of the principal structure. If mechanical equipment is visible from a public street, screening with appropriate plant or fence materials is required.
- 15. On those façades 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.
 - a. Paving materials for walks and drives: Black asphalt is prohibited.
 - b. Visible foundation materials: Foundations shall constitute a distinct building design element and shall contrast with the front façade siding material. Brick, stone, concrete, stucco, and architectural concrete masonry units (C.M.U.) shall be permitted. Standard, unfinished concrete block and stacked stone is prohibited.
 - c. Siding/veneer: Horizontal lap siding, vinyl siding, aluminum siding, shingles, brick, hard stucco, and stone shall be permitted. Stacked stone is prohibited.
 - d. Roofing: Asphalt shingles, wood shingles, metal shingles, slate, and pre-finished metal panels shall be permitted.

Per Section 16-26.003:

- (1) Findings Required: Except as permitted by the provisions of subsection (2) below, variances may be granted by the board only upon making all of the following findings:
 - (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;
 - (b) The application of the Zoning Ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship;
 - (c) Such conditions are peculiar to the particular piece of property involved; and
 - (d) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta.

The Applicant submitted a variance analysis that was previously sent to Commission members.

Regarding the location of the accessory structure, the Staff finds the Applicant has met the variance criteria. First, while double frontage lots do exist in the district, they are not common. Second, the “second” frontage along Augusta Place generally operates as a rear entry way to houses facing other streets, though there are some lots the only have frontage along Augusta Place. Third, the location of the accessory structure is consistent with the architectural form and organization of the house as the façade of the house facing Augusta Place is, architecturally, the rear façade of the house. The accessory structure will not be out of place in the yard associated with this façade.

Further, the District regulations are specifically geared to accommodate accessory structures to the rear of the houses which is where the garage is essentially located, given the functionality of the property. The Staff would note that the property’s relationship to Oakland Avenue reinforces the characteristic that the functional rear yard is the back of the property and reduces any potential negative effects of the rear frontage of the house facing Oakland Avenue.

As to the ability to put the garage somewhere else on the lot, the Staff finds that there are no other reasonable options. The Oakland Avenue front yard of the property would be an even more problematic location both functionally and architecturally, and would be even less aligned with the intent of the regulation. The side yards are too thin for a meaningful accessory structure or even a regular driveway / parking pad.

Regarding the reduction in the side yard setbacks, the Staff does not find that the criteria have been met. While the Applicant points out that lot is substandard as to its width (39 ft. vs. 50 ft. [the required width for an R-5 property] and size (6,214 sq. ft. vs. 7,500 sq. ft.), it is not clear how this compares with other lots in the District or even on the surrounding blocks. The Staff finds that there are numerous lots in the District that do not meet the R-5 frontage and area requirements. Further, the width of the proposed two-car garage includes an art studio / workshop, which could be accommodated within a different thinner design. Lastly, the Staff is concerned that the garage will span almost the entire width of the lot, creating a significant presence along Augusta Place.

The reduction in the side yard setbacks is no longer necessary in the revised design, as one side yard setback is 10 ft. and the other is 7 ft.

In addition, the Staff is concerned about the width of the driveway (which is regulated in the front yard), the presence of two garages doors (which typically prohibit on front facades of structures), and the 10 ft. setback from August Place, which is considered to be front yard and thus regulated by the compatibility rule. These are additional considerations that would apply to an accessory structure in a front yard and/or facing a public street that would not apply to an accessory structure in a regular rear side yard.

While these design characteristics would normally be assessed during the submission of a Type II Staff Review application for a compliant accessory structure, the Staff finds it appropriate to assess these at this time for two reasons. First, the Staff finds that these characteristics are directly related to the visual and architectural effect of approving a variance to have an accessory structure in proximity to a public street. Their absence would add be seen as mitigation for the effects of approving the variance request.

Second, as designed the proposed garage would not meet the three District regulations noted above and as such could not be approved by Staff even if the variances requested are approved by the Commission. This would create a situation with conflicting applications.

To resolve this situation, the Applicant could apply for additional variances to allow these characteristics or re-design the garage (in its proposed location) to meet all of the pertinent District regulations.

The Staff would recommend approval of the locational portion of the variance request and denial of the side yard setback reduction.

The Staff would further recommend that the garage be redesigned to meet all of the other pertinent District regulations, including but not limited to those that apply to driveways, garage doors, and front yard setbacks.

The Applicant has applied for the variances for a wider driveway, two single width garage entrances, and a reduction in the front yard setback. For these new variances, the Applicant offered some additional analysis and narrative. Regarding the reduction in the Augusta Place setback, the Applicant noted its reduction would help reduce the impact on the critical root zone of a specimen tree in the back yard. While the revised site plan appears to show root zone distances, it is not clear to the Staff what percentage of the critical root zone would be affected by utilizing the 12.5 ft. setback distance and if further revisions to the footprint of the accessory structure would sufficiently mitigate any additional encroachment. The Staff would recommend the Applicant document the effect of meeting the front yard setback on the critical root zone of the specimen tree.

Regarding the two single car garage doors and the wider driveway, the Applicant notes that their design solutions (a pair of single car garage doors vs. a double-wide garage door and ribbon strips vs. a solid concrete panel) mitigate their requests. While the Staff doesn't disagree with that assessment and finds that it somewhat relates to the "substantial detriment" variance criteria, the other variance criteria are not addressed. It is not clear to the Staff how the lot's physical characteristics or any potential hardships preclude a less intrusive variance request of one single width garage door and thus a 10 ft. wide driveway.

The Staff would also note that the general R-5 zoning district regulations limit to the amount of the "rear" yard that can be occupied by an accessory structure as well as its overall height. The Staff would suggest the Applicant investigate those requirements with the Office of Buildings as well.

These requirements do need to be addressed by the Applicant, as well as the floor space of the accessory structure as a percentage of the principal structure. The Commission does not have the authority to vary any of these R-5 zoning regulations. If variances are needed from these R-5 requirements, the Board of Zoning Adjustment (BZA) would have to hear that request. The Commission would provide its comments to the BZA on that application.

Staff Recommendation: Based upon the following:

1) Except as noted above, the plans meet the regulations, per Section 16-20K.007 and 16-26.003(1).

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3 15 004) for a variance to allow a new accessory structure in the Augusta Pl. front yard between the principal structure and the street and to allow a reduction in the side yard setbacks from 7 feet (required) to 5 feet (proposed) at **704 Oakland Ave.** Property is zoned R 5 / Grant Park Historic District (Subarea 1). Property is zoned R-5/Grant Park Historic District (Subarea 1), with the following conditions:

1. *The Applicant shall document the effect of meeting the front yard setback on the critical root zone of the specimen tree, per Section 16-26.003(1);*
2. The garage shall be redesigned to meet all of the other pertinent District regulations, including but not limited to those that apply to *driveway width, size and number of garage doors*, and front yard setbacks, per Section 16020K.007(1)(D) and (2)(B), and Section 16-26.006(1); and
3. The Staff shall review and if appropriate, approve the final plans and supporting documentation.