



CITY OF ATLANTA

M. KASIM REED
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

October 14, 2015

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-15-384) for alterations and additions at **375 Milledge Avenue** - Property is zoned R-5 / Grant Park Historic District (Subarea 1).

Applicant: Brooke Emler
1005 Wedgewood Way

Facts: The 1900s contributing building appears to be relatively unaltered from its original configuration, materials, and architectural components. The front yard of the property is relatively flat and even with the public sidewalk. The property slopes gently down from Milledge Avenue. The Applicant proposes substantial alterations to the existing house and a significant second story addition. The Staff has identified the following components of the project:

1. Replacement of the essentially flat front porch roof with a 4:12 front porch roof that connects above the main ridge line;
2. Replacement of the front porch box columns with 10” cedar posts;
3. Potential replacement of the masonry front porch steps;
4. Potential addition of a brick water table below the siding;
5. Replacement of all the wood siding, exterior trim, and the gable vent;
6. Replacement of the windows and doors;
7. Replacement of the front facing accent gable siding with shingle / shake sheathing;
8. Construction of a dormer on the front roof plane with square windows and shingle / shake sheathing;
9. Complete removal of the pyramid-shaped hipped roof and one chimney, and construction of a side-to-side gable roof that will be about 5 ft. higher; and
10. Construction of a two-story, shed roof addition behind the new side-to-side gable roof form.

None of the alterations to the side or rear facades of the house are subject to review by the Commission or the Staff as viewed as independent alterations as they don't affect a façade that faces a public street.

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.

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.
- (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.).
 3. Front porches on the principal structure shall be required and shall be a minimum of one-third the width of the front façade and a minimum of seven feet in depth. Side porches shall be a minimum of four feet in depth. Porches may be enclosed by screen wire only, provided all the main features of a porch are maintained in place and the screening materials can be removed at a future date with minimal damage to said features.
 4. All front façades and front porches of the principal structure shall face and be parallel to the lot frontage. Wrap around front porches are permitted.
 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.
 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.

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.
 - 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.

Document Concerns

The existing condition elevations do not accurately show the house as it is today. For example:

- the front facing accent gable is shown with boxed returns instead of a full return;
- the window in the front facing ell is shown off center instead of centered on the façade of the front facing ell;
- the middle front porch column is in the wrong place;
- the front porch roof is not shown with the right pitch and relationship to the main roof;
- the front façade picture window is shown as double hung;
- none of the elevations show the existing chimney on the right side of the house;
- The roof is shown as a hipped roof with a side to side gable instead of a pyramidal hipped roof;

The Staff would recommend the Applicant provide complete and accurate existing condition elevations.

General Development Controls

It is not clear if the proposed lot coverage would meet the zoning regulations, as the lot coverage calculations were not included in the plans. Further, the floor area ratio calculations shown on the site plan are not complete. The Staff would recommend the Applicant provide lot coverage and floor area ratio calculations.

Regarding the setbacks, it would appear that the front and side yard setbacks would meet the District regulations as being equal to the existing house's setbacks, but no notes are included in the site plan confirming that compliance. The Staff would recommend the site plan indicate the setbacks of the existing house and proposed addition.

The rear yard setback is substantially larger than the 7 ft. requirement.

Alterations and Addition

Notwithstanding the concerns noted above regarding documentation and general development controls, the Staff finds that the proposed alterations and additions do not meet the design, architectural and materials requirements in any respect.

The District regulations allow for two methods for reviewing proposed alterations and additions to contributing buildings. The first of the two methods requires consistency with the architecture of the existing building and compliance with the new construction regulations. The second of the two methods requires that no historic material be removed, the work be differentiated from the old, and that the work be compatible with the existing building. The Staff finds that the proposed alterations and additions do not comply with either method.

Assessing the proposal using the first of the two methods, the Staff finds that the proposal is not consistent with nor reinforces the historic architectural character of the entire existing contributing structure given that the entire roof system would be removed, re-shaped and increased in height; the entire front porch would be renovated / replaced to a different design; and substantial historic material and several architectural components would be removed. The cumulative effect of these alterations and additions that none of the house's existing architectural character would remain.

Assessing the proposal using the second of the two methods, the Staff finds that the proposal would destroy historic materials that characterize the property and the new house not be compatible with the massing, size, scale and architectural features of the property and environment. Historic materials such as the siding, front porch elements, windows, and doors are being removed or covered over. The altered house would have a completely different massing and size (taller without the pyramidal hipped roof), and scale (an addition that would be larger than the existing house). Further, the altered house would very little of its existing architectural features.

The Staff finds that the proposed design must be completely and substantially re-thought to create a design that will meet the District regulations.

The Staff recommends that the proposed alterations and additions to the existing house be completely and substantially redesigned or removed in their entirety from the proposal so as to produce a design that meets the District regulations.

Staff Recommendation: Based upon the following:

1. The proposal does not meet the District regulations, per Section 16-20K.006 and 16-20K.007.

Staff recommends deferral of an application for a Type III Certificate of Appropriateness (CA3 15 384) for alterations and additions at **375 Milledge Avenue** - Property is zoned R-5 / Grant Park Historic District (Subarea 1), to allow time for the Applicant to address the following comment and concerns:

1. The Applicant shall provide complete and accurate existing conditions elevations;
2. The Applicant shall provide lot coverage and floor area ratio calculations, per Section 16-20K.007(2)(D);
3. The site plan shall indicate the setbacks of the existing house and proposed addition, per Section 16-20K.007(1);
4. The proposed alterations and additions to the existing house be completely and substantially redesigned or removed in their entirety from the proposal so as to produce a design that meets the District regulations, per Section 16-20K.007(2)(D); and
5. The Applicant shall submit revised plans and supporting materials (including the required number of copies) at least eight (8) days prior to the Commission meeting to which this application is deferred.



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TIM KEANE
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CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT **October 28, 2015**

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-15-397) for a variance to allow a deck between the principal structure and the street at **642 Home Ave.** Property is zoned R-5 / Grant Park Historic District (Subarea 1) / Beltline.

Applicant: Nathan Shivar
642 Home Ave.

Facts: The Applicant is requesting a variance to allow a deck located between the principal structure and the street. Per the Grant Park Historic District regulations, decks must be located to the rear of the principal structure. The design of the deck itself would be subject to review via a Type II Staff Review application.

Analysis: The following code sections apply to this application:

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

Sec. 16-20K.006. - General regulations.

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.
 - (B) Type II Certificates of Appropriateness shall be required for: Minor alterations to those façades of any contributing principal structure that face public streets; fences; walls; accessory structures; decks; and paving. If the proposed alteration meets the requirements of section 16-20K.007, then the director of the commission shall issue the Type II Certificate. If the proposed alteration does not meet the requirements of section 16-20K.007, the director of the commission shall deny the application. Appeals from said decision of the director regarding the issuance and/or denial of Type II Certificates may be taken by any aggrieved person by filing said appeal in the manner prescribed in the appeals section of Chapter 16-20.008(a) for Type I Certificates.
 - (C) Type III Certificates of Appropriateness shall be required for:

1. All new principal structures;
 2. All major alterations and additions to existing structure, with respect to any façade that faces a public street.
- (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.

Sec. 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.

9. Decks, Balconies and Upper Level Terraces:

- a. Decks shall be permitted only when located to the rear of the principal structure.
- b. Decks shall be permitted at any level.
- c. Balconies and upper level terraces shall be permitted.

Sec. 16-26.003. - Conditions of granting a variance.

(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.

While the specific design of the proposed deck is not subject to review by either the Staff or the Commission, Staff would note that it has concerns that the proposed deck is not compatible with the architecture of the existing structure or similar structures in the District, and finds the placement of the deck on the front façade of the structure to be highly unusual. Staff suggests that the Applicant reconsider both the placement and design of the proposed deck.

In response to the four (4) variance criteria, the Applicant states that there are no exceptional conditions pertaining to the particular piece of property in question, and that their understanding is that decks, as an improvement to the property, are allowed between the principal structure and the street. Staff finds that the Applicant has not established that locating the deck to the rear of the structure would create a hardship. Staff finds that the Applicant has not established that there are any conditions particular to this property. Lastly the Staff finds that the deck on the front façade would impair the purposed of the ordinance by creating an incompatible alteration/addition. Staff recommends the Applicant revise their variance petition to justify why the deck cannot be placed in the required location to the rear of the principal structure.

The Applicant's responses also speak to the setbacks of the proposed deck. Of the two options for determining front yard setbacks, Staff finds that the appropriate method is to base the setback on the compatibility rule. The other method does not apply to this particular project. According to the information submitted by the Applicant, the allowable setback range based on contributing buildings on the block face is between 34.1' and 21.1'. The proposed deck will have a setback of 20.8' at the closest point (which is where the setback must be measured from), which does not

fall within the allowable range for the front yard setback. In their justification, the Applicant states that their proposed setback meets the compatibility rule. Staff Recommends that the Applicant clarify whether their plans have changed to allow a compliant setback since their original submission.

Staff Recommendation: Based upon the following:

- a) The variance request does not meet the variance criteria per Section 16-26.003 (1)

Staff recommends deferral of an Application for a Type III Certificate of Appropriateness (CA3-15-397) for a variance to allow a deck between the principal structure and the street at **642 Home Ave.** Property is zoned R-5 / Grant Park Historic District (Subarea 1) / Beltline to allow the Applicant time to address the following Staff concerns:

1. The Applicant shall revise their variance petition to explain why the deck cannot be placed in the required location to the rear of the principal structure; and,
2. The Applicant shall clarify whether their plans have changed to allow a compliant setback since their original submission.



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Director, Office of Planning

STAFF REPORT
October 14, 2015
Updated October 28, 2015
(updated text in italics)

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-15-389) for a new single family house at **688 Grant Terrace**. Property is zoned R-5 / Grant Park Historic District (Subarea 1).

Applicant: Jacque Edmonds
Po Box 675935

Facts: According to the Grant Park Inventory sheet this property is currently a vacant lot.

The Applicant has provided new information regarding the proposed project. However, elevations and site plans were not included in the revised submission.

Analysis: The following code sections apply to this application:

Sec. 16-07.008. - Minimum yard requirements.

The following minimum yard requirements shall apply to all uses approved by special permits as well as permitted uses:

(5) Maximum floor area within this district:

- a. For a single-family detached dwelling on a lot which meets the minimum lot area requirement described in section 16-07.007(2): The maximum floor area ratio shall not exceed 0.50 of the net lot area.
- b. For a single-family detached dwelling on a lot which does not meet the minimum lot area requirement described in section 16-07.007(2):
 1. The maximum floor area allowed shall not exceed the lesser of either: (i) 3,7.50 square feet of floor area; or (ii) a maximum floor area ratio of 0.65 of the net lot area unless otherwise permitted as stated in subpart 2 below;
 2. If the floor area ratio does not allow it least 1,800 square feet of floor area, a dwelling of such size may be built provided that all other provisions of this part shall apply unless relief from such provisions has been granted by the board of zoning adjustment.
- c. For a duplex: The maximum floor area ratio shall be 0.60 of the net lot area.

- d. For a two-family dwelling that is not a duplex: The maximum floor area ratio within this district shall not exceed 0.50 of the net lot area for the main unit of a two-family dwelling, provided however that the secondary dwelling unit shall not exceed 750 square feet.
- (6) Maximum lot coverage: Maximum lot coverage within this district shall not exceed 55 percent of the net lot area.

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

Sec. 16-20K.006. - General regulations.

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

- (1) General Criteria.
 - (A) Notwithstanding any other provision herein, no Certificate of Appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - (B) Except as otherwise provided herein, the procedures for determining the appropriate type of certificate shall be those specified in section 16-20.008 of the zoning code.
 - (C) In Residential Subarea I, the commission shall apply the standards referenced in 16.20.009 only if the standards set forth in this Chapter 20K do not specifically address the application.
- (2) Certificates of Appropriateness.
 - (A) Type I Certificates of Appropriateness for ordinary repairs and maintenance shall not be required in this district. Painting or repainting of any structure, or portion thereof, does not require a Certificate of Appropriateness.
 - (B) Type II Certificates of Appropriateness shall be required for: Minor alterations to those façades of any contributing principal structure that face public streets; fences; walls; accessory structures; decks; and paving. If the proposed alteration meets the requirements of section 16-20K.007, then the director of the commission shall issue the Type II Certificate. If the proposed alteration does not meet the requirements of section 16-20K.007, the director of the commission shall deny the application. Appeals from said decision of the director regarding the issuance and/or denial of Type II Certificates may be taken by any aggrieved person by filing said appeal in the manner prescribed in the appeals section of Chapter 16-20.008(a) for Type I Certificates.
 - (C) Type III Certificates of Appropriateness shall be required for:
 - 1. All new principal structures;
 - 2. All major alterations and additions to existing structure, with respect to any façade that faces a public street.
 - (D) Type IV Certificates of Appropriateness shall be required for demolition or moving of any contributing principal structure. A partial demolition of a contributing principal structure shall require a Type IV Certificate of Appropriateness only when said partial demolition will result in the loss of significant architectural features which destroys the structure's historic interpretability or importance.
- (3) 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.
- (4) Financial Hardship Exemptions.
 - A. These regulations set forth a minimum standard of architectural compatibility with the rest of the district. However, in order to balance other equally important objectives of economic development, neighborhood revitalization, and prevention of displacement of residents, the commission may allow

reasonable exemptions from these regulations to a property owner's principle residence on the ground of economic hardship to the property owner.

- B. The burden of proving economic hardship by a preponderance of the evidence shall be on the Applicant.
- C. The commission shall consider the following factors in determining whether an economic hardship exemption in whole or in part will be granted:
 - 1. The present income of the property owner(s) and those occupying the property;
 - 2. The age of the property owner;
 - 3. The length of time the property owner has resided in the neighborhood or in the residence for which the exemption is sought;
 - 4. The availability of other sources of funds that are appropriate to the circumstances of the Applicant, including loans, grants, and tax abatements;
 - 5. The costs associated with adherence to these regulations;
 - 6. The degree of existing architectural significance and integrity of the structure; and
 - 7. The purpose and intent of this chapter.
- D. The commission shall consider these factors and shall grant an exemption, in whole or in part, as appropriate upon a finding that the Applicant's economic hardship outweighs the need for strict adherence to these regulations.

- (5) Subdivisions. In addition to the requirements of the subdivision and zoning ordinances, including but not limited to sections 15-08.002(a)(2) and 15-08.005(d)(6), all subdivisions of lots shall conform to the historic platting pattern in the district with regard to lot size, dimensions, and configurations.
- (6) Tree Preservation and Replacement. The provisions of City of Atlanta Tree Ordinance, Atlanta City Code section 158-26, shall apply to this district.
- (7) Paved surfaces: The original layout, patterns and paving materials of sidewalks, curbs and streets shall be retained.

(Ord. No. 2000-20, § 3, 4-11-00; Ord. No. 2002-3, § 1, 1-29-02)

Sec. 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 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.).
2. A paved walkway from the front sidewalk to the front entry of the principal structure shall be provided.
3. Front porches on the principal structure shall be required and shall be a minimum of one-third the width of the front façade and a minimum of seven feet in depth. Side porches shall be a minimum of four feet in depth. Porches may be enclosed by screen wire only, provided all the main features of a porch are maintained in place and the screening materials can be removed at a future date with minimal damage to said features.
4. All front façades and front porches of the principal structure shall face and be parallel to the lot frontage. Wrap around front porches are permitted.
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.)
7. The first floor of the principal structure shall be on foundations and elevated above the grade a minimum of two entrance step risers each of which shall be no less than six inches in height. All front steps shall have closed risers and closed ends. Access ramps shall be permitted.
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.
9. Decks, Balconies and Upper Level Terraces:
 - a. Decks shall be permitted only when located to the rear of the principal structure.
 - b. Decks shall be permitted at any level.
 - c. Balconies and upper level terraces shall be permitted.
10. Any portion of a chimney that is located on any façade that faces a public street shall originate at grade.
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.

12. When practical, skylights should be located where least visible from the public street. If skylights are visible from the public street, the glass shall be tinted to match the surrounding roof area. Protruding "bubble" skylights are prohibited.
 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.
 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.
 - e. Chimneys: Brick, stone, or architectural concrete masonry units (C.M.U.) shall be permitted. Siding is prohibited.
 - f. Fences: Brick, stone, wire mesh, architectural C.M.U., or vertical pickets made of ornamental metal, wood or simulated wood shall be permitted in the front yard and half depth front yard.
- (C) Design Standards and Criteria for Alterations and Additions to Non-contributing Structures. Alterations to non-contributing structures, for which a Certificate of Appropriateness shall be required, shall be consistent with and reinforce the architectural character of the existing structure or shall comply with the applicable regulations for new construction set forth in subsection 16-20K.007(2)(B) above.
- (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.
- (E) Site development, sidewalks and curbs:
1. The sidewalk shall be the same width as the sidewalk on abutting properties. If no sidewalk exists on abutting properties the new sidewalk shall match sidewalk widths on the block. If no sidewalk exists on the block, the new sidewalk shall be six feet wide.
 2. Repairs or replacement of existing brick sidewalks shall be constructed of brick on a concrete base and laid in a pattern to match the existing pattern on abutting properties or elsewhere in the district.
 3. Repairs or replacement of concrete sidewalks adjacent to existing brick sidewalks on the same linear block, or in blocks where brick sidewalks are installed, shall be constructed of brick on a concrete base and laid in a pattern to match the existing pattern on abutting properties or elsewhere in the district.
 4. Sidewalks crossing driveways shall be brick on a concrete base and laid in a pattern to match the existing sidewalk on abutting properties or elsewhere in the district. Driveway aprons shall not interfere with the visual field of the pedestrian path.
 5. Curbing shall be granite; poured concrete shall not be used. Curbing shall be at least six inches in height from street level.
 6. Historic materials such as brick, granite, and cobblestones shall be reused where possible.
 7. All American with Disabilities Act (ADA) Detectable Warning Devices installed in this district shall be a red brick color.

Siteplan

The maximum FAR (floor area ratio) allowed for this lot is 0.50 of the net lot area. The subject property has a net lot are of 9,116 sq. ft. meaning that a structure built on the lot would be allowed to have a maximum square footage of 4,558 sq. ft. The square footage of the proposed structure is 2,526 Sq. Ft. which meets this requirement.

The front yard setback can either be based on the compatibility rule or the previously existing contributing building of like use. The proposed front yard setback is 30'. The Applicant has not submitted information regarding the previously existing building of like use or the range allowed by the compatibility rule. Staff recommends that the Applicant provide justification for the 30' front yard setback based on either the setback of the previously existing building of like use or the compatibility rule.

The Applicant has clarified their intent to position the new structure in such a way as to be compatible with the neighboring structures. In reviewing the photographic inventory of the Grant Park Historic District, Staff found that the property at 682 Grant Terrace to be the only contributing structure on the block face in question. As such, Staff recommends that the front

edge of the porch of the proposed structure line up with the front edge of the porch of 682 Grant Terrace.

Of the side yard setback options, the regulations allow the side yard setbacks to no less than 7'. The proposed structure has a north side yard setback of 8.1' and a south side yard setback of 8.7'. Staff finds that the proposed structure meets the side yard setback requirements

Per regulations the rear yard setback shall be no less than 7'. Staff finds the rear yard setback is 7' and therefore meets the rear yard setback requirement.

As required by the regulations, the site plan indicates a walkway from the porch to the front property line. The plans do not indicate an existing public sidewalk, or a new public sidewalk being installed. Staff recommends the Applicant clarify whether a sidewalk exists on the property. If no sidewalk exists, Staff recommends that a public sidewalk which meets the District regulations be installed.

The Applicant has provided information regarding an existing public sidewalk at the property. Staff recommends the public sidewalk be noted on the final plans. Staff would further recommend that if the existing sidewalk must be replaced due to damage during construction, the new public sidewalk meet the District regulations.

The plans indicate an existing gravel drive running along the rear of the property. Staff can find no record of this gravel drive and recommends the Applicant provide information regarding how the gravel drive connects to the street and how it relates to the alley to the rear of the property. Staff would note that as the lot is non-conforming in regards to the street frontage, off street parking is not required for this lot, nor would a drive not connected to a public street require a variance.

The Applicant has provided information regarding the existing gravel drive to the rear of the property. This gravel drive connects to the alley at the rear of the property but travels through the rear yard of the neighboring lots. Staff Recommends that the proposed rear driveway connect to the platted alley at the rear of the property.

Massing and Building Height

The proposed two story house is defined by a 8 in 12 gable roof and a two story half width front porch. Per regulations, the maximum height allowed is 35'. The Grant Park Historic District regulations do not specify how the height should be measured. As such, Staff finds the standard City measurement should be used. In looking at the front façade, Staff finds the height requirement has been met. In looking at the contributing house on the block, the structure is one story and has a gable roof. While Staff finds the overall height, massing and design of the proposed dwelling is not similar to the historic houses on the block, Staff finds the regulations have been met.

Building Facades

The Commission reviews the facades that face a public street. This is an interior lot, therefore Staff will only comment on the front façade.

Windows and Doors

A single front door is parallel and facing Grant Terrace as required. The design of the door is not clear from the drawings. Staff recommends that the Applicant clarify the design of the front door.

The Applicant has provided a cut sheet which shows that the front door design will be wood with a rectangular lite. Staff finds that design of the proposed door meets the regulations.

The Applicant is proposing to install 1 over 1, double hung windows on the front facade. Staff finds the design of the proposed windows to be appropriate. The Grant Park regulations allow for windows to either be compatible with the windows on contributing houses or are no less than 15% and no more than 40% of the wall surface. The proposed structure will have 22% fenestration on the front façade. Staff finds the proposed windows meet the fenestration percentage requirement.

The Applicant has provided information stating that the windows on the front façade will all be the same size.

The plans indicate a gable vent with trim which is inconsistent with the window trim is to be installed on the front façade. Staff recommends that the front gable vent have trim matching the window trim on the front façade.

The Applicant has provided information stating that the gable vent will have trim which matches the window trim on the front façade. In the absence of updated elevations, Staff would retain its previous recommendation.

Building Materials

The proposed materials include horizontal cementitious siding, cedar shake, architectural shingles for the roof, cement foundation with a stucco coating, wood windows, wood decking on the front porch, wood steps on the front porch, and wood railing on the front porch. The material for the front door is not indicated. Staff recommends that an appropriate material for the front door be indicated on the plans. The materials for front porch columns are not indicated. Staff recommends an appropriate material for the porch columns be indicated on the plans. The drawings indicate that the front porch foundation will be wood piers. Staff finds that this is not an appropriate material for a front porch foundation and suggests the Applicant revise their drawings to show a front porch foundation material which meets the District Regulations.

The Applicant has provided information stating that the front door will be wood with a rectangular lite, that the porch columns will be wood, and that the porch foundation will be brick piers. While Staff finds that the proposed materials meet the district regulations, in the absence of updated elevations, Staff would retain its previous recommendations.

Porch

Per regulations, the minimum allowed depth for the front porch is 7'. Staff finds that the proposed porch is 8'6" and therefore meets this requirement. The porch features columns and

railings that are compatible with other similar porches in the District. Staff finds the overall decorative details of the proposed front porch are consistent and compatible with the house style.

Staff Recommendation: Based upon the following:

1) The plans meet the regulations with the exception of the comments noted above Section 16-20K.006, 16-20K.007, and 16-07.008;

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-15-389) for a new single family house at **688 Grant Terrace**. Property is zoned R-5/Grant Park Historic District (Subarea 1), to allow the Applicant time to address the following Staff concerns:

1. *The front edge of the front porch on the proposed structure shall line up with the front edge of the front porch on 682 Grant Terrace, per Sec. 16-20K.007(1)(A);*
2. *The public sidewalk shall be noted on the final plans per, Sec. 16-20K.006(7);*
3. *if the existing sidewalk must be replaced due to damage during construction, the new public sidewalk meet the District regulations, Sec. 16-20K.006(7);*
4. *The proposed rear driveway shall connect to the platted alley at the rear of the property per, Sec. 16-20K.006(7);*
5. The front gable vent shall have trim matching the window trim on the front façade, per Sec. 16-20K.007(2)(B)(11)
6. An appropriate material for the front door shall be indicated on the plans per, Sec. 16-20K.007(2)(B)(15);
7. An appropriate material for the porch columns shall be indicated on the plans, per, Sec. 16-20K.007(2)(B)(15);
8. The Applicant shall revise their drawings to show a front porch foundation material which meets the District Regulations, per Sec. 16-20K.007(2)(B)(15)(b); and,
9. Staff shall review and if appropriate, approve the final plans and documentation.



CITY OF ATLANTA

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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT October 21, 2015

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-15-401) for a variance to allow a 6' high fence/wall where otherwise a 4' high fence would be permitted at **1080 Oak St.** Property is zoned R 4A / West End Historic District / Beltline.

Applicant: Derie Keene Shirmon
1080 Oak Street, Decatur

Facts: This existing Multi-family residential structure is considered contributing to the District.

Prior to the submission of this application, completely opaque wooden wall sections were installed over the existing brick lattice fence.

Analysis: The following code sections apply to this application:

Sec. 16-29.001. - Application.

For the purposes of this part, certain terms, words or phrases used herein shall be defined, and requirements, restriction or limitations applied as follows:

(25) Walls and fences:

- a. Wall: Any structure forming a physical barrier or enclosure which is so constructed that 50 percent or more of the gross vertical surface is closed and prevents the passage of light, air and vision through said surface in a horizontal plane.
Wall, retaining: A structure whose sole function is to contain earth so as to provide a stable surface at a grade higher than the adjacent grade level.
- b. Fence: Any structure forming a physical barrier or enclosure which is so constructed that at least 50 percent of the vertical surface is open to permit the transmission of light, air and vision through said surface in a horizontal plane.

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

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

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

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

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

- (a) *When required:*
 - (i) To change the exterior appearance of any portion of a structure within the district, when said change can be seen from the public right-of-way;
 - (ii) To erect a new structure or to make an addition to any structure within the district, when said addition can be seen from public right-of-way; and
 - (iii) To demolish or move any contributing structure, in whole or in part, within the district.
 - (b) *Type required:*
 - (i) 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 Code of Ordinances.
 - (ii) Notwithstanding any other provision herein, no certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - (vi) The following Type III Certificates of Appropriateness shall be reviewed by the commission and shall be required for:
 - a. All new principal structures.
 - b. Additions that are visible from a public street or park.
 - c. Revisions to previously approved plans that result in an increase in floor area ratio, lot coverage, height or a change in the building footprint.
 - c. Subdivisions and aggregations.
 - d. Variances.
- (3) *Variances:* The urban design commission shall have the power to hear, grant and deny variances from the provisions of this chapter (20G) 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 46, which provisions are hereby incorporated herein.

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

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

(14) Fences:

- (a) Fences shall be fabricated of brick, iron, wood or metal pickets. Fence lines shall follow or run parallel to a property line in the front and half-depth front yards. Fences shall not obscure the front façade of the building.
- (b) Fences located in the front or half-depth front yard shall not exceed four feet in height. Front yard fences may exceed four feet in height provided the height is no more than the height of the adjacent, contiguous fencing on immediately adjacent properties.
- (c) Fences shall not exceed six feet in height when located in the side or rear yards.
- (d) Chain link fabric is not permitted in a front yard or half depth front yard.
- (e) Fences may be constructed on top of a retaining wall. The combined height of the retaining wall and fence shall not exceed six feet when located in a front or half-depth front yard.
- (f) Walls are only permitted in the rear and side yards only when such yards are not adjacent to a public street and when such walls are located behind the rear façade of the principal structure. When such walls are permitted, they shall be six feet or less in height.

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

- (e) Special exceptions on greater height of walls or fences in required yards: The board of zoning adjustment may grant special exceptions in any district for greater heights only upon finding that:
 - 1. Such wall or fence is justified by reason of security or privacy and will not unduly prevent passage of light and air to adjoining properties and is not incompatible with the character of the neighborhood;
 - 2. Such greater height is justified by requirements for security of persons or property in the area;
 - 3. Such greater height is justified for topographic reasons; or
 - 4. Such greater height, in the yard or yards involved, is not incompatible with the character of the surrounding neighborhood.

Variance Justification

The subject property fronts 57.15' on Oak Street and has a depth of 143.38' on Lawton Street. As this is a corner lot, 6' privacy fences are not allowed on the street fronting sides of the property. In looking at the survey pictures, there is no existing fence on this lot. The rear yard of the subject property sits at a grade which is, by the Staff's estimation, approximately 1' to 2' higher than the public sidewalk. According to the Applicant, a 4' fence would not allow for the privacy or security desired and notes the presence of young children at the home increases the need for both privacy and security. In looking at the site plan, the proposed wall only covers a small portion of the house. It would appear that the proposed wall would mostly create privacy in the yard as opposed to the actual house. Staff finds there are other ways to create privacy (such as plantings) that would allow for a fence that met the requirements. Additionally, given that the rear yard sits higher than the public sidewalk, a 4' high fence would allow for more privacy and security than it would if the rear yard were at the same grade as the public sidewalk. Staff recommends the Applicant clarify why installing a 4' fence and plantings would not alleviate privacy or security concerns.

The Applicant is also basing their argument on security concerns and cites instances of theft occurring at the subject property. No documentation of these thefts or information on crime in the area has been submitted to support this argument. Staff Recommends the Applicant submit police reports which document the thefts, or crime statistics which document a pattern of crime in the area.

Staff Recommendation: Based upon the following:

- a) The special exception request, with the exceptions noted above, does not meet the regulations per Section 16-20G.005 (3)

CA3-15-401

Staff recommends deferral of an Application for a Type III Certificate of Appropriateness (CA3-15-401) for a variance to allow a 6' high fence/wall where otherwise a 4' high fence would be permitted at **1080 Oak St.** Property is zoned R 4A / West End Historic District / Beltline, to allow the Applicant to respond to the following Staff Concerns:

- 1. The Applicant shall clarify why installing a 4' fence and plantings would not alleviate privacy concerns, per Sec. 16-28.008(e); and,
- 2. The Applicant shall submit police reports which document the thefts, or crime statistics which document a pattern of crime in the area, per Sec. 16-28.008(e).



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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT
October 28, 2015

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-15-405) for a new mixed-use development at **700 Memorial Dr.** Property is zoned Cabbagetown Landmark District (Subarea 5) / Beltline.

Applicant: William N. Bollwerk
2964 Peachtree Road Suite #360

Facts: This existing lot is located on the corner of Memorial Drive and Tye Street.

Analysis: The following code sections apply to this application:

Per Section 16-20A.005 (Certificates of Appropriateness) of the Atlanta Land Development Code, as amended:
The following general regulations shall apply to the Cabbagetown Landmark District.
Certificates of Appropriateness within this district shall be required as follows:

- (1) When required:
 - b) To erect a new structure or to make an addition to any structure within the district;
 - d) To construct off-street or off-site parking;

Per Section 16-20A.006 (General Regulations) of the Atlanta Land Development Code, as amended, the following regulations shall apply to more than one subarea in the Cabbagetown Landmark District, which includes all five (5) subareas. Certificates of Appropriateness required above shall be obtained from the commission or the director, as applicable, in accordance with the following regulations:

- (1) Minimum standards. These regulations constitute the minimum standards that shall be followed and shall be applied by the commission and director.
- (2) The commission shall apply the standards in section 16-20.009 only if the standards set forth elsewhere in this Chapter 20A do not specifically address the application.
- (6) The compatibility rule.
 - a) In general, the intent of the regulations and guidelines is to ensure that alterations to existing structures and new construction are compatible with the design, proportions, scale, massing, and general character of the contributing buildings in the immediately adjacent environment of the block face, the entire block, a particular subarea (including appropriate reference to subarea style) or the district as a whole. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The element in question (roof form, architectural trim, etc.) shall match that which predominates on the contributing buildings of the same architectural style and like use on that block face or, where quantifiable (i.e., buildings height and width as measured at front facade, floor height, lot dimensions, etc.), no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same architectural style and like use in that block face."
 - b) For the purposes of the compatibility rule, height and width shall be measured at the front façade.
 - c) In any instance where one contributing building of the same architectural style and like use on a block face is higher or wider by more than 10% than any other contributing building of like use on a block face, such structure shall be eliminated in the application of the compatibility rule.

- d) Those elements to which the rule applies are noted in the regulations by a reference to the “compatibility rule.”
- (7) 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.
- (12) Aggregation of lots. No lots shall be aggregated except upon approval of the commission. Applications shall be made to the commission, and the commission shall not approve any aggregation of lots unless the commission shall make a finding that the resulting lot or lots are compatible with the historic platting pattern of the Cabbagetown neighborhood. The commission shall further find that the resulting lot or lots are so laid out that buildings that are compatible in design, proportion, scale, and general character of the block face, block, subarea, and the district as a whole, may be reasonably situated and constructed upon such lot or lots. The compatibility rule shall apply.
- (13) Design standards and criteria for new principal buildings. The following regulations shall apply to new construction of principal buildings.
- a) General criteria:
1. All new construction shall be one of the house styles of a contributing building that appears on the block face of the street on which the new construction shall occur.
 2. The general façade organization and proportions shall be subject to the compatibility rule.
 3. All of the following building elements shall be appropriate to the selected house style, regarding design, size, dimension, scale, material, location on the building, orientation, pitch, reveal and amount of projection from the façade:
 - a. roofs, chimneys, and roofing materials;
 - b. siding;
 - c. eaves, soffits, brackets, rafter tails, knee braces, cornice returns, and gable returns;
 - d. cornerboards, fascia boards, bottom boards, decorative trim, and attic vents;
 - e. doors and door transoms;
 - f. windows and window transoms;
 - g. porches, including supports, columns, balustrades, steps, and roofs; and
 - h. foundation walls, foundation piers, and water tables.

All the elements listed above shall be utilized in a meaningful, coherent manner, rather than a mere aggregation of random historic elements.
 4. Sidewalks, front yards, porches, and front doors facing and parallel to the street shall be provided.
- b) Facades:
1. Wood, smooth-surface cementitious siding or Masonite siding are permitted. Siding shall exhibit a horizontal, clapboard profile. Siding shall have no less than a four-inch reveal and no more than a six-inch reveal.
 2. The height of the first floor above street level shall meet the compatibility rule. The foundation shall be a minimum of fourteen (14) inches and a maximum of four (4) feet above the surface of the ground adjacent to the front façade. Brick, stone, smooth finish stucco, and smooth finish concrete are permitted as foundation facing materials.
 3. Windows shall be predominantly vertical in proportion, shall not be constructed in combination of more than two (2) units, and shall be double-hung wood sash with true divided lights. Window organization and fenestration patterns shall meet the compatibility rule.
 4. Exterior doors visible from any public right of way shall be solid wood panel or single-pane fixed glass and shall be composed of no more than 50 percent glass.
 5. Exterior architectural details, such as brackets, decorative trim, corner boards, bottom boards, fascia boards, porch railing, columns, steps and doors, and attic vents, shall be shown on the submitted plans, and shall be subject to the compatibility rule.
- c) Roofs:
1. The shape and pitch of roofs, as well as ridge, dormer, overhang, and soffit construction shall meet the compatibility rule.
 3. When chimneys are included, chimneys shall be faced in brick, originate at grade and are subject to approval by the commission.
Boxed gable returns are not permitted.
 4. Roofing material shall be asphalt shingles. Fiberglass roofs are not permitted. Flat-roofed structures or structures not visible from any public right of way may use any roof covering that conforms to standard architectural specifications.
- e) Porches:
1. Front porches shall contain balustrades, columns, and have other characteristics, including floor dimension, height, roof pitch, overhang, and column size that meet the compatibility rule.
 2. Decorative metal, resin, fiberglass and plastic columns are not permitted.

3. Porches may be enclosed with recessed screen wire if the main characteristics of the porch are maintained.
 4. Front porch steps shall be made of wood, brick, or concrete. Metal steps are not permitted.
- f) Site development, sidewalks and curbs:
1. The sidewalk shall be the same width as the sidewalk on abutting properties. If no sidewalk exists on abutting properties, the new sidewalk shall match sidewalk widths on the block. If no sidewalk exists on the block, the new sidewalk shall be six feet wide.
 2. Sidewalks shall be brick on a concrete base and laid in a pattern to match existing on abutting properties or elsewhere in the district.
 3. Curbing shall be granite; poured concrete shall not be used.
 4. A paved walkway from the front public sidewalk to the front entry of the principal building shall be provided.
- (19) Off-street and off-site parking.
- a) All new construction, change in use, alterations, or additions that increase the number of dwelling units and/or increase the square footage of nonresidential or multifamily shall include off-street parking.
 - b) The number of required parking spaces is set out in each subarea.
 - c) Variances may be allowed from this requirement subject to the standard procedures and requirements for a variance found in these regulations.
 - d) Off-street parking shall not be located or authorized between the principal building and the street.
 - e) Off-street parking may be located in a rear or side yard.
 - f) The driveway of a lot used for residential purposes shall extend at least 20 feet behind the front façade of the house.
 - i) Off-street or off-site parking shall include landscape buffer strips placed along sidewalks and public rights of way. Landscape buffer strips shall be: a minimum of three feet in width, planted with a mixture of evergreen groundcover or shrubs a minimum of three gallons at time of planting with a maximum mature height of 30 inches; and planted with canopy street trees that are a minimum of 3.5 inch caliper measured 36 inches above ground and a minimum of 12 feet in height at time of planting placed no further than 25 feet on center. All landscape buffer strips shall be maintained in a sightly manner.
 - j) Mesh paver blocks (including the installation of durable ground cover plantings), poured concrete, concrete pavers, decorative stone or brick are permitted paving materials for driveways and surface parking. Asphalt is not permitted.
 - k) Use of shared driveways and/or alleys is encouraged.
 - l) 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.

Sec. 16-20A.011. Transitional Commercial (subarea 5).

In addition to the general regulations required in section 16-20A.006, the following regulations shall apply to any new development or the conversion of any existing structures to permitted uses within the subarea. These regulations are intended to mitigate any nocuous effects that the commercial intrusion subarea may have on adjoining residential uses within the remainder of the Cabbagetown Landmark District. These regulations further intend to maintain compatibility between the existing and future uses of the area and the overall character of the district as a whole.

- (1) Permitted principal uses and structures. A building or premises shall be used only for the following principal purposes:
- a) A building or premises shall be used for the principal uses specified within section 16-16.003 of this part, with the exception of paragraph (1) allowing adult business and paragraph (17) allowing signs, general advertising.
 - b) Multifamily dwelling units. Multifamily dwellings are permissible if a minimum of 25 percent of the total heated floor area of each building is constructed and used for non-residential uses as allowed in Section 16-20A.011(1), (2) or (3).
 - c) Any of the following uses provided they do not exceed 4,000 square feet of floor area:
 1. Bakeries and catering establishments.
 2. Laundry and dry cleaning establishments where customers operate equipment.
 3. Tailoring, custom dressmaking, millinery and similar establishments.
 4. Restaurants, bars, coffee shops, delicatessens, and taverns.
 5. Specialty shops such as antique stores, gift shops, boutiques, art and craft stores, and apothecary shops.
 6. Barber shops, beauty shops, manicure shops, and similar personal service establishments.
 - d) Any of the following uses provided that they do not exceed 10,000 square feet of floor area:
 1. Clubs and lodges.
 2. Museums, art galleries, libraries, and similar profit or non-profit cultural facilities.
 3. Offices, studios, clinics (including veterinary if animals are kept within soundproof buildings), laboratories, and similar use.
 4. Professional or service establishments.

Drive-thru and drive-in services, windows, and facilities are prohibited. Hiring halls are prohibited. Blood donor stations are prohibited. No wholesaling or jobbing shall be conducted from within the Cabbagetown Landmark District. No use or manner of operation shall be permitted that is obnoxious or offensive by reason of odor, smoke, noise, glare, fumes, gas, vibration, unusual danger of fire or explosion, emission of particulate

matter, interference with radio, television, or wireless data reception, or for other reasons incompatible with the character of this subarea and its relationship to adjoining residential subareas.

- (2) Permitted accessory uses and structures. The uses and structures that are customarily incidental and subordinate to permitted uses and structures are authorized, subject to the following restrictions:
 - a) Except as otherwise herein provided, no merchandise shall be stored other than that to be sold at retail on the premises and such merchandise shall occupy no more than 25 percent of the total floor area on the premises.
 - b) No storage shall be provided in any portion of a structure adjacent to any public sidewalk, public park or plaza.
 - c) No off-premises storage of merchandise shall be permitted in this subarea either as a principal or accessory use.
- (3) Special permits. The following uses are permissible only by special permit of the kind indicated, subject to limitations and requirements set forth herein and in section 16-25.002(3).
 - a) Special use permits:
 1. Poolrooms, billiard parlors, amusement arcades.
 2. Terminals, freight, rail, bus or truck, when erected or operated by other than a governmental agency.
 3. Outdoor amusement enterprises, exhibits, entertainments, meetings, displays or sales areas, or outdoor areas for religious ceremonies of 14 days or more duration.
 4. Childcare centers, kindergartens, and special schools provided that they do not exceed 10,000 square feet of floor area.
 5. Retail establishments provided that they do not exceed 10,000 square feet of floor area.
 6. Grocery stores provided that they do not exceed 10,000 square feet of floor area.
 - b) Special administrative permits:
 1. Outdoor amusement enterprises, exhibits, entertainments, meetings, displays or sales areas, or outdoor areas for religious ceremonies of less than 14 days duration.
 - c) Special exceptions:
 1. Churches, temples, synagogues, and other religious worship facilities where the lot is less than one (1) acre.
 2. Structures and uses required for operation of a public utility except uses involving storage, train yards, warehousing, switching, or maintenance shops as a primary purpose.
 3. Off-street parking within 500 feet of primary use.
- (4) Residential. For alterations to any residential structure in Subarea 5, the General Regulations and the specific regulations for Subarea 3 shall apply.
- (5) Site limitations.
 - a) Minimum building façade heights: Buildings shall have a minimum façade height of 18 feet along each façade visible from any public right of way.
 - b) Maximum building heights: Buildings that are between 0 and 50 feet of a Subarea 3 boundary shall have a maximum height of 28 feet. Buildings that are within 51 and 150 feet of a Subarea 3 boundary shall have a maximum height of 35 feet. Buildings that are more than 150 feet from Subarea 3 boundary shall have a maximum height of 52 feet. Mezzanines and lofts shall be considered a story.
 - c) New development containing an entire block face greater than 600 feet in length shall be traversed by new streets that create block faces no larger than 400 feet. Such streets shall function as public streets, shall connect two other public streets, and shall meet all other requirements of this chapter.
- (6) Lot coverage. The lot coverage shall not exceed 80%.
- (7) Relationship of Buildings to Street.
 - a) The delineation of building floors at the second story above sidewalk level shall be executed through windows, belt course, cornice lines, or similar architectural detailing.
 - b) The primary pedestrian entrance to all uses and business establishments with sidewalk-level street frontage shall:
 1. Face and be visible from the street.
 2. Face and be visible to an arterial street when located adjacent to such arterial streets.
 3. Be directly accessible, visible, and adjacent to the sidewalk, supplemental zone, pedestrian plaza, courtyard, or outdoor dining area adjacent to such street.
 4. Remain unlocked during normal business hours for nonresidential uses.
 - c) Buildings shall provide continuous street-fronting sidewalk level commercial, office, or residential uses.
 - d) Building façade lines:
 1. On arterial streets: Shall be no less than 20 feet and no more than 30 feet from the street curb, with the exception of the provision for public parks and plazas and the provision of on-street parking.
 2. On all other streets: Shall be no less than 15 feet and no more than 30 feet from the street curb, with the exception of the provision for public parks and plazas.
 - e) A street address number shall be located above the principal building entrance, shall be clearly visible from the sidewalk, and shall be a minimum of six inches in height.
- (8) Storefront Fenestration. All street-fronting sidewalk level development, with the exception of churches and fire stations, shall provide fenestration for a minimum of 75 percent of the length of the frontage, beginning at a point not more than three feet above the public sidewalk, for a height no less than ten feet above the sidewalk. Fenestration for commercial

uses shall allow views into the interior or display windows and shall not have painted glass, reflective glass, or other similarly treated fenestration.

- a) Variances in fenestration requirements may be approved by the AUDC.
 - b) Sidewalk level development without fenestration shall not exceed a maximum length of ten feet of façade.
- (9) Storefront illumination and lighting.
- a) Security, decorative, parking deck, and other lighting adjacent to residential uses shall minimize light spillage onto residential properties by providing cutoff luminaries that have a maximum 90-degree illumination. The AUDC may also require other elements to reduce light spillage.
 - b) Any security, decorative, parking deck, or other lighting luminaries shall be located a minimum height of eight feet above the sidewalk, drive or pedestrian area.
- (10) Loading areas, loading dock entrances and building mechanical and accessory features.
- a) Commercial dumpsters and loading areas may not be located within thirty (30) feet of an adjoining residential subarea boundary, and shall be screened with opaque fences or walls six feet in height.
 - b) Residential dumpsters and loading areas shall be encircled with opaque fences or walls six feet in height. Walls may be smooth finish stucco or same material as the building.
 - c) Loading dock entrances for nonresidential uses shall be screened so that loading docks and related activity are not visible from any public right of way.
 - d) Building mechanical and accessory features shall be located to the side and rear of the principal building and shall be in the least visible location from the public right of way. Screening with appropriate plant and/or fence materials shall be required if the equipment is visible from the public right of way.
 - e) When located on rooftops, building mechanical and accessory features shall be incorporated in the design of the building and screened with materials similar to the building.
 - f) Building mechanical and accessory features shall not be permitted between the principal building and any public street.
- (11) Fences and Walls.
- a) Chain link fencing or similar elements shall not be visible from any public plaza, outdoor dining area, or public right of way. Chain link, where permitted, shall be clad in either black or dark green coating. Canopies and associated service areas shall not be located between a building and the street.
 - b) Fences and walls that are not located between the principal building and the sidewalk shall have a maximum height of six feet.
 - c) No fences are permitted between the principal building and the sidewalk.
 - d) No walls, except retaining walls, shall be located between a building and the sidewalk.
 - e) Walls shall be faced with stone, brick, or smooth stucco.
 - f) The AUDC may by variance permit retaining walls that are greater than two feet in height between the building façade line and the street.
- (12) Sidewalks.
- a) Sidewalks along Tye, Powell, Estoria, Pearl and Gaskill streets shall be regulated as set out in Subarea 3.
 - b) Public sidewalks shall be located along all public streets. For new development, no sidewalk shall be less than 15 feet in width, unless otherwise indicated in this section. Sidewalks shall consist of a minimum of two zones: a “street furniture and tree-planting zone,” which shall be located adjacent to the curb, and a “clear zone.” The following regulations shall apply to all public sidewalks adjacent to Memorial Drive within Subarea 5 of the Cabbagetown Landmark District:
 1. The street furniture and tree-planting zone shall have a minimum width of five feet. The street furniture and tree-planting zone shall be located adjacent to the curb and shall be continuous. In addition to the planting of trees as required in this section, this zone is also intended for the placement of street furniture as approved by the AUDC including utility poles, waste receptacles, fire hydrants, traffic signs, newspaper vending boxes, bus shelters, bicycle racks, public kiosks, and similar elements in a manner that does not obstruct pedestrian access or motorist visibility as approved by the city.
 2. The clear zone shall be a minimum width of ten feet, shall be hardscape and located adjacent to the street furniture and tree-planting zone, and shall be unobstructed by any permanent or nonpermanent element for a minimum width of ten feet and a minimum height of eight feet.
 3. Street tree-planting requirements. Street trees are required and shall be planted in the ground a maximum of 25 feet on center within the street furniture and tree-planting zone and spaced equal distance between street lights. All newly planted trees shall be a minimum of 3.5 inches in caliper measured 36 inches above ground, shall be a minimum of 12 feet in height, shall have a minimum mature height of 40 feet, and shall be limbed up to a minimum height of seven feet. Trees shall also have a minimum planting area of 25 square feet. Where sidewalks meet the minimum requirements for this section, planting areas shall be permitted to be planted with evergreen ground cover such as mondo, liriopse spicata, or ivy. All plantings, planting replacement, and planting removal shall be approved by the city arborist. Variances in street tree requirements may be granted by the AUDC subject to constraints such as overhead or underground utilities.

4. No awning or canopy shall encroach more than a maximum of five (5) feet over the sidewalk.
5. Nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede visibility within visibility triangles at street intersections between the heights of two and one-half feet and eight feet above grade pursuant to Sec. 16.28.008, Visibility at Intersections.
6. Pedestrian street lights shall be placed a maximum distance of 40 feet on center, spaced equal distance between required trees along all streets within either the street furniture and tree-planting zone or the supplemental zone.
7. Sidewalks in this subarea within 20 feet of subarea 3 shall taper when necessary to provide a smooth transition to the existing sidewalk in an adjacent subarea. In the event that the abutting subarea has no existing sidewalk, the sidewalk shall taper to the width required by that subarea's regulations, a width of six feet (measured from the street curb), or as approved by the AUDC.
8. Every effort shall be made to place utilities underground or to the rear of structures to allow for the unobstructed use of the sidewalks.
9. Trash receptacles, where installed, shall be the Victor Stanley Model S-42 or similar looking standard trash receptacle and shall be placed within the street furniture and tree-planting zone.

(13) Supplemental Zones.

- a) Any area between the street-fronting building façade line and the required clear zone is a supplemental zone.
Supplemental zones:
 1. Shall be permitted between the required sidewalk and the building façade.
 2. Shall be required along arterial streets at a minimum width of five feet, unless on-street parking is provided where there currently is none.
 3. Shall not exceed a maximum width of 15 feet.
 4. Shall be hardscaped.
- b) The following elements may be located within the supplemental zone so long as any proposed element is approved by the AUDC:
 1. Accessory outdoor dining that may be separated from the sidewalk only with planters, shrubs, or fencing which shall have a maximum height of 36 inches.
 2. Balconies, pedestrian walkways, porches, ramps for accessibility, and stoops.
 3. Terraces shall have a maximum finished floor height of 24 inches above the sidewalk elevation and shall be surrounded by permanent safety fencing with a maximum height of 42 inches. See subsection 16-29.001(25)b.
 4. Landscaping and water features.
 5. Lighting.

(14) Curb cuts and parking structures.

- a) All sidewalk-paving and curbing materials shall be continued across any intervening driveway.
- b) Driveways shall have a five-foot-wide band of textured concrete adjacent to the street and in-line with the street furniture zone.
- c) Driveway and curb cut widths shall be a maximum of 24 feet for two-way entrances and 12 feet for one-way entrances.
- d) Required driveways may be located outside the lot boundaries provided they directly connect to a public street, subject to approval by the AUDC.
- e) No circular drives shall be located between any buildings and any public street.
- f) Except as authorized above in this subsection parking areas or driveways are not permitted between the sidewalk and a building, and shall be perpendicular to any adjacent street, except for a driveway to reach the side or rear yard or an on-site parking facility. Driveways for childcare centers, kindergartens and special schools may be located between the sidewalk and the building if approved by the AUDC.
- g) One-third of all surface parking areas shall be constructed of pervious materials.
- h) No more than one curb cut is permitted for each development. Developments with more than one street frontage, may have two curb cuts. Two curb cuts on properties with street frontage greater than 300 feet may be approved by the AUDC.
- i) Garages and carports that serve a single or two-family residential structure shall be to the rear of the principal building. Garages that serve a multi-family structure may be attached to the principal building, but entrances to garages shall not be on the front façade or the half-depth façade of the principal building.
- j) Parking deck facades shall conceal automobiles from visibility and shall have the appearance of a horizontal storied building.
- k) Parking decks shall provide either continuous street frontage with sidewalk-level commercial, office, or residential uses, or a minimum five-foot landscaped strip between the structure and the public sidewalk, except at ingress and egress points into the structure. The landscaped strip shall be planted with street trees spaced a maximum distance of 20 feet on center, which shall also meet the tree requirements set out in Section 16-20A.011(16). The landscape strip shall also be planted with evergreen ground cover or shrubs a minimum of three gallons at time of planting with a maximum mature height of 30 inches. All plantings, planting replacement, and planting removal shall be approved by the city arborist. All landscaping shall be kept in a sightly manner.

- l) Notwithstanding the provisions of section 16-28.006(10), a common or joint driveway may be approved by the AUDC when adjacent lots have direct vehicular access to a street.
 - m) All developments shall have walkways with a minimum width of four feet provided along the edge of all sidewalk level parking and drive areas and shall be linked to the public sidewalks.
 - n) No drop-off lanes are permitted along public streets.
- (15) Lighting, security, and maintenance requirements for parking structures & surface parking lots. All surface parking lots and structures shall have the following minimum requirements:
- a) Lighting shall be provided throughout all parking facilities to equal a minimum of one-fifth foot-candle of light. A foot-candle of light is a uniformly distributed flux of one lumen on a surface of one square foot in area. Where applicable, public street lighting may be utilized to either partially or totally fulfill the lighting requirements; however, where such street lighting is removed, it shall be the responsibility of the parking facility to independently provide these required levels of illumination.
 - b) Parking lots adjacent to residential areas shall minimize light spillage onto residential properties by providing cutoff luminaires that have a maximum 90-degree illumination and shall in all other ways be in compliance with Illuminated Engineering Society of North American Recommended Practice #33 – Lighting for Exterior Environments.
 - c) Parking deck lighting shall be a maximum of seven feet high and shall not be visible from any public right of way.
 - d) Parking facilities shall be maintained in a clean, safe, sanitary, and attractive condition. Parking spaces and driving lanes shall be clearly defined and maintained as such. Parking lots shall not be operated when any damage impairs the drivability of the parking lot.
- (16) Minimum landscaping for parking lots and barrier requirements. Each of the provisions of the Code of Ordinances, chapter 158 Vegetation, article II Tree Protection, and section 30 Parking lot requirements shall apply to all lots of 10 spaces or more in this subarea. In addition to these regulations, the following requirements shall apply:
- a) All landscaped areas shall be planted with evergreen groundcover or shrubs with a maximum mature height of 30 inches.
 - b) Landscape bugger strips as described in section 16-20A.006(19) (i) shall be required.
 - c) Variances in surface parking lot landscaping and barrier requirements may be approved by the commission per the criteria set out in Section 158-30(14).
- (17) Minimum Off-street parking requirements. The following parking requirements shall apply to all permitted uses, including those approved by special permits:
- b) Off-street parking for those uses set out in 16-16.003 shall be as provided for in section 16-16.009.
 - c) Banks and similar institutions: One space for each 200 square feet of floor area.
 - d) Childcare centers: One space for each 600 square feet of floor area; in addition to providing required off-street parking, such centers shall provide safe and convenient facilities for loading and unloading children, as approved by the director of the bureau of traffic and transportation.
 - e) Clothing and tailor shops: One space for each 200 square feet of floor area.
 - f) Clubs and lodges: One space for each 100 square feet of floor area.
 - g) Commercial recreation uses, including bowling alleys, amusement arcades, game rooms, and the like: One (1) space for each 100 square feet of floor area.
 - h) Eating and drinking establishments: One space for each 100 square feet of floor area and one space for each 200 square feet of outdoor dining area. Outdoor dining area less than or equal to 25 percent of the enclosed floor area shall have no parking requirement.
 - i) Laundry and dry cleaning establishments where customers operate equipment: One space for each 200 square feet of floor area.
 - j) Retail establishments, including catering, delicatessen and bakeries, but not other uses as provided below: One space for each 200 square feet of floor area.
 - k) Accessory uses: One space for each 300 square feet of floor area devoted to an otherwise permissible accessory use.
 - l) For all other nonresidential uses: One space for each 300 square feet of floor area.
- (18) Off-Street Parking Variances. Reductions in parking requirements may be approved by the AUDC subject to a shared parking arrangement under the following criteria:
1. The arrangement shall avoid conflicting parking demands and provide for safe pedestrian circulation and access; and
 2. All shared parking spaces shall be clearly marked and signed as reserved during specified hours.
 - b) An applicant shall submit the following information as part of the application to reduce parking requirements and avoid conflicting parking demands:
 1. A to-scale map indicating location of proposed parking spaces;
 2. Indicate hours of business operation;
 3. Written consent of property owners agreeing to the shared parking arrangements; and
 4. Copies of any parking leases. Renewed leases shall be provided to the AUDC. Lapse of a required lease agreement shall terminate the permit.

- (19) Electric vehicle charging stations. A building, commercial establishment, or other property, which provides automobile parking facilities shall provide parking facilities in the ratio of at least one station for every 50 automobile parking spaces. No more than five such stations shall be required for a parking facility.

Per Section 16-20.009:

- (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;
- (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.

Analysis of Relationships between District and Beltline Zoning Regulations, and State of Georgia Route Requirements

The Staff has completed a general zoning analysis and reached the following conclusions about the relationship between the District regulations, the Beltline Overlay Zoning District and the Georgia Department of Transportation (GDOT):

1. In addition to its design requirements, the District regulations also address more basic, “standard” zoning requirements, including: allowed uses (principal, accessory, special), transitional characteristics (uses, height planes, yards, and screening), density, setbacks, lot size, yard requirements, height, and the number of off-street parking spaces.
2. The Beltline Zoning Overlay District have requirements related to design, building articulation and fenestration, facades, design of parking, streetscapes, and site arrangement. In some cases, the Beltline Zoning Overlay District has requirements that are stricter than the District regulations, and thus are the governing requirement for that topic. The Beltline Zoning Overlay requirements will be addressed through a concurrent Beltline Special Administrative Permit (SAP) review process also administered by the Office of Planning.
3. As Memorial Drive is a State route, there are certain requirements governed by GDOT that may supersede the district regulations or would be considered an alternative, but still compatible method of compliance with the district regulations.

Given the above mentioned layers of zoning and review, Staff recommends any changes necessitated by the Beltline Overlay review or requirements by GDOT be reviewed and if appropriate, approved by Staff.

General Development Controls and Site Plan Issues

Staff found the following development control or site requirements missing, or do not meet the district requirements. If a development control or site requirement is not discussed below, then it met the District regulations, is under the purview of the Beltline Overlay or did not apply to this project.

According to the site plan submitted, the existing corner lot fronts 198.77’ on Memorial Drive and also fronts 260’ on Tye Street. In looking at the City of Atlanta lot boundary maps, there is a slight difference in the two frontage measurements. Staff suggests the Applicant work with the Office of Planning subdivision staff to resolve the lot measurement discrepancy.

Setbacks

Per regulations, there are building façade line requirements for street fronting elevations. For arterial streets, the building façade line shall be no smaller than 20' and no larger than 30'. The proposed building façade line along Memorial Drive appears to be 31' and therefore does not meet the requirement. Staff recommends the building façade line along Memorial Drive meet the requirements.

Per regulations the north yard setback and the east side yard setback are based on the compatibility rule. The Applicant indicates that Immanuel Baptist Church was used as a comparison for the side yard setbacks. Staff would note the setbacks for the church were not submitted and there was no indication for the rear yard setback comparison. Staff recommends the Applicant provide documentation the north yard setback and the east side yard setback meet the requirements.

Non-Residential Uses and Lot Coverage

Multifamily dwelling units are allowed if 25% of the floor area in each building is allocated to non-residential uses. Although the site plan includes calculations indicating the percentage requirement has been met, Staff recommends the Applicant provide specific calculations for each floor that indicate the percentage of residential and non-residential square footage.

Per regulations, the maximum lot coverage allowed is 80%. The Applicant has not provided information regarding the existing or proposed lot coverage. Staff recommends the Applicant provide documentation the lot coverage requirements have been met.

Parking and Loading

Per regulations, the parking requirements are based on the use of the various units. The site plan indicates 16 bicycle spaces, 52 spaces for the residential units and 60 non-residential spaces that include 5 accessible spaces and two electric car parking spaces. Per regulations, there is a requirement for 1 electric vehicle charging station per 50 car spaces. As there are 112 car spaces provided, there needs to be 3 electric vehicle charging stations. Staff recommends there be no less than 3 electric car charging stations indicated on the site plan.

While the parking requirements appear to be met, Staff has concerns the non-residential spaces were calculated using 1 space per 300 sq. ft. Staff would note that many of the allowed uses, including retail, commercial recreation and eating and drinking establishments would require more parking than is currently allotted for. As the future non-residential tenants are unknown, Staff is concerned that these parking calculations will likely lead to future requests for parking reductions.

As the adjacent lots are vacant, Staff finds the rear of the building and the two-story deck will be highly visible from Tye Street. Per regulations, parking decks shall conceal the visibility of cars and have the appearance of a horizontal storied building. It does not appear there were any elevations submitted that indicate what the parking deck or garage looks like. Staff recommends the Applicant submit elevations that indicate the parking deck will meet all district requirements.

In looking at the site plan, there appears to be a loading space on the sidewalk on the Memorial Drive elevation. Loading areas should not be located on the sidewalk. Staff recommends the loading space be removed from the sidewalk. Staff recommends the Applicant clarify how loading will be handled for this project.

Sidewalks

There are numerous sidewalk requirements outlined in the District regulations and the Beltline Overlay. In addition, there are likely requirements from GDOT. In comparing the District requirements to the

Beltline Overlay, Staff finds the Beltline Overlay requirements are more restrictive and therefore apply. Staff would note the proposed sidewalks do not meet the all of the Beltline Overlay requirements and will therefore likely require revisions or variations. Staff finds that material requirements and requirements for street trees and lighting along arterial streets fall within the purview of the district regulations.

The district regulations require brick sidewalks. The site plan indicates concrete for a large portion of the sidewalk on Memorial Drive and therefore does not meet the requirements. Staff recommends the sidewalk on Memorial Drive is brick. Per regulations, street trees shall be planted 25' on center and pedestrian street lights shall be placed 40' on center and evenly spaced between the street trees. The site plan does not indicate any street trees and the street light requirements are based on the Beltline Overlay regulations which are less restrictive in this case. Staff recommends the street tree and street light requirements meet the district requirements.

Demolition and Signage

In looking at the existing site plan, there is an existing 1 story building on the site. The Applicant has not provided any pictures of the building or the site. Without pictures, Staff could not initially discern whether a Type IV application for demolition would be required to demolish the existing building on the site. In looking at survey pictures, the existing building on the site is indicated as non-contributing. Staff finds a Type IV Certificate of Appropriateness is not required. While a demolition is not required, Staff recommends the Applicant submit pictures of the existing conditions and points of comparison in order to provide context for the project.

There is no signage currently proposed. As signage requires review by the Commission, Staff recommends any signage be submitted as a separate application. Staff suggests the Applicant submit a menu of signs for the non-residential tenants for the Commission to approve. This would allow individual tenants to have signs approved administratively if the proposed sign matched one of the signs approved by the Commission.

General Massing, Architectural Components, and Materials

Staff found the following massing, architectural component, or materials either missing/ undocumented or did not meet the District regulations. If a massing, architectural component, or material issue is not discussed below, then it met the District regulations, is under the purview of the Beltline Overlay or did not apply to this project.

While the property is located in Subarea 5, the requirements related to the architectural elements are contained within the general regulations. In looking at the general regulations, most of the requirements refer to the construction of single family houses. As this project is mixed use, Staff finds Section 16-20.009 (further standards) should be used to review the architectural design components of the proposed project.

The existing vacant lot is located on the corner of Memorial Drive and Tye Street. Memorial Drive is an arterial street and the adjacent lots are vacant. Tye is a residential street with single family detached homes across from the proposed project. Staff finds the portion of the project that faces Memorial Drive should be distinct from the Tye Street elevation and could be designed to be more commercial and contemporary in appearance. Staff finds the portion of the project that faces Tye Street should have a general massing and design that is compatible with the existing single family houses across the street. In looking at the project as a whole, Staff has concerns regarding some of the design details. Specifically, Staff has concerns regarding the height, fenestration, materials and roof form.

Building Height

Per regulations, there are minimum building façade heights and maximum building heights. While Staff does not have concerns regarding the minimum building façade height, Staff does have concerns regarding the maximum building height. As the existing lot is near Subarea 3, the maximum building height is based on the distance of the proposed building to the Subarea 3 boundary line. There is nothing on the site plan or the elevations that clearly indicate where the building is in relation to the Subarea 3 boundary and how the building meets the maximum height requirements. Staff recommends the Applicant provide documentation the maximum height requirement has been met.

Relationship of Building to Street

Per regulations, there shall be a delineation of building floors above the sidewalk. In looking at the elevations, Staff finds there should be a more clear delineation between floors. Staff recommends the elevations reflect a better delineation between floors.

The main entrance to the building appears to be to the left of the parking entry. While the entrance meets the minimum requirements, it is difficult to identify the main entry to the building. In the elevation, what is indicated as a door on the site plan, appears to be a window. The main entry appears to be less prominent than the entry to the trash compactor on the right of the parking entry. Staff suggests the elevations reflect a more prominent and more easily recognizable main entryway into the building. In comparing the elevations to the site plans and floor plans, Staff finds the windows and doors depictions are not consistent. Staff recommends all site plans, elevations and floor plans are internally consistent.

Fenestration

There are five different types of windows indicated on the elevations. Staff has identified six pane windows, nine over one windows, nine over two pane windows, three pane windows and two types of storefront transom windows. While having different windows for different parts of the project is appropriate, Staff finds that having too many different windows designs creates a disjointed appearance. Staff recommends the elevations reflect less variation in the fenestration design. In looking at the third floor on the Tye Street elevation, there are very few windows. Staff recommends the Applicant clarify why there are large amounts of blank wall on the third floor of the Tye Street elevation.

Materials

The proposed façade materials for the project include corrugated metal, cementitious panels, cementitious siding and brick. Staff has concerns the numerous façade materials will create a disjointed appearance. While a difference in façade materials is important to distinguish different parts and uses of the building, Staff finds there are too many different materials. Staff recommends the elevations reflect less variation in the façade materials. Some of the façade materials are not indicated (awnings, trellis, and fenestration). As such, Staff recommends all proposed materials are indicated on the elevations.

Roof

Staff has concerns regarding the roof form. Staff finds that having a pitched roof on the four story portion of the building is not appropriate or consistent with other four story buildings in the district. Staff finds that having a pitched roof on the Tye Street elevation is appropriate as is relates to the single family houses across the street. Staff recommends the four story portion of the building have a flat roof or a low slopped roof hidden by a parapet.

In looking at the Tye Street elevation, there is a notation for an awning/trellis. While Staff does not have general concerns regarding awnings, Staff finds that having a trellis on the front of the building is not appropriate. Staff recommends the trellis is removed from the design.

Staff Recommendation: Based on the following:

1. There are elements of the proposed site plan that do not meet the District regulations; and
2. There are massing, architectural components and materials of the proposed design that do not meet the District regulations.

Staff recommends deferral of the Application for a Type III Certificate of Appropriateness (CA3-15-405) for a new mixed-use development at **700 Memorial Dr.** Property is zoned Cabbagetown Landmark District (Subarea 5) / Beltline, to allow time for the Applicant to address the following concerns:

1. Any changes necessitated by the Beltline Overlay review or requirements by GDOT be reviewed and if appropriate, approved by Staff.
2. The building façade line along Memorial Drive shall meet the requirements, per Section 16-20A.011(7)(d);
3. The Applicant shall provide documentation the north yard setback and the east side yard setback meet the requirements, per Section 16-20A.006(9);
4. The Applicant shall provide percentage of residential and non-residential square footage for each floor, per Section 16-20A.011(1)(b);
5. The Applicant shall provide documentation the lot coverage requirements have been met, per Section 16-20A.011(6);
6. There shall be no less than 3 electric car charging stations indicated on the site plan, per Section 16-20A.011(19);
7. The loading space shall be removed from the sidewalk, per Section 16-20A.011(10);
8. The Applicant shall clarify how loading will be handled for the project, per Section 16-20A.011(10);
9. The sidewalk on Memorial Drive shall be brick, per Section 16-20A.006(f);
10. The street tree and street light requirements shall meet the district requirement, per Section 16-20A.011(12)(b)(3) and (6);
11. The Applicant shall submit pictures of the existing conditions and points of comparison;
12. Any signage shall be submitted as a separate application;
13. The Applicant shall provide documentation the maximum height requirement has been met, per Section 16-20A.011(5)(b);
14. The elevations shall reflect a better delineation between floors, per Section 16-20A.011(7)(a);
15. All site plans, elevations and floor plans shall be internally consistent;
16. The elevations shall reflect less variation in the fenestration design, per Section 16-20.009;
17. The Applicant shall clarify why there are large amounts of blank wall on the third floor of the Tye Street elevation;
18. The elevations shall reflect less variation in the façade materials, per Section 16-20.009;
19. All proposed materials shall be indicated on the elevations, per Section 16-20.009;
20. The four story portion of building shall have a flat roof, per Section 16-20.009;
21. The trellis shall be removed from the design, per Section 16-20.009; and
22. Appropriate copies of all updated plans and information shall be submitted no less than eight days before the deferred meeting.



CITY OF ATLANTA

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MAYOR

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STAFF REPORT

October 28, 2015

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-15-407) for a variance to allow a reduction in the west side yard setback from 3' (required) to 2.1' (proposed) and (CA3-15-406) for alterations and an addition at **1079 Colquitt Avenue** - Property is zoned R-5/ Inman Park Historic District (Subarea 1)/Beltline.

Applicant: Ute Banse
1077 Alta Avenue

Facts: According to the Inman Park survey book, this dwelling built in 1908 is considered contributing.

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.

Section 16-20L.005 General Regulations.

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.
 - c. Compatibility Rule: 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. To further that intent and simultaneously permit flexibility in design, the regulations provide a Compatibility Rule which is as follows: 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. Where not quantifiable (roof form, architectural trim, etc.) it shall be compatible with that which predominates in contributing structures on that block face and shall be internally consistent with the historic design of the structure.
- 2. Certificates of Appropriateness.
 - a. Notwithstanding any other provision herein, no Certificate of Appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - d. Type III Certificates of Appropriateness shall be required for:
 - ii. All major alterations and additions to existing structures where visible from a public street or park, unless such alterations or additions are specifically exempted from Certificates of Appropriateness in the Subarea regulations.
- 6. Tree Preservation and Replacement.
The provisions of the City of Atlanta Tree Ordinance, Atlanta City Code Section 158-26, shall apply to this District.
- 7. Any time the provision 16-20.011(b) of this part is enforced in this District, the Director of the Commission shall notify the Inman Park Neighborhood Association within 10 days and a 30-day period for comment be allowed for the Association. Further, the Director shall regularly send to the Inman Park Neighborhood Association the agenda for each regular meeting and for any special meeting of the Commission in which there is any agenda item for property located within the Inman Park Historic District.

Section 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. In no case shall the height of a structure exceed 35 feet. (See Section 16-28.022 for excluded portions of structure.)
 - h. Height of the first floor of the front façade above grade shall be subject to the Compatibility Rule. The first floor of the principal structure shall be on foundations and shall be elevated above grade at the front façade a minimum of two entrance risers each of which shall be not less than 7 inches in height. Slab-on-grade construction is not permitted.
 - 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.
 - v. The size and type of doors.
 - (1) Exterior doors shall be wood panel or fixed glass panel in wood frame.
 - vi. The materials and pattern of roofing.
 - viii. Visible foundation materials.
 - (1) Foundations shall constitute a distinct building design element and shall contrast with the primary façade siding material. Exposed concrete or CMU foundation walls are prohibited as a finished surface.

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.

Variance Request

The Applicant is requesting a reduction in the west side yard setback from 3’ (required) to 2.1’ in order to construct a rear addition and deck. In looking at the site plan, the proposed rear addition follows the lines of the existing house. The issue is the property narrows towards the rear and therefore makes the setback of the addition closer to the property lines than the existing house. Staff finds the shape of the lot is an extraordinary and exceptional condition. Staff finds that making the addition narrower to meet the setback requirement creates a hardship for the Applicant. Staff finds that approval of the proposed variance does not cause a public detriment or impair the intent of the ordinance. Given the information we have at this time, Staff does not have concerns regarding the proposed variance.

Site

According to the site plan submitted, the lot in question fronts 45.7’ on Colquitt and has a depth of 150’. In looking at the City records, the lot has 3’ less frontage. Per regulations, the side yard setback shall be no closer to the property line than the existing house. As indicated in the variance section, Staff has no concerns with the proposed side yard setbacks. The rear yard setback is based on the compatibility rule. According to the Applicant, the rear yard setbacks on the block face range from 29.7’ to 81’. The proposed rear yard setback is 48.1’ and therefore meets the requirements. Per regulations, accessory structures shall have setbacks of no less than 3’. The side and rear yard setbacks of the proposed condenser units is more than 3’ and therefore meet the requirements.

Per regulations, the floor area ratio (FAR) can be no more than .50. The proposed FAR is .50 and therefore meets the requirements. Per regulations, the maximum lot coverage allowed is 55%. The proposed lot coverage is 45% and therefore meets the requirements.

Additions and Alterations

As this is an interior lot, Staff finds only the front and sides of the house are visible from a public right-of-way or park. Staff will only comment on the front and side facades.

In looking at pictures submitted by the Applicant, it is clear a fire has damaged the property. The Applicant is proposing to demolish an existing addition and construct a new addition. Staff finds the partial demolition will not result in the loss of significant architectural features that destroy the structure's historic interpretability or importance. As such, Staff finds a Type IV Certificate of Appropriateness for a partial demolition is not required. Staff has no concerns regarding the proposed demolition.

In looking at the proposed addition, Staff finds the design, materials, fenestration, massing and height is appropriate. Staff finds the change in the color of the foundation and the installation of corner boards will help clearly delineate the new addition from the existing historic house. Staff has no concerns regarding the proposed rear addition.

The Applicant is proposing to replace the existing roof. The new roof will be the same form, pitch, height and materials as the existing roof. As the existing roof was damaged by a fire, Staff has no concerns with the proposed replacement. The Applicant is proposing to replace a non-historic window. Staff has no concerns with the proposed replacement or the new window. The Applicant is proposing to remove the existing asbestos shingle facade and repair or replace the wood siding beneath in-kind. Staff has no concerns regarding the removal of the existing siding or the repair and replacement of the existing wood siding in-kind.

Staff Recommendation: Based upon the following:

(a) 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 (CA3-15-407) for a variance to allow a reduction in the west side yard setback from 3' (required) to 2.1' (proposed) at **1079 Colquitt Avenue** - Property is zoned R-5/ Inman Park Historic District (Subarea 1)/Beltline.

Staff Recommendation: Based upon the following:

(a) The plans meet the regulations per Section 16-20L.006, with the exceptions noted above;

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-15-406) for alterations and an addition at **1079 Colquitt Avenue** - Property is zoned R-5/ Inman Park Historic District (Subarea 1)/Beltline, with the following condition:

1. Staff shall review and if appropriate, approve the final plans.



CITY OF ATLANTA

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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT **October 28, 2015**

Agenda Item: Review and comment (RC-15-408) for a new outdoor classroom / pavilion and site work at 8 Peachtree Battle Avenue (E. Rivers Elementary School) – Property is zoned RG-2.

Applicant: Ron Grunwald
504 Deering Road

Facts: The school property is located on the southwest corner of Peachtree Road and Peachtree Battle Avenue. Along the south edge of the property is Peachtree Creek. To the west is the Peachtree Battle neighborhood.

The existing elementary school was completed a couple of years ago, replacing a 1950s building that had been altered and added to over time. The main school building sits on the high ground roughly even with Peachtree Battle Avenue. There is a parking lot one level below the main level of the school between it and Peachtree Road. In the late-2000s, a field house was built on the eastern side of the property near Peachtree Road almost at the lowest level of the property near the athletic fields. Earlier this year, the Commission reviewed a proposal to add parallel parking spaces around the track which encircles the athletic fields, which are the lowest level of the property.

Before the Commission at this time is the construction of an outdoor classroom / pavilion and play equipment on an existing concrete ball / game court at the western end of the athletic field / track area. Portions of the existing concrete pad will be cut out to create a gap between the ball court and the pavilion, and to provide a site of the swing set.

Per Section 6-4043 of the Atlanta City Code:

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

While the Staff does not have comments or concerns about the design of the pavilion itself, it does have several concerns about how the pavilion and the site work relates to the rest of the property.

First, the Staff is concerned about the pavilion's location relative to Peachtree Creek. It is the Staff's understanding that portions of the athletic field have flooded in the past even though they are not necessarily within the official flood plain. While a flat concrete ball court in this area would likely sustain little damage in a flood, a wood-column pavilion could have more problems. It would have similar concerns about the swing set and basketball goals.

Second, the Staff is concerned about the overall design aesthetic of the pavilion in relationship to the main school building and the field house. The main school building is a contemporary but restrained design using brick, metal, and pre-cast stone. The field house is more "traditional" with a clay tile roof, stucco walls, scones, and quoins. The proposed pavilion has exposed pressure-treated wood framing members and columns, wood brackets, brick column base, and cedar shake shingle roof. The Staff finds that having three distinct architectural "styles" on the site (all of which are new construction that occurred within a 10 year period) will create a disjointed and incongruous visual landscape to the school site.

Third, the Staff is concerned about the walkway that currently leads to the ball court concrete pad. It appears that at its north end, it runs into the side of the hill that supports a traffic circle above without any steps. While this walkway currently exists, the Staff is not sure how students would get down to the walkway from that part of the school property.

Staff Recommendation: The Staff recommends that the Commission deliver comments at the meeting regarding Review and comment (RC-15-408) for a new outdoor classroom / pavilion and site work at **8 Peachtree Battle Avenue (E. Rivers Elementary School)**.



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TIM KEANE
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CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT
August 26, 2015
Updated
October 28, 2015
(updated information in italics)

Agenda Item: Review and Comment (**RC-15-414**) on a variance application **V-15-327** and (RC-13-318) for a new accessory structure at **46 Montclair Drive** - Property is zoned R-4/ Brookwood Hills Conservation District.

Applicant: Tim Sullivan
553 Amsterdam Avenue

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

In 2013, a Review and Comment (RC-13-195) for alterations and site work was heard by the Commission.

This application was deferred to allow the Applicant time to submit a variance from the underlying zoning requirements.

Analysis: The following code sections apply to this application:

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

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

Sec. 16-20.009. Same; further standards.

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

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (3) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object or site shall be kept where possible.
- (5) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (7) Wherever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

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

The Applicant is proposing a new two-story carriage house in the rear yard. An existing carport will be demolished to make room for the new accessory structure. The existing accessory structure is not historic and therefore Staff has no concerns regarding the proposed demolition. In looking at the elevations of the proposed accessory structure, Staff finds the overall design, materials, fenestration and roof form are consistent and compatible with the existing principal structure. Given the location of the new accessory structure, Staff finds it will be difficult to see from the street and will therefore have little impact on the streetscape.

While the new accessory structure will be partially located on the foundation of the previous accessory structure, the proposed setbacks do not meet the underlying zoning requirements. The Applicant is requesting a reduction in the rear yard setback from 15' (required) to 6.5' proposed. Staff finds it is appropriate to construct the new accessory structure on the foundation of a previously existing structure. According to the Applicant, a 45" oak tree will need to be removed and additional grading will have to be done in order to meet the setback requirements. Staff finds that removing a significant tree and requiring additional grading creates a hardship on the Applicant. Staff finds that approval of the setback variance does not cause a detriment to the public good or impair to the intent of the zoning ordinance. Staff is in support of the proposed setback variance.

The Applicant is requesting a variance to increase the height of the accessory structure from 20' (allowed) to 22'11" (proposed). According to the Applicant, this additional height is needed to be consistent with the roof form of the existing principal structure. Staff finds that increasing the allowed height to be consistent with the slope of the principal structure is not a requirement. As the principal structure was built in 1929, Staff finds that having a different roof slope or form would actually help clearly indicate that the accessory structure is not original or historic. Staff finds that denial of the variance will not place a significant hardship on the Applicant. Staff is not in support of the proposed height variance.

Staff recommends the Commission send a letter with comments to the Secretary of the Board of Zoning Adjustment and the Applicant.



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STAFF REPORT
October 14, 2015
Updated October 28, 2015
(updated text in italics)

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-15-389) for a new single family house at **688 Grant Terrace**. Property is zoned R-5 / Grant Park Historic District (Subarea 1).

Applicant: Jacque Edmonds
Po Box 675935

Facts: According to the Grant Park Inventory sheet this property is currently a vacant lot.

The Applicant has provided new information regarding the proposed project. However, elevations and site plans were not included in the revised submission.

Analysis: The following code sections apply to this application:

Sec. 16-07.008. - Minimum yard requirements.

The following minimum yard requirements shall apply to all uses approved by special permits as well as permitted uses:

(5) Maximum floor area within this district:

- a. For a single-family detached dwelling on a lot which meets the minimum lot area requirement described in section 16-07.007(2): The maximum floor area ratio shall not exceed 0.50 of the net lot area.
- b. For a single-family detached dwelling on a lot which does not meet the minimum lot area requirement described in section 16-07.007(2):
 1. The maximum floor area allowed shall not exceed the lesser of either: (i) 3,7.50 square feet of floor area; or (ii) a maximum floor area ratio of 0.65 of the net lot area unless otherwise permitted as stated in subpart 2 below;
 2. If the floor area ratio does not allow it least 1,800 square feet of floor area, a dwelling of such size may be built provided that all other provisions of this part shall apply unless relief from such provisions has been granted by the board of zoning adjustment.
- c. For a duplex: The maximum floor area ratio shall be 0.60 of the net lot area.

- d. For a two-family dwelling that is not a duplex: The maximum floor area ratio within this district shall not exceed 0.50 of the net lot area for the main unit of a two-family dwelling, provided however that the secondary dwelling unit shall not exceed 750 square feet.
- (6) Maximum lot coverage: Maximum lot coverage within this district shall not exceed 55 percent of the net lot area.

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

Sec. 16-20K.006. - General regulations.

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

- (1) General Criteria.
 - (A) Notwithstanding any other provision herein, no Certificate of Appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - (B) Except as otherwise provided herein, the procedures for determining the appropriate type of certificate shall be those specified in section 16-20.008 of the zoning code.
 - (C) In Residential Subarea I, the commission shall apply the standards referenced in 16.20.009 only if the standards set forth in this Chapter 20K do not specifically address the application.
- (2) Certificates of Appropriateness.
 - (A) Type I Certificates of Appropriateness for ordinary repairs and maintenance shall not be required in this district. Painting or repainting of any structure, or portion thereof, does not require a Certificate of Appropriateness.
 - (B) Type II Certificates of Appropriateness shall be required for: Minor alterations to those façades of any contributing principal structure that face public streets; fences; walls; accessory structures; decks; and paving. If the proposed alteration meets the requirements of section 16-20K.007, then the director of the commission shall issue the Type II Certificate. If the proposed alteration does not meet the requirements of section 16-20K.007, the director of the commission shall deny the application. Appeals from said decision of the director regarding the issuance and/or denial of Type II Certificates may be taken by any aggrieved person by filing said appeal in the manner prescribed in the appeals section of Chapter 16-20.008(a) for Type I Certificates.
 - (C) Type III Certificates of Appropriateness shall be required for:
 - 1. All new principal structures;
 - 2. All major alterations and additions to existing structure, with respect to any façade that faces a public street.
 - (D) Type IV Certificates of Appropriateness shall be required for demolition or moving of any contributing principal structure. A partial demolition of a contributing principal structure shall require a Type IV Certificate of Appropriateness only when said partial demolition will result in the loss of significant architectural features which destroys the structure's historic interpretability or importance.
- (3) 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.
- (4) Financial Hardship Exemptions.
 - A. These regulations set forth a minimum standard of architectural compatibility with the rest of the district. However, in order to balance other equally important objectives of economic development, neighborhood revitalization, and prevention of displacement of residents, the commission may allow

reasonable exemptions from these regulations to a property owner's principle residence on the ground of economic hardship to the property owner.

- B. The burden of proving economic hardship by a preponderance of the evidence shall be on the Applicant.
- C. The commission shall consider the following factors in determining whether an economic hardship exemption in whole or in part will be granted:
 - 1. The present income of the property owner(s) and those occupying the property;
 - 2. The age of the property owner;
 - 3. The length of time the property owner has resided in the neighborhood or in the residence for which the exemption is sought;
 - 4. The availability of other sources of funds that are appropriate to the circumstances of the Applicant, including loans, grants, and tax abatements;
 - 5. The costs associated with adherence to these regulations;
 - 6. The degree of existing architectural significance and integrity of the structure; and
 - 7. The purpose and intent of this chapter.
- D. The commission shall consider these factors and shall grant an exemption, in whole or in part, as appropriate upon a finding that the Applicant's economic hardship outweighs the need for strict adherence to these regulations.

- (5) Subdivisions. In addition to the requirements of the subdivision and zoning ordinances, including but not limited to sections 15-08.002(a)(2) and 15-08.005(d)(6), all subdivisions of lots shall conform to the historic platting pattern in the district with regard to lot size, dimensions, and configurations.
- (6) Tree Preservation and Replacement. The provisions of City of Atlanta Tree Ordinance, Atlanta City Code section 158-26, shall apply to this district.
- (7) Paved surfaces: The original layout, patterns and paving materials of sidewalks, curbs and streets shall be retained.

(Ord. No. 2000-20, § 3, 4-11-00; Ord. No. 2002-3, § 1, 1-29-02)

Sec. 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 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.).
2. A paved walkway from the front sidewalk to the front entry of the principal structure shall be provided.
3. Front porches on the principal structure shall be required and shall be a minimum of one-third the width of the front façade and a minimum of seven feet in depth. Side porches shall be a minimum of four feet in depth. Porches may be enclosed by screen wire only, provided all the main features of a porch are maintained in place and the screening materials can be removed at a future date with minimal damage to said features.
4. All front façades and front porches of the principal structure shall face and be parallel to the lot frontage. Wrap around front porches are permitted.
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.)
7. The first floor of the principal structure shall be on foundations and elevated above the grade a minimum of two entrance step risers each of which shall be no less than six inches in height. All front steps shall have closed risers and closed ends. Access ramps shall be permitted.
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.
9. Decks, Balconies and Upper Level Terraces:
 - a. Decks shall be permitted only when located to the rear of the principal structure.
 - b. Decks shall be permitted at any level.
 - c. Balconies and upper level terraces shall be permitted.
10. Any portion of a chimney that is located on any façade that faces a public street shall originate at grade.
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.

12. When practical, skylights should be located where least visible from the public street. If skylights are visible from the public street, the glass shall be tinted to match the surrounding roof area. Protruding "bubble" skylights are prohibited.
 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.
 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.
 - e. Chimneys: Brick, stone, or architectural concrete masonry units (C.M.U.) shall be permitted. Siding is prohibited.
 - f. Fences: Brick, stone, wire mesh, architectural C.M.U., or vertical pickets made of ornamental metal, wood or simulated wood shall be permitted in the front yard and half depth front yard.
- (C) Design Standards and Criteria for Alterations and Additions to Non-contributing Structures. Alterations to non-contributing structures, for which a Certificate of Appropriateness shall be required, shall be consistent with and reinforce the architectural character of the existing structure or shall comply with the applicable regulations for new construction set forth in subsection 16-20K.007(2)(B) above.
- (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.
- (E) Site development, sidewalks and curbs:
1. The sidewalk shall be the same width as the sidewalk on abutting properties. If no sidewalk exists on abutting properties the new sidewalk shall match sidewalk widths on the block. If no sidewalk exists on the block, the new sidewalk shall be six feet wide.
 2. Repairs or replacement of existing brick sidewalks shall be constructed of brick on a concrete base and laid in a pattern to match the existing pattern on abutting properties or elsewhere in the district.
 3. Repairs or replacement of concrete sidewalks adjacent to existing brick sidewalks on the same linear block, or in blocks where brick sidewalks are installed, shall be constructed of brick on a concrete base and laid in a pattern to match the existing pattern on abutting properties or elsewhere in the district.
 4. Sidewalks crossing driveways shall be brick on a concrete base and laid in a pattern to match the existing sidewalk on abutting properties or elsewhere in the district. Driveway aprons shall not interfere with the visual field of the pedestrian path.
 5. Curbing shall be granite; poured concrete shall not be used. Curbing shall be at least six inches in height from street level.
 6. Historic materials such as brick, granite, and cobblestones shall be reused where possible.
 7. All American with Disabilities Act (ADA) Detectable Warning Devices installed in this district shall be a red brick color.

Siteplan

The maximum FAR (floor area ratio) allowed for this lot is 0.50 of the net lot area. The subject property has a net lot are of 9,116 sq. ft. meaning that a structure built on the lot would be allowed to have a maximum square footage of 4,558 sq. ft. The square footage of the proposed structure is 2,526 Sq. Ft. which meets this requirement.

The front yard setback can either be based on the compatibility rule or the previously existing contributing building of like use. The proposed front yard setback is 30'. The Applicant has not submitted information regarding the previously existing building of like use or the range allowed by the compatibility rule. Staff recommends that the Applicant provide justification for the 30' front yard setback based on either the setback of the previously existing building of like use or the compatibility rule.

The Applicant has clarified their intent to position the new structure in such a way as to be compatible with the neighboring structures. In reviewing the photographic inventory of the Grant Park Historic District, Staff found that the property at 682 Grant Terrace to be the only contributing structure on the block face in question. As such, Staff recommends that the front

edge of the porch of the proposed structure line up with the front edge of the porch of 682 Grant Terrace.

Of the side yard setback options, the regulations allow the side yard setbacks to no less than 7'. The proposed structure has a north side yard setback of 8.1' and a south side yard setback of 8.7'. Staff finds that the proposed structure meets the side yard setback requirements

Per regulations the rear yard setback shall be no less than 7'. Staff finds the rear yard setback is 7' and therefore meets the rear yard setback requirement.

As required by the regulations, the site plan indicates a walkway from the porch to the front property line. The plans do not indicate an existing public sidewalk, or a new public sidewalk being installed. Staff recommends the Applicant clarify whether a sidewalk exists on the property. If no sidewalk exists, Staff recommends that a public sidewalk which meets the District regulations be installed.

The Applicant has provided information regarding an existing public sidewalk at the property. Staff recommends the public sidewalk be noted on the final plans. Staff would further recommend that if the existing sidewalk must be replaced due to damage during construction, the new public sidewalk meet the District regulations.

The plans indicate an existing gravel drive running along the rear of the property. Staff can find no record of this gravel drive and recommends the Applicant provide information regarding how the gravel drive connects to the street and how it relates to the alley to the rear of the property. Staff would note that as the lot is non-conforming in regards to the street frontage, off street parking is not required for this lot, nor would a drive not connected to a public street require a variance.

The Applicant has provided information regarding the existing gravel drive to the rear of the property. This gravel drive connects to the alley at the rear of the property but travels through the rear yard of the neighboring lots. Staff Recommends that the proposed rear driveway connect to the platted alley at the rear of the property.

Massing and Building Height

The proposed two story house is defined by a 8 in 12 gable roof and a two story half width front porch. Per regulations, the maximum height allowed is 35'. The Grant Park Historic District regulations do not specify how the height should be measured. As such, Staff finds the standard City measurement should be used. In looking at the front façade, Staff finds the height requirement has been met. In looking at the contributing house on the block, the structure is one story and has a gable roof. While Staff finds the overall height, massing and design of the proposed dwelling is not similar to the historic houses on the block, Staff finds the regulations have been met.

Building Facades

The Commission reviews the facades that face a public street. This is an interior lot, therefore Staff will only comment on the front façade.

Windows and Doors

A single front door is parallel and facing Grant Terrace as required. The design of the door is not clear from the drawings. Staff recommends that the Applicant clarify the design of the front door.

The Applicant has provided a cut sheet which shows that the front door design will be wood with a rectangular lite. Staff finds that design of the proposed door meets the regulations.

The Applicant is proposing to install 1 over 1, double hung windows on the front facade. Staff finds the design of the proposed windows to be appropriate. The Grant Park regulations allow for windows to either be compatible with the windows on contributing houses or are no less than 15% and no more than 40% of the wall surface. The proposed structure will have 22% fenestration on the front façade. Staff finds the proposed windows meet the fenestration percentage requirement.

The Applicant has provided information stating that the windows on the front façade will all be the same size.

The plans indicate a gable vent with trim which is inconsistent with the window trim is to be installed on the front façade. Staff recommends that the front gable vent have trim matching the window trim on the front façade.

The Applicant has provided information stating that the gable vent will have trim which matches the window trim on the front façade. In the absence of updated elevations, Staff would retain its previous recommendation.

Building Materials

The proposed materials include horizontal cementitious siding, cedar shake, architectural shingles for the roof, cement foundation with a stucco coating, wood windows, wood decking on the front porch, wood steps on the front porch, and wood railing on the front porch. The material for the front door is not indicated. Staff recommends that an appropriate material for the front door be indicated on the plans. The materials for front porch columns are not indicated. Staff recommends an appropriate material for the porch columns be indicated on the plans. The drawings indicate that the front porch foundation will be wood piers. Staff finds that this is not an appropriate material for a front porch foundation and suggests the Applicant revise their drawings to show a front porch foundation material which meets the District Regulations.

The Applicant has provided information stating that the front door will be wood with a rectangular lite, that the porch columns will be wood, and that the porch foundation will be brick piers. While Staff finds that the proposed materials meet the district regulations, in the absence of updated elevations, Staff would retain its previous recommendations.

Porch

Per regulations, the minimum allowed depth for the front porch is 7'. Staff finds that the proposed porch is 8'6" and therefore meets this requirement. The porch features columns and

railings that are compatible with other similar porches in the District. Staff finds the overall decorative details of the proposed front porch are consistent and compatible with the house style.

Staff Recommendation: Based upon the following:

1) The plans meet the regulations with the exception of the comments noted above Section 16-20K.006, 16-20K.007, and 16-07.008;

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-15-389) for a new single family house at **688 Grant Terrace**. Property is zoned R-5/Grant Park Historic District (Subarea 1), to allow the Applicant time to address the following Staff concerns:

1. *The front edge of the front porch on the proposed structure shall line up with the front edge of the front porch on 682 Grant Terrace, per Sec. 16-20K.007(1)(A);*
2. *The public sidewalk shall be noted on the final plans per, Sec. 16-20K.006(7);*
3. *if the existing sidewalk must be replaced due to damage during construction, the new public sidewalk meet the District regulations, Sec. 16-20K.006(7);*
4. *The proposed rear driveway shall connect to the platted alley at the rear of the property per, Sec. 16-20K.006(7);*
5. The front gable vent shall have trim matching the window trim on the front façade, per Sec. 16-20K.007(2)(B)(11)
6. An appropriate material for the front door shall be indicated on the plans per, Sec. 16-20K.007(2)(B)(15);
7. An appropriate material for the porch columns shall be indicated on the plans, per, Sec. 16-20K.007(2)(B)(15);
8. The Applicant shall revise their drawings to show a front porch foundation material which meets the District Regulations, per Sec. 16-20K.007(2)(B)(15)(b); and,
9. Staff shall review and if appropriate, approve the final plans and documentation.