



CITY OF ATLANTA

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TIM KEANE
Commissioner

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Director, Office of Planning

STAFF REPORT

December 9, 2015

Updated

January 27, 2016

(updated information in arial)

Agenda Item: Application for Type III Certificates of Appropriateness (CA3-15-488) for a variance to reduce the front yard setback from 21' (required) to 17' (proposed); and (CA3-15-441) for a new two-family house at **266 (aka 252) Bass Street** – Property is zoned R-5/ Grant Park Historic District (Subarea 1).

Applicant: Shona Griffin
4000 Ferry Heights Drive

Facts: The existing non-residential building is considered non-contributing.

On December 9, 2015, this application was deferred to allow the Applicant time to submit a variance request and address the concerns of the Commission and Staff.

On January 13, 2016, this application was deferred due to a lack of quorum. Since the January 13th meeting, the Applicant submitted updated plans.

Analysis: The following code sections apply to this application:

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

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

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

2. All major alterations and additions to existing structure, with respect to any façade that faces a public street.
- d. Type IV Certificates of Appropriateness shall be required for demolition or moving of any contributing principal structure. A partial demolition of a contributing principal structure shall require a Type IV Certificate of Appropriateness only when said partial demolition will result in the loss of significant architectural features which destroys the structure's historic interpretability or importance.

(3) *Subdivisions.* In addition to the requirements of the subdivision and zoning ordinances, including but not limited to sections 15-08.002(a)(2) and 15-08.005(d)(6), all subdivisions of lots shall conform to the historic platting pattern in the district with regard to lot size, dimensions, and configurations.

(4) *Tree Preservation and Replacement.* The provisions of City of Atlanta Tree Ordinance, Atlanta City Code section 158-26, shall apply to this district.

(5) *Paved surfaces.* The original layout, patterns and paving materials of sidewalks, curbs and streets shall be retained.

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 (7) feet.
- d. *Off-street parking and driveway requirements:*
1. Off-street parking shall not be permitted in the front yard or half-depth front yard.
 2. The commission shall have the authority to vary section 28.006(10) relative to the requirement for an independent driveway connected to a public street.
 3. If constructed, independent driveways within the front yard or half-depth front yard shall be a maximum of ten (10) feet wide and shall have a maximum curb cut of ten (10) feet, exclusive of the flare.

(2) *Architectural Standards.*

A. *Statement of Intent.* The purpose of these regulations is to set forth basic, minimum standards of architectural design and construction that are compatible with and complementary to the existing historic residences within the neighborhood, as the cumulative historic diversity of the built environment is a defining characteristic of this neighborhood. It is not the intent of these regulations to limit the design of new housing to replication of styles of existing structures, but to foster residential design that, with regard to massing, size, scale, materials, and architectural elements, enhances the architectural quality of the neighborhood and simultaneously encourages creativity. Additionally, these regulations are intended to integrate the physical characteristics of new construction into the existing neighborhood in a meaningful way so as to restore and promote the public health, safety, and welfare of this neighborhood.

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

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

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 facade and a minimum of seven (7) feet in depth. Side porches shall be a minimum of four (4) 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 facades 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 thirty-five (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 (2) entrance step risers each of which shall be no less than six (6) 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 facade. 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 facade that faces a public street shall originate at grade.
 11. Any facades 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% and no greater than 40% of the total surface wall area. Windows may be individual or grouped. No individual window unit shall exceed twenty-eight (28) square feet. Within each individual window unit, no individual window sash, either fixed or operable, shall exceed sixteen (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, 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 (4) feet in height may be erected in a front yard. Fences not exceeding six (6) feet in height may be erected in a half-depth front yard. Other than retaining walls, walls shall not be erected in a front yard or half-depth front yard.
 - b. Fences and walls not exceeding six (6) feet in height may be erected in the side or rear yards.
 - c. In a half-depth front yard, when a fence exceeds four (4) feet in height, the standard zoning requirements for a variance are in effect. Where no sidewalk exists, the fence shall be set back three (3) 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 facades of any structure that face a public street, the following regulations on building materials shall apply. Alternate materials may be submitted for review by the commission.
 - 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 facade 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.
- 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.

Variance Request

The property in question is the only lot on the block face that faces Bass Street. As such, the Applicant had to use another block to determine the allowable front yard setback. The Applicant submitted setback information for houses on two nearby streets. Despite submitting setback information for numerous properties, only one lot contained a contributing house of like use. Staff finds the required front yard setback is 21' as opposed to a range as usually allowed by the regulations.

In looking at the lots on the streets near the subject property, the vast majority of the lots are rectilinear with depths that are no less than twice the frontage. The subject lot is unusual as it has a frontage that is larger than its depth. As the existing lot is the only lot on the block face and has a larger frontage than depth, Staff finds approval of a front yard setback variance is appropriate. Staff finds approval of the variance will not cause a significant detriment or impair the purpose or intent of the Zoning Ordinance. Based on the information we have at this time, Staff does not have concerns regarding the proposed variance.

Site Plan

The existing interior lots front 100' on Bass and has a depth of 75' on its longest side. Per regulations, the front setback is based on the compatibility rule. The existing lot is the only lot on the block face, therefore the Applicant had to choose another point of comparison. The Applicant submitted three different streets as a point of comparison. Staff would note that only one block face can be used. In looking at all of the points of comparison, the only contributing house is 707 Hill Street. 707 Hill Street has a front yard setback of 21'. Staff recommends the site plan be revised to reflect a 21' front yard setback. Per regulations, the side and rear yard setback shall be no less than 7'. Staff finds the side and rear yard setback requirements have been met.

As indicated in the variance section Staff has no concerns regarding approval of the variance request for the front yard setback. As such, Staff has no concerns regarding the proposed front yard setback.

Per underlying zoning, the maximum FAR (floor area ratio) allowed is .60. The plans do not indicate the proposed FAR. Staff recommends the plans indicate an FAR that is no more than .60. Per underlying zoning, the maximum lot coverage allowed is 55%. The plans do not indicate the proposed lot coverage. Staff recommends the plans indicate a lot coverage that is no more than 55%.

As recommended by Staff, the Applicant submitted updated plans. The FAR is indicated as .55 and therefore meets the requirements. The lot coverage is indicated as 44% and therefore meets the requirements.

In an updated site plan, the lot coverage is indicated as 45%. Staff finds the lot coverage requirement has still been met.

Per regulations, there must be a walkway that leads from the front entryway to the sidewalk. While each entryway has a walkway, it leads to the driveway as opposed to the sidewalk. Staff recommends the plans indicate appropriate walkways that lead from the entryway to the sidewalk. If the sidewalks are damaged during construction, Staff recommends the sidewalk is repaired or replaced as specified by the regulations.

As recommended by Staff, the plans indicate a walkway from the front entrances to the existing sidewalk. Staff retains its recommendation regarding the existing sidewalk.

Staff retains its recommendation regarding the sidewalk.

As the project is a proposed duplex, the underlying zoning requires one space per dwelling plus one additional space for each bedroom over three. Staff would note that the code indicates any room that is not the bathroom, kitchen, living room or dining room is considered a bedroom. As each unit has four rooms that would be considered bedrooms, four parking spaces are required. The proposed driveways only provide parking for two cars and therefore the parking requirement has not been met. Staff recommends the site plan be revised to indicate parking for four cars. While not regulated by requirements, Staff finds that having two driveways for one property is not appropriate. Staff suggests the parking be redesigned to include one driveway and to utilize the adjacent alley for access if possible.

In looking at the updated site plan, Staff finds that each driveway still only provides parking for one car. Staff retains its recommendations regarding the parking. Staff retains its suggestions regarding redesigning the parking so that one driveway is installed and the alley is utilized.

As recommended by Staff, each driveway provides parking for two cars. As suggested by Staff, there is now only one curb cut on Bass Street and the adjacent alley is being utilized for access to the second driveway. While Staff supports the use of alleys to access parking, the new configuration does not meet the requirements in regards to driveways. Staff recommends the Applicant submit an application for a variance from the requirement that independent driveways be connected to a public street.

Massing and Building Height

The proposed two story duplex is defined by an 8 in 12 hipped roof and two 2-story porches with gable roofs. While the general design is not consistent with many of the historic two-story houses in the district, Staff finds the height of the proposed duplex meets the requirements.

Building Facades

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

Windows and Doors

The Grant Park regulations allow fenestration to either be compatible with the fenestration on contributing houses or the fenestration shall be no less than 15% and no more than 40% of the wall surface. Staff finds the proposed windows meet the percentage requirements. The material for the windows is not indicated on the plans. Staff recommends the plans indicate the material for the windows.

As recommended by Staff, the elevations indicate an appropriate material for the windows and trim.

Building Materials

The Applicant is proposing to use the following building materials: asphalt shingles, cedar shakes, cementitious siding, concrete foundation and wood doors, stairs, railings and columns. While Staff finds the proposed materials mostly meet the requirements, Staff recommends the façade material on the front façade is indicated as smooth cementitious siding with a 4" to 6" reveal.

As recommended by Staff, the siding is indicated as smooth. Staff retains the portion of the condition related to the size of the reveal.

Staff retains its recommendation regarding the size of the reveal.

Porch

Per regulations, the minimum depth for new porches is 7'. The proposed front porches have depths of 5' and therefore the front porches do not meet the requirements. Staff recommends all front porches have a minimum depth of 7'. Staff would note that in order to meet the setback requirement and meet the porch depth requirement, the house will have to get approximately a foot smaller in order to meet the required 7' rear yard setback requirement.

As recommended by Staff, both porches are no less than 7' in depth.

Per regulations, front porches shall be a minimum of 1/3 of the front façade of the building. As the existing building is just under 61' in width, each front porch must have a width of just over 20'. Staff finds the proposed front porches do not meet the width requirements. Staff recommends the proposed front porches meet the width requirements. Notwithstanding Staff's concerns regarding the width and the depth of the porches, Staff finds the columns, railings, roof, stairs and materials are appropriate.

As recommended by Staff, the porches have widths that are just over 20'.

Staff Recommendation: Based upon the following:

- 1) The request meets the variance criteria, per Section 16-20K.007;

Staff recommends approval of an application for a Type III Certificate of Appropriateness (CA3-15-488) for a variance to reduce the front yard setback from 21' (required) to 17' (proposed) at **266 (aka 252) Bass Street** – Property is zoned R-5/ Grant Park Historic District (Subarea 1).

Staff Recommendation: Based upon the following:

- 1) The plans meet the regulations with the exception of the comments noted above per Section 16-20K.007;
- 2) An additional variance is required;

Staff recommends deferral of an application for a Type III Certificate of Appropriateness (CA3-15-441) for a new two- family house at **266 (aka 252) Bass Street** – Property is zoned R-5/ Grant Park Historic District (Subarea 1), to allow the Applicant time to address the following concerns:

1. If the sidewalks are damaged during construction, the sidewalk shall be repaired or replaced as specified by the regulations, per Section 16-20K.007(2)(E);
2. The façade material on the front façade shall have a 4" to 6" reveal, per Section 16-20K.007(2)(B)(1); and
3. The Applicant shall submit a n application for a variance from the requirement that independent driveways be connected to a public street, per Section 16-20K.007(1)(d)(2).



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CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

December 9, 2015

Updated

January 27, 2016

(updated information in italics)

Agenda Item: Application for a Type III Certificates of Appropriateness (CA3-15-444) for a new single family house at **778 Hill Street**– Property is zoned R-5/ Grant Park Historic District (Subarea 1).

Applicant: Michael Edey
423 John Wesley Dobbs Avenue

Facts: According to the Grant Park Inventory sheet this existing dwelling built in 1905 is considered contributing.

At the May 27, 2015 meeting, applications for Type III Certificates of Appropriateness (CA3-15-196) for a to allow a deck to the side of the principal structure; a reduction in the interior side yard setback from 7' (required) to 5' (proposed); a reduction in the half depth front yard from 30' (required) to 10' (proposed); an increase in the width of the driveway from 10' (required) to 20' (proposed); for a lack of a paved walkway from the front porch to the sidewalk; and a double car width garage entrance on the front façade, and (CA3-15-192) for alterations and additions were reviewed and approved with the following conditions:

CA3-15-196

1. The variance for the half depth front yard shall be eliminated;
2. The variances related to the carport and driveway shall be eliminated; and
3. The variance related to the walkway shall be eliminated.

CA3-15-192

1. The proposed driveway shall no more than 10' wide, per Section 16-20K.007(1)(d)(3);
2. The proposed carport shall be constructed to fit no more than one car and shall be detached from the house, per Section 16-20K.007(2)(b)(8);
3. The Applicant shall clarify the location, material and design of the proposed fence, per Section 16-20K
4. The Applicant shall clarify the proposal for the windows and doors, per Section 16-20K.007(2)(D);
5. All windows and doors shall fit within the original openings, per Section 16-20K.007(2)(D);
6. The shutters shall be eliminated from the elevations, per Section 16-20K.007(2)(D);
7. The roof height, wall height and gable height shall be retained, per Section 16-20K.007(2)(D);
8. An appropriate roof shall be added to the porch in the half depth front yard, per Section 16-20K.007(2)(D);

9. The front stairs shall be centered on the door, per Section 16-20K; and 16-20K.007(2)(D);
10. Staff shall review and if appropriate, approve the final plans.

On October 9, 2015, Staff received a complaint the house was being demolished. An inspector was sent out to issue a stop work, however the house had already been demolished without permits or review by the Urban Design Commission.

At the December 9, 2015 meeting, this application deferred to allow the Applicant time to address the concerns of Staff and the Commission.

At the January 13, 2016 meeting, this application was deferred due to a lack of quorum. Updated plans have been submitted since the January 13th meeting.

Analysis: The following code sections apply to this application:

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

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

- (1) *General Criteria.*
 - a. Notwithstanding any other provision herein, no Certificate of Appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - b. Except as otherwise provided herein, the procedures for determining the appropriate type of certificate shall be those specified in section 16-20.008 of the zoning code.
 - c. In Residential Subarea I, the commission shall apply the standards referenced in 16.20.009 only if the standards set forth in this Chapter 20K do not specifically address the application.
- (2) *Certificates of Appropriateness.*
 - a. Type I Certificates of Appropriateness for ordinary repairs and maintenance shall not be required in this district. Painting or repainting of any structure, or portion thereof, does not require a Certificate of Appropriateness.
 - b. Type II Certificates of Appropriateness shall be required for: minor alterations to those facades of any contributing principal structure that face public streets; fences; walls; accessory structures; decks; and paving. If the proposed alteration meets the requirements of section 16-20K.007, then the director of the commission shall issue the Type II Certificate. If the proposed alteration does not meet the requirements of section 16-20K.007, the director of the commission shall deny the application. Appeals from said decision of the director regarding the issuance and/or denial of Type II Certificates may be taken by any aggrieved person by filing said appeal in the manner prescribed in the appeals section of Chapter 16-20.008(a) for Type I Certificates.
 - c. Type III Certificates of Appropriateness shall be required for:
 1. All new principal structures
 2. All major alterations and additions to existing structure, with respect to any façade that faces a public street.
 - d. Type IV Certificates of Appropriateness shall be required for demolition or moving of any contributing principal structure. A partial demolition of a contributing principal structure shall require a Type IV Certificate of Appropriateness only when said partial demolition will result in the loss of significant architectural features which destroys the structure's historic interpretability or importance.
- (3) *Subdivisions.* In addition to the requirements of the subdivision and zoning ordinances, including but not limited to sections 15-08.002(a)(2) and 15-08.005(d)(6), all subdivisions of lots shall conform to the historic platting pattern in the district with regard to lot size, dimensions, and configurations.
- (4) *Tree Preservation and Replacement.* The provisions of City of Atlanta Tree Ordinance, Atlanta City Code section 158-26, shall apply to this district.
- (5) *Paved surfaces.* The original layout, patterns and paving materials of sidewalks, curbs and streets shall be retained.

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 (7) feet.

- d. *Off-street parking and driveway requirements:*
 1. Off-street parking shall not be permitted in the front yard or half-depth front yard.
 2. The commission shall have the authority to vary section 28.006(10) relative to the requirement for an independent driveway connected to a public street.
 3. If constructed, independent driveways within the front yard or half-depth front yard shall be a maximum of ten (10) feet wide and shall have a maximum curb cut of ten (10) feet, exclusive of the flare.

(2) *Architectural Standards.*

A. *Statement of Intent.* The purpose of these regulations is to set forth basic, minimum standards of architectural design and construction that are compatible with and complementary to the existing historic residences within the neighborhood, as the cumulative historic diversity of the built environment is a defining characteristic of this neighborhood. It is not the intent of these regulations to limit the design of new housing to replication of styles of existing structures, but to foster residential design that, with regard to massing, size, scale, materials, and architectural elements, enhances the architectural quality of the neighborhood and simultaneously encourages creativity. Additionally, these regulations are intended to integrate the physical characteristics of new construction into the existing neighborhood in a meaningful way so as to restore and promote the public health, safety, and welfare of this neighborhood.

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

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

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 facade and a minimum of seven (7) feet in depth. Side porches shall be a minimum of four (4) 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 facades 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 thirty-five (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 (2) entrance step risers each of which shall be no less than six (6) 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 facade. 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 facade that faces a public street shall originate at grade.
11. Any facades 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% and no greater than 40% of the total surface wall area. Windows may be individual or grouped. No individual window unit shall exceed twenty-eight (28) square feet. Within each individual window unit, no individual window sash, either fixed or operable, shall exceed sixteen (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, 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 (4) feet in height may be erected in a front yard. Fences not exceeding six (6) feet in height may be erected in a half-depth front yard. Other than retaining walls, walls shall not be erected in a front yard or half-depth front yard.
 - b. Fences and walls not exceeding six (6) feet in height may be erected in the side or rear yards.
 - c. In a half-depth front yard, when a fence exceeds four (4) feet in height, the standard zoning requirements for a variance are in effect. Where no sidewalk exists, the fence shall be set back three (3) 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 facades of any structure that face a public street, the following regulations on building materials shall apply. Alternate materials may be submitted for review by the commission.
 - 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 facade 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.

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.

Demolition

In the Grant Park Historic District, a Type IV Certificate of Appropriateness is required for the demolition of a contributing principal structure. As indicated in the facts section, the previously existing historic house was demolished without the proper permits or approval by the Urban Design Commission. As the house is already demolished, a Type IV Certificate of Appropriateness cannot be obtained.

In cases of demolition, a house can usually be built back as it was, including the height and setbacks, as long as the foundation is retained and the house does not increase in size. The

Applicant is proposing to construct a larger house than previously existed. As such, Staff finds the proposed new house must meet all new construction requirements.

Previously, Staff found the Applicant had two choices regarding constructing a new house. The first option was to build back the historic house exactly as it was with the same height, setbacks, roof form, roof pitch, etc. This option could be used as long as the historic foundation was retained and the house did not increase in size. The second option is to build a new house that meets all of the new construction requirements.

After meeting with the Applicant, Staff found the historic foundation was replaced. Additionally, in looking at revised plans submitted by the Applicant, the proposed house is still larger than the previously existing house. Based on the information we have at this time, Staff finds the proposed new house must meet all new construction requirements as outlined in the Grant Park Historic District regulations.

As the historic house has already been demolished, there is not a way to get current archival quality pictures of the historic house. As such, Staff finds that having accurate as-built drawings is important. In comparing pictures that were submitted with the previous application and survey pictures on file, Staff finds the as-built drawings submitted are not accurate. Staff recommends the Applicant submit accurate as-built drawings.

Staff retains its recommendations regarding the as-built plans.

Site Plan

The existing corner lot front 50' on Little Street and has a depth of 80' On Hill Street. Per regulations, the maximum lot coverage allowed is 55%. In the previous submittal, the existing lot coverage was indicated as 78% and the proposed lot coverage was indicated as 54%. The new proposed lot coverage is 49%. While the proposed lot coverage meets the requirements, Staff has concerns regarding the accuracy of the percentage. In looking at the site plan, most of the lot appears covered and there is no indication of what the materials of the site are. Staff recommends the Applicant provide detailed documentation that shows the lot coverage requirement has been met.

Staff retains its recommendation regarding the lot coverage requirement.

Given the size of the lot, the maximum FAR (floor area ratio) allowed is the lesser of 3750 sq. ft. or .65 of the net lot area. There is a provision that allows for no less than 1800 sq. ft. The proposed total heated space is 1460 sq. ft. and therefore meets the requirements.

Per regulations the front yard setback can be based on the previously existing setback of a historic structure of like use. In comparing the existing and proposed site plan, Staff finds the south setback (Little Street) matches the previously existing setback and therefore meets the requirements. Staff finds the front yard setback requirement also applies to the half depth front yard (Hill Street). The previously existing setback was 8.5'. The proposed half depth front yard setback is 7' and therefore does not meet the requirement. Staff recommends the half depth front yard is 8.5' or meet the compatibility rule.

Staff retains its recommendation regarding the half depth front yard setback.

Per regulations the side yard setback can either match the previously existing setback or be no less than 7'. The proposed side yard setback is 7' and therefore meets the requirement. Per regulations, the rear yard setback shall be no less than 7'. The proposed rear yard setback is more than 7' and therefore meets the requirement.

Per regulations, a walkway from the entryway to the sidewalk is required. There is a walkway indicated on the site plan, however it does not lead from the entryway to the sidewalk. Staff recommends the site plan indicate an appropriate walkway from the front entryway to the sidewalk. Staff recommends the site plan indicate the material for the walkway between the house and the carport.

Staff retains its recommendations regarding the walkway.

The Applicant is proposing a single car detached carport with a 10' wide driveway. Staff does not have general concerns regarding the proposed carport or driveway. Staff recommends the site plan indicate the material for the driveway. In looking at the site plan, there are no notations regarding the sidewalk. If the sidewalks are damaged during construction, Staff recommends the sidewalk is repaired or replaced as specified by the regulations.

Staff retains its recommendation regarding the sidewalk.

The Applicant is proposing a 4' wrought iron fence and a 6' tall wood fence. Staff has no concerns regarding the height, material or location of the proposed fences.

Massing and Building Height

The proposed single story house is defined by hipped roof and a side porch. Staff finds the overall configuration and length of the house is not typical of historic single story houses in the district. Staff suggests the design and configuration of the proposed new house is more consistent and compatible with the historic houses in the district. Per regulations, the maximum height allowed is 35'. The district regulations do not specify how the height should be measured. As such, Staff finds the standard City measurement should be used. Staff finds the proposed house is no taller than the maximum 35' allowed and therefore meets the requirements.

Per regulations, the roof pitch shall be no less than 6 in 12. Staff finds the roof pitch is less than 6 in 12 and therefore does not meet the requirements. Staff recommends the proposed roof is no less than 6 in 12.

Building Facades

The Commission reviews the facades that face a public street. This is a corner lot, therefore Staff will comment on the Hill Street and Little Street elevations.

Windows and Doors

The Applicant is proposing 6 over 1 and 4 over 1 windows. Staff would note that the windows on the previously existing house were 4 over 1, wood, true divided lite windows. Staff suggests the new house have windows that match the historic windows from the previously existing house. The Grant Park regulations allow for windows to either be compatible with the windows on contributing houses or the windows shall be no less than 15% and no more than 40% of the wall surface. Given the length of the west façade (Hill Street), Staff has concerns the percentage requirement has not been met. Staff also has concerns the design of the windows do not meet the requirement. Staff recommends the Applicant provide documentation the window requirement has been met. Staff recommends the windows are true divided lite or simulated divided lite with muntins permanently affixed to the exterior of the glass.

Staff retains its recommendations regarding the fenestration.

Building Materials

The Applicant is proposing to use the following building materials: wood windows and sills, wood siding, vertical siding, asphalt shingles and a brick foundation. It is not clear what material the vertical siding is. Staff recommends the Applicant clarify the material of the vertical siding. There is a detail on the plan that indicates a cornice return with a standing seam metal roof. In looking at the elevations, it is not clear where the cornice return and standing seam metal roof are located. Staff recommends the Applicant clarify where the cornice return and standing seam metal roof are located on the elevations. All of the building materials are not indicated on the plans. Staff recommends all building materials are indicated on the plans.

Staff retains its recommendations regarding the cornice return and the building materials.

Porch

Per regulations, there must be a front porch that is no less than 1/3 of the front façade and is no less than 7' in depth. While the house is configured to have the front entry way on the west elevation, the front of the house is considered to be the façade that faces the smallest street frontage. As such, the south elevation (Little Street) is actually the front of the house. As such, the front porch requirement applies to the south elevation. Staff recommends the south elevation meet the front porch requirement.

Staff retains its recommendation regarding the porch. Additionally, a walkway from the porch the sidewalk is required. Staff recommends the site plan indicate a walkway from the south elevation porch to the sidewalk.

In regards to half depth front yards, side porch requirements apply. Per regulations, side porches shall be a minimum of 4' in depth. Staff finds the proposed side porch meets the requirements. There is a side porch indicated on the north elevation. Staff finds the porch depth requirement has been met.

Staff Recommendation: Based upon the following:

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

Staff recommends deferral of an application for a Type III Certificate of Appropriateness (CA3-15-444) for a new single family house at **778 Hill Street**– Property is zoned R-5/ Grant Park Historic District (Subarea 1), to allow the Applicant time to address the following concerns of Staff:

1. The Applicant shall submit accurate as-built drawings;
2. The Applicant shall provide detailed documentation that shows the lot coverage requirement has been met, per Section 16-07.008(6);
3. The half depth front yard shall be 8.5' or meet the compatibility rule, per Section 16-20K.007(1)(a);
4. The site plan shall indicate an appropriate walkway from the front entryway to the sidewalk, per Section 16-20K.007(2)(B)(2);
5. The site plan shall indicate the material for the walkway between the house and the carport per Section 16-20K.007(2)(B)(15)(a);
6. The site plan shall indicate the material for the driveway, per Section 16-20K.007(2)(B)(15)(a);
7. If the sidewalks are damaged during construction, the sidewalk shall be repaired or replaced as specified by the regulations, per Section 16-20K.007(2)(B)(15)(E);
8. *The pitch of the proposed roof shall be no less than 6 in 12, per Section 16-20K.007(2)(B)(5);*

9. The Applicant shall provide documentation the fenestration requirement has been met, per Section 16-20K.007(2)(B)(11);
10. The windows shall be true divided lite or simulated divided lite with muntins permanently affixed to the exterior of the glass, per Section 16-20K.007(2)(B)(11) and 16-20.009;
11. The Applicant shall clarify the material of the vertical siding;
12. The Applicant shall clarify where the cornice return and standing seam metal roof are located on the elevations;
13. All building materials shall be indicated on the plans;
14. The south elevation shall meet the front porch requirement, per Section 16-20K.007(B)(3)(4), and (5);
15. ***The site plan shall indicate a walkway from the south elevation porch to the sidewalk, per Section 16-20K.007(2)(B)(2);*** and
16. Appropriate copies of all updated documentation and plans shall submitted no later than eight days before the deferred meeting.



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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT
November 23, 2015
REVISED
January 27, 2016
(Revised text shown in italic.)

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-15-445) for alterations at **1043 Metropolitan Parkway**. Property is zoned R4-A/Adair Park Historic District (Subarea 1)/Beltline.

Applicant: Modest Footprint, LLC
715 Brookline Street

Facts: According to the Adair Park Inventory this two-story building is considered a contributing structure to the District.

The Applicant proposes to paint the exterior, repair the roof, demolish a rear addition / enclosure, repair the fascia board, and repair the front porch ceiling. Additional interior work is proposed, but is not subject to review by the Commission.

At the November 23rd meeting, the Commission deferred this application to allow time for the Applicant to address the concerns and comments noted in the Staff Report. On January 19, 2016, the Applicant submitted revised plans. It is these revised plans that are reflected in this revised Staff Report.

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

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

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

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

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

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

1. Certificates of Appropriateness: Certificates of appropriateness within this subarea shall be required as follows:
 - (a) When required:
 1. To change the exterior appearance of any portion of a structure within the subarea, when said change can be seen from the public right-of-way;
 2. To erect a new structure or to make an addition to any structure within the subarea, when said new structure or addition can be seen from the public right-of-way; and
 3. To demolish or move any contributing structure, in whole or in part, within the subarea.
 - (b) Type required:
 1. Type I certificates of appropriateness for ordinary repairs and maintenance are not required in this subarea. This exemption in no way obviates the requirements for certificates of appropriateness for all minor alterations (Type II), major alterations (Type III) and demolitions (Type IV, except partial demolitions).
 2. Except with regard to Type I certificates, the procedures for determining the appropriate type of certificate required under subsection 16-20I.006(1)a. above shall be those specified in section 16-20.008 of the zoning code, provided, however, that a partial demolition shall require a Type IV certificate of appropriateness only when said partial demolition will result in the loss of significant architectural features which destroys the structure's historic interpretability or importance.
2. Lot Size: In addition to the requirements of the subdivision and zoning ordinances, the compatibility rule specified in this chapter 20I shall apply to all subdivisions and aggregations of lots with regard to lot size, dimensions and configurations.
3. Architectural Standards:
 - (a) Building facades:
 1. All new construction shall conform to the existing building orientation (setbacks) by having sidewalks, front yards, porches and front doors facing and parallel to the street, and if located on a corner, the main facade shall face the principal street whenever possible.
 2. At a minimum, the front of all new construction, including any portion thereof, shall be placed at the distances from the street determined by the compatibility rule. This requirement shall also apply to those sides of corner lots which also face a street.
 3. All building materials which upon completion are visible from the public right-of-way, shall be compatible with those which predominate in the subarea.
 4. Siding repair or replacement shall match the original materials in scale and direction. Wood clapboard, if original is preferred; however, aluminum, masonite vinyl or other horizontal siding is permitted if window trim, cornerboards, and fascia/bargeboards are left in place or replaced with new material to match the original.
 5. Contemporary design of new construction, compatible with adjacent and surrounding structures, is permitted.
 - (b) Windows and Doors:
 1. Architecturally significant windows and doors, including details, trimwork, and framing, shall be retained.
 2. Original window and door openings shall not be blocked or enclosed, in whole or in part.
 - (c) Foundations:
 1. Foundation materials, including infill materials, shall replicate the original materials in size, shape, color, texture and mortar, and shall be installed using construction techniques similar to the original.
 2. New foundations shall be of masonry or concrete construction. Other foundation materials are permitted provided they are appropriate to the building on which they are located and in scale, materials, and style with adjacent and surrounding buildings.
 3. Slab on grade is not permitted.
 4. Lattice, painted concrete block, brick or stucco shall be used as infill between foundation masonry piers when infill is otherwise required.
 - (f) Roofs:
 1. Roofing materials shall be of the same size, texture and materials as existing, exposed roofing materials when the existing, exposed roofing materials constitute a significant architectural feature of the structure.
 4. Decks, skylights, solar panels and communication equipment, when otherwise allowed by these or other regulations are permitted on roofs of buildings provided they cannot be seen from the public right of way.

Documentation

The plans show different architectural elements than what currently exists, though these apparent changes are not called out on the plans or included in the Applicant's narrative description. For example, the front porch railing at the first and second levels and stairs, front porch roof (hipped vs. gabled), the window arches for those windows with arches, the front door and surrounding window lights, the second porch front facing gable, and the front porch first level columns are shown as different from the existing plans and actual existing conditions in the field. The Staff would recommend the Applicant clarify the renovation status of all architectural components of the house and note as such on the plans. The Staff would note that if these apparent changes are a part of the project, the Commission will have to review those changes at a future meeting.

While the revised plans include a few additional construction notes and show a front porch railing that is closer to what actually exists on site, there are still numerous examples where the drawings don't match what exists on site, including some of the items previously mentioned. The Staff would retain its previous recommendation and further recommend that the Applicant provide accurate existing and proposed elevations.

Site

No site work is proposed as part of the project. If the rear deck remains after the roof and plywood underneath are removed, then there is no change in the setbacks. If the rear porch / addition / enclosure is completely removed, the new deck must meet the current setback requirements. The Staff would recommend the Applicant document that the rear and side yard setbacks are met by any rear yard-located construction.

The revised plans indicate a new rear deck porch that is the same width as the existing house. The existing rear porch is not quite as wide as the house, though the elevations indicate as such. Given the rear deck is completely new, it must meet the side yard setback requirements (7 ft. on each side). It would appear that it can meet that distance on the north side where the house is 8.7 ft. from the side property, but not on the south side where the house is about 2.5 ft. from the side property line.

The Staff would retain its previous recommendation.

Per underlying the zoning, the maximum lot coverage allowed is 55%. The proposed lot coverage (if there is any change in it) is not indicated. The Staff would recommend the Applicant indicate the final lot coverage for the project. Per underlying zoning, the maximum floor area ratio (FAR) allowed is .50. As no interior square footage is being added, there is no change in the FAR.

No additional information was provided about the lot coverage. The Staff would retain its previous recommendation.

Alterations

The Staff would recommend the roofing material be the same as the existing roofing material.

The revised plans indicate that the roof will be repaired. Given the lack of clarity on the plans, the Staff would retain its previous recommendation.

Similarly, the Staff would recommend that only deteriorated fascia, trim, and front porch ceiling material is replaced and such replacement is in-kind.

The revised plans do not provide any addition information about these actions. The Staff would retain its previous recommendation.

The Staff has no concerns about the painting of the brick house as it is already painted.

Demolition and Deck Addition

The Applicant is proposing to demolish an existing rear deck/porch and enclosure area. As these features are not historic, Staff does not have a concern with the demolition portion of the proposal. It would appear that a rear deck will be created and as such is subject to the visibility requirements of the District. Decks are only permitted when not visible from the public right-of-way. The Staff is concerned that the sides of the deck will be able to be seen from Metropolitan Parkway and as such the new deck would not meet the District regulations. Given the second story location of the deck, the Staff finds that it would not be able to be screened with landscaping or fencing. Therefore, the Staff would recommend the rear deck be converted to a rear porch.

Given the proposed deck appears to be as wide as the existing house; the Staff would retain its previous recommendation. Alternatively, the Staff would recommend the rear deck be reduced in size such that the Applicant can show that it is not visible from a public street.

Staff Recommendation: Based upon the following:

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

Staff recommends approval of the Application for a Type II Certificate of Appropriateness (CA2-15-445) for alterations at **1043 Metropolitan Parkway**. Property is zoned R4-A/Adair Park Historic District (Subarea 1)/ Beltline, with the following conditions:

1. The Applicant shall clarify the renovation status of all architectural components of the house and note as such on the plans;
2. *The Applicant shall provide accurate existing and proposed elevations;*
3. The Applicant shall document that the rear and side yard setbacks are met by any rear yard-located construction, per the R-4A zoning;
4. The Applicant shall indicate the final lot coverage for the project, per the R-4A zoning;
5. The roofing material shall be the same as the existing roofing material, per Section 16-20I.006(3)(f);
6. Only deteriorated facia, trim, and front porch ceiling material shall be replaced and such replacement shall be in-kind, per Section 16-20I.006(3);
7. The rear deck shall be converted to a rear porch *or the rear deck be reduced in size such that the Applicant can show that it is not visible from a public street*, per Section 16-20I.006(3)(f); and
8. Staff shall review and if appropriate, approve the final plans and documentation.



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TIM KEANE
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CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT **January 27, 2016**

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-15-497) for alterations and a rear addition at **409 Sinclair Ave.** Property is zoned R-5 / Inman Park Historic District (Subarea 1) / Beltline

Applicant: Adam Stillman
350 Sinclair Avenue

Facts: The information sheet for this property is missing from the photographic inventory.

The right side façade of the addition will be the only portion which is visible from the public right of way, and as such is the only portion of the addition which is subject to design review by the Commission. The project also includes the installation of a rear deck and the replacement of non-historic features on a façade which is not visible from the public street.

Analysis: The following code sections apply to this application:

Sec. 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 multi-family 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. New construction in Subarea 2 and in Subarea 3: Contemporary design for new construction and for additions to existing properties shall not be discouraged when such new construction and additions do not destroy significant historical, architectural, or cultural material, and such construction or additions satisfy section 16-20L.007 or section 16-20L.008, as applicable.
- d. Compatibility rule:
- i. The intent of the mayor and council in establishing the regulations of the Inman Park Historic District is to ensure that alterations to existing structures, and new construction, in Subarea 1 and alterations to existing contributing structures in Subarea 2 and Subarea 3 are compatible with the historic design, scale, and general character of the entire district as it existed in 1945, of the contributing structures in each subarea, and of the contributing structures in the immediately adjacent environment of a particular block face; and further, to ensure that lot platting in Subarea 1 is compatible with the historic platting pattern of Subarea 1 and of a particular block face as it existed in 1945.
 - ii. To further that intent and simultaneously permit flexibility in design, the regulations provide a compatibility rule which is as follows:
 - (a) Where quantifiable (i.e. building height, setback, etc.), the element or building characteristic in question shall be no less than the smallest such element or building characteristic of buildings or site layouts in that block face that characterizes such like contributing buildings and shall be internally consistent with the historic design of the structure and shall be no greater than the greatest such element or building characteristic of buildings or site layouts in that block face that characterizes such like contributing buildings or site layouts and shall be internally consistent with the historic design of the structure.
 - (b) Where not quantifiable (roof form, architectural trim, etc.) it shall be compatible with that which predominates in contributing structures on that block face and shall be internally consistent with the historic design of the structure.
- e. Initial plan review for proposed improvements in Subareas 2 and 3. Prior to submission of any development plans involving new construction including any addition to any existing building that otherwise requires review by the commission, such plans shall first be submitted to and reviewed by the bureau of planning for conformance with the zoning requirements of Subarea 2 or 3 as applies. The director of the bureau of planning shall review said plans and shall transmit to the director of the urban design commission in writing within 30 days of receipt of such plans a written statement as to whether or not in the planning director's opinion, such plans are in conformance with the zoning requirements imposed within Subarea 2 or within Subarea 3, as is applicable.
- f. Building height shall be measured on the front elevation from the average point of grade on the front elevation to the highest point of the roof or façade, whichever is higher.
2. Certificates of appropriateness.
- c. Type II certificates of appropriateness shall be reviewed by the director of the commission and shall be required for:
 - ii. Fences, walls, accessory structures, decks, rear porches, and paving.
 - d. Type III certificates of appropriateness shall be reviewed by the commission and shall be required for:
 - ii. Additions that are visible from a public street or park, unless such additions are specifically exempted from a certificate of appropriateness in the subarea regulations.
- Sec. 16-20L.006. - Specific regulations for Inman Park Core District, Subarea 1.

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

- 1. Design standards and other criteria for construction of and for additions to one- and two-family residential structures.
 - n. The compatibility rule shall apply to the following aspects of fenestration, if visible from a public street or park upon completion:
 - i. The style of the individual window.
 - (1) Windows in the front façade shall be predominantly vertical in proportion.

- (2) If muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
 - (3) Window and door casings widths and depths are subject to the compatibility rule.
 - ii. The size and shape of individual window openings.
 - iii. The overall pattern of fenestration as it relates to the building façade.
 - o. Mechanical equipment shall be located to the side and rear of the principal structure and where possible in the location least visible from a public street or park. Screening with appropriate plant material or fencing is required if the equipment is visible from a public street or park.
 - p. Wood lap siding, cementitious lap siding, brick, stone, external insulating finishing system ("EIFS"), and true stucco systems are permissible building materials for the façade of the principal structure. Corrugated metal, aluminum siding, and vinyl siding are not permitted.
 - q. The compatibility rule shall apply to building materials and design elements, if visible from a public street or park upon completion, and in addition to all other applicable regulations, as follows:
 - i. The dimensions of the exposed face of lap siding and wood shingles.
 - ii. The type of brick and pattern of brickwork.
 - iii. The type of stone and pattern of stonework.
 - iv. The material and texture of stucco.
 - v. The size and type of doors.
 - (1) Exterior doors shall be wood panel or fixed glass panel in wood frame.
 - vi. The materials and pattern of roofing.
 - vii. Paving materials for walks and drives.
 - (1) Asphalt is not permitted.
 - viii. Visible foundation materials.
 - (1) Foundations shall constitute a distinct building design element and shall contrast with the primary façade siding material. Exposed concrete or CMU foundation walls are prohibited as a finished surface.
 - ix. Visible portions of chimneys.
 - (1) Chimneys shall be faced with masonry. Siding on chimneys is not permitted.
 - x. Skylights are permitted where not visible from a public street or park wherever possible. Protruding bubble skylights are prohibited.
- 2. Setback requirements:
 - b. New additions to existing structures: The following setback requirements and maximum floor area ratio shall apply to all permitted uses of new additions to existing structures: Rear setbacks shall be subject to the compatibility rule. The compatibility rule shall not apply to the front and side setbacks of any addition to an existing structure, however the front and side yard setbacks of the addition shall not be less than the respective setback, at its closest point, of the existing structure.
- 4. Principal uses and structures:
 - a. Properties that have an underlying zoning designation of R-5 shall be used only for the following principal purposes subject to the following provisions:
 - i. Single-family detached dwelling.
 - v. Floor area ratio shall not exceed 0.50.

Alterations

The Applicant is proposing to install a required window well and an egress window on the right side of the principal structure to accommodate a new basement living area. Staff finds that the proposed window well and egress window are minimally visible from the public street, and are currently screened from view by a privacy fence. Further, Staff finds that the proposed egress window is compatible with the historic windows on the structure. Staff did note that no information was received regarding a drainage system for the proposed window well. Staff suggests that the Applicant clarify whether any drainage system is planned for the proposed window well.

Addition

The Applicant is proposing a rear addition which will be inset from the right rear corner of the principal structure. Staff finds that the placement of the addition will allow for the addition to be clearly differentiated from the historic structure. The lot coverage requirements for the R-5

zoning category allow for a maximum lot coverage of 55% of the net lot area. The subject property has a lot size of 8234 square feet. The total lot coverage including the proposed addition would be 3680 square feet, or 45% of the net lot area. Staff finds that the project meets the lot coverage requirement. The R-5 zoning category also requires a FAR of no more than 50% of the net lot area. The total floor area of the structure including the proposed addition will be 2619 square feet or 32% of the net lot area. Staff finds that the proposed addition meets the FAR requirement.

The regulations require the side yard setbacks of new additions to be no less than the respective setback, at its closest point, of the existing structure. The addition will be setback from the right side property line 7 feet 1 inch. Staff finds that the setback of the principal structure at the closest point is 5 feet. Therefore, Staff finds that the addition meets the side yard setback requirements. The addition is setback from the rear property line 46 feet 3 inches at the closest point. The District regulations state that rear yard setbacks are subject to the compatibility rule. The plans indicate that the allowable rear setback range for this block face is a maximum of 80.6 feet and a minimum of 40.4 feet. Staff finds that the proposed rear yard setback meets the District regulations.

The new addition will be defined by a 6 in 12 pitched roof with open rafters, a brick foundation, wood lap siding, all of which will match the corresponding features on the existing structure. Staff finds that the proposed fenestration which will be visible from the public street is compatible with the pattern and style of the fenestration on the existing structure. Staff finds that while the proposed features are internally consistent with the architecture of the existing structure, these features are also subject to the compatibility rule. No compatibility information has been received for the materials and design of the addition. Staff recommends that the Applicant provide compatibility information for the materials and design elements of the proposed addition.

Design Review (CA3-15-479):

Staff Recommendation: Based upon the following:

1. The plans meet the regulations with the exceptions noted above, per Sec. 16-20L.005 & Sec. 16-20L.006;

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-15-497) for alterations and a rear addition at **409 Sinclair Ave.** Property is zoned R-5 / Inman Park Historic District (Subarea 1) / Beltline with the following conditions:

1. The Applicant shall provide compatibility information for the materials and design elements of the proposed addition, per Sec. 16-20L.006(1)(n) & Sec. 16-20L.006(1)(q); and,
2. Staff shall review and if appropriate, approve the final plans and documentation.



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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT **January 27, 2016**

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-15-498) for alterations and an addition at **223 Degress Ave.** Property is zoned R-5 / Inman Park Historic District (Subarea 1) / Beltline.

Applicant: Adam Stillman
350 Sinclair Avenue

Facts: According to the photographic inventory this structure was constructed in 1912 and is considered contributing to the District. The structure appears on a copy of the 1911 Sanborn Fire Insurance map for the street, so the date of construction is likely earlier than what is shown in the photographic inventory.

Analysis: The following code sections apply to this application:
Sec. 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 multi-family 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. New construction in Subarea 2 and in Subarea 3: Contemporary design for new construction and for additions to existing properties shall not be discouraged when such new construction and additions do not destroy significant historical, architectural, or cultural material, and such construction or additions satisfy section 16-20L.007 or section 16-20L.008, as applicable.
 - d. Compatibility rule:
 - i. The intent of the mayor and council in establishing the regulations of the Inman Park Historic District is to ensure that alterations to existing structures, and new construction, in Subarea 1 and alterations to existing contributing structures in Subarea 2 and Subarea 3 are compatible with the historic design, scale, and general character of the entire district as it existed in 1945, of the contributing structures in each subarea, and of the contributing structures in the immediately adjacent environment of a particular block face; and further, to ensure that lot platting in Subarea 1 is compatible with the historic platting pattern of Subarea 1 and of a particular block face as it existed in 1945.
 - ii. To further that intent and simultaneously permit flexibility in design, the regulations provide a compatibility rule which is as follows:
 - (a) Where quantifiable (i.e. building height, setback, etc.), the element or building characteristic in question shall be no less than the smallest such element or building characteristic of buildings or site layouts in that block face that characterizes such like contributing buildings and shall be internally consistent with the historic design of the structure and shall be no greater than the greatest such element or building characteristic of buildings or site layouts in that block face that characterizes such like contributing buildings or site layouts and shall be internally consistent with the historic design of the structure.
 - (b) Where not quantifiable (roof form, architectural trim, etc.) it shall be compatible with that which predominates in contributing structures on that block face and shall be internally consistent with the historic design of the structure.
 - e. Initial plan review for proposed improvements in Subareas 2 and 3. Prior to submission of any development plans involving new construction including any addition to any existing building that otherwise requires review by the commission, such plans shall first be submitted to and reviewed by the bureau of planning for conformance with the zoning requirements of Subarea 2 or 3 as applies. The director of the bureau of planning shall review said plans and shall transmit to the director of the urban design commission in writing within 30 days of receipt of such plans a written statement as to whether or not in the planning director's opinion, such plans are in conformance with the zoning requirements imposed within Subarea 2 or within Subarea 3, as is applicable.
 - f. Building height shall be measured on the front elevation from the average point of grade on the front elevation to the highest point of the roof or façade, whichever is higher.
 - 2. Certificates of appropriateness.
 - c. Type II certificates of appropriateness shall be reviewed by the director of the commission and shall be required for:
 - ii. Fences, walls, accessory structures, decks, rear porches, and paving.
 - d. Type III certificates of appropriateness shall be reviewed by the commission and shall be required for:
 - ii. Additions that are visible from a public street or park, unless such additions are specifically exempted from a certificate of appropriateness in the subarea regulations.
- Sec. 16-20L.006. - Specific regulations for Inman Park Core District, Subarea 1.

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

- 1. Design standards and other criteria for construction of and for additions to one- and two-family residential structures.
 - g. The compatibility rule shall apply to the height, scale, and massing of the principal structure, except as noted below. In no case shall the height of a structure exceed 35 feet. (See section 16-28.022 for excluded portions of structure.)
 - i. The height of additions shall not be subject to the compatibility rule, but shall be no higher than the existing structure.

- ii. Notwithstanding the compatibility rule, any new roof ridge line shall be no higher than the highest roof ridge line of the existing structure.
- i. Front porches on principal structures shall be required. The compatibility rule shall apply to the design and size of said front porches, provided that such porches shall be a minimum of 12 feet wide or one-half of the width of the front façade, whichever is greater, and a minimum of eight feet deep. Front porches shall contain roofs, balustrades, columns, steps, and other features compatible with porches in the existing block. Front porches may extend up to ten feet into the required front yard. All front porch steps shall have closed risers and ends.
- n. The compatibility rule shall apply to the following aspects of fenestration, if visible from a public street or park upon completion:
 - i. The style of the individual window.
 - (1) Windows in the front façade shall be predominantly vertical in proportion.
 - (2) If muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
 - (3) Window and door casings widths and depths are subject to the compatibility rule.
 - ii. The size and shape of individual window openings.
 - iii. The overall pattern of fenestration as it relates to the building façade.
- p. Wood lap siding, cementitious lap siding, brick, stone, external insulating finishing system ("EIFS"), and true stucco systems are permissible building materials for the façade of the principal structure. Corrugated metal, aluminum siding, and vinyl siding are not permitted.
- q. The compatibility rule shall apply to building materials and design elements, if visible from a public street or park upon completion, and in addition to all other applicable regulations, as follows:
 - i. The dimensions of the exposed face of lap siding and wood shingles.
 - ii. The type of brick and pattern of brickwork.
 - iii. The type of stone and pattern of stonework.
 - iv. The material and texture of stucco.
 - v. The size and type of doors.
 - (1) Exterior doors shall be wood panel or fixed glass panel in wood frame.
 - vi. The materials and pattern of roofing.
 - vii. Paving materials for walks and drives.
 - (1) Asphalt is not permitted.
 - 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.
- 4. Principal uses and structures:
 - a. Properties that have an underlying zoning designation of R-5 shall be used only for the following principal purposes subject to the following provisions:
 - v. Floor area ratio shall not exceed 0.50.

Alterations

The applicant is proposing to replace the non-original front porch roof and columns and to install a new porch railing. The new front porch roof will have a 1 in 12 pitch, and the round front porch columns will be replaced with boxed columns. Staff has no general concerns with the proposed alterations but recommends that the Applicant provide documentation that the proposed porch roof, columns and railings are compatible with porches in the existing block.

The Applicant is proposing to remove the asbestos siding on the side and rear facades of the structure to expose the original wood siding. The existing wood siding will be repaired and patched in-kind where necessary due to damage or rot. Staff finds this method to be an appropriate treatment for historic materials and has no concerns with the proposed alterations.

The Applicant is proposing to remove a non-original cellar door on the right side façade and to replace it with a stacked stone veneer foundation material to match the existing foundation material for that façade. Staff finds that the changes meet the regulations and has no concerns with the proposed alterations.

The Applicant is proposing to remove the existing non-original front door, to replace it with a double hung simulated divided lite window with muntins permanently affixed to the glass, and to install a new front door in the original front door location beneath an existing transom window. Staff finds the proposed replacement window to be consistent with the windows found on the existing structure but recommends that the Applicant provide documentation that the proposed front façade fenestration pattern meets the compatibility rule. The plans do not indicate the material for the proposed front door. Staff recommends that material and design for the proposed front door meet the district regulations.

Lastly, the Applicant is proposing to remove a window on the left side façade and re-use the removed window on the right side façade in place of a non-historic jalousie window. The resulting opening on the left side façade will be replaced with a smaller window for use in a new kitchen. The siding will be patched in-kind to accommodate the new window size. Staff recommends that the Applicant provide documentation that the proposed fenestration pattern for the alterations on the existing structure meets the compatibility rule.

Addition

The Applicant is proposing a rear addition which will be inset from the existing rear corners of the structure which will allow for the addition to be distinguished from the existing structure. The roof of the proposed addition will have a lower peak which will further aid in the distinguishing of the addition from the existing structure. The lot coverage requirements for the R-5 zoning category allow for maximum lot coverage of 55% of the net lot area. The subject property has a lot size of 3075 square feet. The total lot coverage including the proposed addition would be 1473 square feet, or 48% of the net lot area. Staff finds that the project meets the lot coverage requirement. The R-5 zoning category also requires a FAR of no more than 50% of the net lot area. The total floor area of the structure including the proposed addition will be 1535 square feet or 49.9% of the net lot area. Staff finds that the proposed addition meets the FAR requirement.

The regulations require the side yard setbacks of new additions to be no less than the respective setback, at its closest point, of the existing structure. The addition will be setback 2.1 feet from the right side property line, and 4.3 feet from the left side property line. Staff finds that the setbacks of the principal structure at their closest points are 1 foot on the right side of the structure and 3 feet on the left side facade. Therefore, Staff finds that the addition meets the side yard setback requirements. The addition is setback from the rear property line 39.7 feet at the closest point. The District regulations state that rear yard setbacks are subject to the compatibility

rule. The plans indicate that the allowable rear setback range for this block face is a maximum of 60.4 feet and a minimum of 5 feet. Staff finds that the proposed rear yard setback meets the District regulations.

The new two story rear addition will be defined by a 6 in 12 pitched roof and will contain a two level porch on the rear façade. The rear porch will be supported by boxed columns matching those proposed for the front porch alterations, and will contain railing on the second story. The addition will be sided with smooth faced cementitious siding and will have a visible foundation consisting of stacked stone. Staff finds that the proposed fenestration which will be visible from the public street is compatible with the pattern and style of the fenestration on the existing structure. Staff finds that while the proposed features are internally consistent with the architecture of the existing structure, these features are also subject to the compatibility rule. No compatibility information has been received for the materials and design of the addition. Staff recommends that the Applicant provide compatibility information for the materials and design elements of the proposed addition.

Design Review (CA3-15-498):

Staff Recommendation: Based upon the following:

1. The plans meet the regulations with the exceptions noted above, per Sec. 16-20L.005 & Sec. 16-20L.006;

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-15-498) for alterations and an addition at **223 Degress Ave.** Property is zoned R-5 / Inman Park Historic District (Subarea 1) / Beltline with the following conditions:

1. The Applicant shall provide documentation which documents the proposed porch roof, columns and railings are compatible with porches in the existing block, per Sec. 16-20L.006(1)(i);
2. The Applicant shall provide documentation that the proposed front façade fenestration pattern meets the compatibility rule, per Sec. 16-20L.006(1)(n)(iii);
3. The material and design of the proposed front door shall meet the district regulations, per Sec. 16-20L.006(1)(q)(v)(1);
4. The Applicant shall provide documentation that the proposed fenestration pattern for the alterations on the existing structure meets the compatibility rule, per Sec. 16-20L.006(1)(n)(iii);
5. The Applicant shall provide compatibility information for the materials and design elements of the proposed addition, per Sec. 16-20L.006(1)(n) & Sec. 16-20L.006(1)(q); and,
6. Staff shall review and if appropriate, approve the final plans and documentation.



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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT **January 27, 2016**

Agenda Item: Review and Comment (RC-15-501) for additions and site work at **3260 Northside Drive (Atlanta Classical Academy)** - Property is zoned R-3.

Applicant: Matthew Kirby
1380 West Paces Ferry Road

Facts: The Atlanta Classical Academy is an Atlanta Public School charter school. It is the Staff's understanding that public funds could potentially be used in connection with the school's renovation and expansion, and as such out of an abundance of caution the Commission will review and comment on the capital program expenditure. Currently, there are two buildings located on the campus, which is on the southwest corner of Northside Drive and Moores Mill Road. The northern most building is a former Ranch house that has been previously added to when the property was a private school. The second building to the south is slightly more contemporary building. It is this second building that will be renovated and to which the significant addition will be attached.

The renovations to the second building will transform it from a 1960s/1970s contemporary building to a more classically-inspired, more "traditional" appearance with a symmetrical, proportioned façade with grouped windows. The significant addition to the south will follow this same classically-inspired, "traditional" appearance. The very southern end of the addition will be gymnasium with fewer windows and detailing than the rest of the addition.

The site work will consist of expanding and reconfiguring the existing parking along Northside Drive to align it with and bring it closer to the roadway itself. At the southern end of the property a recreation field will be established and additional parking will be added along the southern property line. An alternative scenario for the southern end of the property includes modular classrooms instead of the additional parking lot.

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

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

Site Work

Even with the new public sidewalks along the street frontage, the Staff is concerned about the site work for the renovation and expansion for two reasons. First and most significantly, the Staff is concerned about the proximity of the parking lots to Northside Drive which diminishes the pedestrian environment and experience along Northside Drive. With the proposed design almost the entire Northside Drive frontage of the property will be parking including the actual corner of the property at the street intersection. While the Staff understands that there is some parking along this frontage now, in the northeastern corner of the site the parking is being brought closer to the street eliminating the lawn that currently is there. Further, the short narrative includes a mention of “appropriate landscaping” but none is shown along the street frontage. This adjacency could be even more problematic given that in the northeastern portion of the property (in front of the former Ranch house), the property grade is above the street grade meaning that pedestrians could be looking slightly up at the parked cars.

Second, the Staff is concerned about the placement of the dumpster along the western property line. While the Staff assumes that there will be screening around the dumpster, its general proximity to townhouses / apartments to the west could be problematic.

Alterations and Addition

As noted above, the proposed renovations and additions will create a “traditional” appearance to one of the existing buildings and the addition itself. While the renovation and addition will be consistent to themselves, it does not appear that the former Ranch house will be renovating, which could create a somewhat incongruous appearance to the campus.

From a massing perspective, the two story addition will be three stories on its west elevation, facing the townhouses / apartments. The townhouses / apartments appear to be three stores as well and there are a variety of house sizes in the surrounding neighborhood. Therefore, the Staff is not concerned about the height and massing of the proposed addition.

In regards to the architectural relationship of the campus to the surrounding properties, the campus is currently situated such that there is little visual or architectural relationship to the immediately surrounding properties. Across Moores Mill Road to the north is an open field and a somewhat contemporary church complex. Across Northside Drive to the east, the rears of the houses face the Northside Drive within a heavily wooded area. To the south are a baseball field and the townhouses / apartments previously mentioned. To the west are the same townhouses / apartments. As such, the Staff has no concerns about the proposed architectural style being compatible with the immediate context.

Taking a broader view of the context, the Staff finds that there are “classical” and “traditional” houses in the neighborhood as evidenced by the various revival and “traditionally”-styled infill houses.

Staff Recommendation: The Staff recommends that the Commission confirm that it has delivered its comments to the Applicant at the Commission meeting regarding an application for Review and Comment (RC-15-501) for additions and site work at **3260 Northside Drive (Atlanta Classical Academy)** - Property is zoned R-3.



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STAFF REPORT January 27, 2016

Agenda Item: Application for Type III Certificates of Appropriateness (CA3-15-502) for a special exception to allow a 6' high privacy fence/wall in the Augusta Place front yard where otherwise at **709 Cherokee Avenue**- Property is zoned R-5/Grant Park Historic District.

Applicant: Kevin Diers
737 Cherokee Avenue

Facts: According to the Grant Park Inventory sheet this house was built in 1910 and is considered contributing. The rear of the property abuts Augusta Place, thus creating two frontages and two "front" yards. The Staff would note that on a regular lot, a privacy wall of this type in this location would not require a variance or special exception. However, given the double frontage lot, what would normally be a rear yard privacy fence is now considered to be in a front yard and thus subject to all of the requirements that would normally affect the front yard, including the fence requirements.

Analysis: The following code sections apply to this application:

Per Section 16-20K.006 of the Atlanta Land Development Code, as amended:
The following general regulations shall apply to all properties located within the Grant Park Historic District.

- (2) Certificates of Appropriateness.
 - (B) Type III Certificates of Appropriateness shall be required for:
 1. All new principal structures;
- (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.

Per Section 16-20K.007:

- (2) Architectural Standards.
 - (B) Design Standards and Criteria for New Principal Structures.
 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 (4) feet in height may be erected in a front yard. Fences not exceeding six (6) feet in height may be erected in a half-depth front yard. Other than retaining walls, walls shall not be erected in a front yard or half-depth front yard.
 - b. Fences and walls not exceeding six (6) feet in height may be erected in the side or rear yards.
 - c. In a half-depth front yard, when a fence exceeds four (4) feet in height, the standard zoning requirements for a variance are in effect. Where no sidewalk exists, the fence shall be set back three (3) 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.

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

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

This interior lot fronts about 50 ft. on both Cherokee Avenue and Augusta Place, with a depth about 200 ft. According to information provided by the Applicant, the proposed privacy fence is located where a previous 6 ft. high privacy fence was located on the shared property line. That previous privacy fence was damaged by construction work at the property, then removed and replaced by the construction company. Close-out inspections by the City's building inspector identified the new privacy fence and indicated that it needed to be properly permitted. Given the District includes all requirements related to fences, the special exception to have a 6 ft. tall privacy wall/fence (vs. a 4 ft. tall regular fence as allowed by the District regulations) is before the Commission at this time.

For a special exception to be approved, the Applicant must prove that only one of the four criteria have been satisfied. (Variance requests must prove that all four variance criteria have been met.) The Applicant has responded to criteria #1 about security / privacy / light and air, and criteria #4 about compatibility with the character of the surrounding neighborhood.

The Staff would note that while double frontage lots do exist in the district, they are not common. In addition, the "second" frontage along Augusta Place generally operates as a rear entry way to houses facing other streets, though there are some lots the only have frontage along Augusta Place. Further, the location of the privacy fence is consistent with the arrangement and organization of the house / lot as the façade of the house facing Augusta Place is, architecturally, the rear façade of the house. Lastly, the District regulations (like most other zoning districts) are specifically geared to accommodate such fences / walls in the rear yard which is essentially how the yard facing Augusta Place functions.

However, while the Applicant had previously provided some digital photographs to the Staff of the fence when the issue of the permitting of the fence first came up, no photographs were provided with the actual application. Even though the Staff understands the August Place yard functions as a rear yard, the Applicant has not provided documentation about the existence of other fences along Augusta Place, the compatibility of their fence to the existing fences, or the concern about the neighbor's dog, which is cited by the Applicant in response to criteria #1.

The Staff would recommend the Applicant document the other privacy fences along this portion of Augusta Place, that the proposed privacy fence will be similar to those other existing privacy fences and thus compatible with the character of the neighborhood, and the concerns about the neighbor's dog.

The Staff would note that if the special exception is approved, to actually permit the privacy fence a Type II Staff Review application (which does not go before the Commission) will have to be completed as well.

Staff Recommendation: Based upon the following:

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

Staff recommends approval of the Application for Type III Certificates of Appropriateness (CA3-15-502) for a special exception to allow a 6' high privacy fence/wall in the Augusta Place front yard where otherwise at **709 Cherokee Avenue**- Property is zoned R-5/Grant Park Historic District, with conditions:

1. The Applicant shall document the other privacy fences along this portion of Augusta Place, that the proposed privacy fence will be similar to those other existing privacy fences and thus compatible with the character of the neighborhood, and the concerns about the neighbor's dog, per Section 16-28.008(5)(e).



CITY OF ATLANTA

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 January 27, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-002) for a rear second story addition at **1281 Fairview Rd.** - Property is zoned Druid Hills Landmark District.

Applicant: Rock Heindel
160 Lakeshore Drive, Roswell

Facts: According to the architectural survey in 2002, this dwelling built in 1917 and is contributing.

Analysis: The following code sections apply to this application:

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

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

(3) Landmark buildings and sites:

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

Sec. 16-20B.003. - General regulations. The following general regulations shall apply to the entire district which includes the following subareas: (1) the Ponce de Leon Corridor; (2) Fairview Road; and (3) Springdale Road/Oakdale Road/Lullwater Road/Lullwater Parkway. Any proposed development, new construction, addition, alteration, or demolition shall require a certificate of appropriateness as noted below and shall conform to the following regulations:

(1) *General standards.* In the Druid Hills Landmark District, the Commission shall apply the following general standards only if the standards set forth elsewhere in this [chapter 20B](#) do not specifically address the application:

(a) 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.

(b) 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.

(c) 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.

- (d) Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
- (e) Distinctive materials, features, finishes, and construction techniques, or examples of craftsmanship that characterize a property, shall be preserved.
- (f) 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.
- (g) 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.
- (h) Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
- (i) New additions, exterior alterations, or related new construction, shall not destroy historic materials, 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.
- (j) New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

(2) *Certificates of appropriateness.*

- (a) Except as otherwise provided herein, the procedures for determining the correct type of certificate of appropriateness shall be those specified in [section 16-20.008](#) of the Zoning Ordinance.
- (b) Notwithstanding any other provision herein, no certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
- (c) No certificate of appropriateness shall be required for the removal of dead, dying, or hazardous tree as defined in the City of Atlanta Tree Ordinance or a tree with a diameter breast height of less than six inches.
- (d) Type I certificates of appropriateness shall be reviewed and decided by the Director of the Commission and are required for the following:
 - (i) In-kind repair or replacement of roofing material, and in-kind repair of driveways, walkways, other similar paving, windows, and exterior doors.
- (g) Type III certificates of appropriateness shall be reviewed and decided by the commission and shall be required for:
 - (ii) All additions to existing principal structures and accessory buildings, including decks.

Sec. 16-20B.005. - Fairview Road regulations. The following regulations shall apply to any proposed development on any property located on Fairview Road:

(1) *Permitted principal uses and structures:*

- a. Single-family dwellings.

(5) *Minimum yard requirements:*

a. Setbacks:

- 4. South side, Moreland Avenue to the eastern side property line of 1281 Fairview Road, NE:

Front yard: 59 feet.

Side yards: 20 feet.

Rear yard: 35 feet.

Site

Per regulations, the side yard shall be no less than 20' and the rear yard shall be no less than 35'. Staff finds the setback requirements have been met. As the proposed alteration does not increase the footprint, Staff finds that lot coverage is not an issue in this case. Staff would note there are no FAR requirements in this subarea.

Addition

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

The Applicant is proposing a second story addition over an existing first floor roof. In looking at the rear elevation, Staff finds the overall design and location of the addition appears to be consistent and compatible with the existing house. The details regarding the windows are not clear. Staff recommends the Applicant provide material and lite division details for the proposed new windows. The Applicant did not submit a side elevation of the addition. Without a side elevation, Staff cannot confirm the entire addition is consistent and compatible with the existing house. Staff recommends the Applicant submit a side elevation of the addition. There were no pictures submitted of the existing conditions. Pictures help provide context for the project. Staff recommends the Applicant submit pictures of the existing conditions.

Staff Recommendation: Based upon the following:

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

Staff recommends approval of the Application for Type III Certificate of Appropriateness (CA3-16-002) for a rear second story addition at **1281 Fairview Rd.** - Property is zoned Druid Hills Landmark District, with the following conditions:

1. The Applicant shall provide material and lite division details for the proposed new windows, per Section 16-20B.003(1);
2. The Applicant shall submit a side elevation of the addition;
3. The Applicant shall submit pictures of the existing conditions; and
4. Staff shall review and if appropriate, approve the final plans.