



CITY OF ATLANTA

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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT **March 23, 2016**

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-078) for a dormer addition and alterations at **50 Waddell St.** Property is zoned R-5 / Inman Park Historic District (Subarea 1) / Beltline.

Applicant: Cindy Silver
7513 Saint Charles Sq., Roswell

Facts: According to the photographic inventory this structure was built in 1903 and is considered contributing to the District.

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.
- 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 16-201.005(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.
 - 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:
 - a. New construction: The following setback requirements and maximum floor area ratio shall apply to all permitted uses of new construction: Front, side, and rear setbacks shall be subject to the compatibility rule.
 - 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.
 - ii. Two-family dwelling, subject to the limitations and requirements set forth herein.
 - iii. In no case shall there be more than one principal building and one principal use on a lot.
 - iv. A lot shall not be used for more than two dwelling units.
 - v. Floor area ratio shall not exceed 0.50.

Addition and alterations

The proposed project involves removing two currently existing dormer additions on the south side elevation and replacing them with one larger shed dormer addition. The Applicant is also

proposing to remove a window from an existing portion of a rear addition, and to add a skylight on the south side elevation directly above the proposed shed dormer addition. The addition and skylight will both be visible from the Edgewood Avenue right of way.

According to the plans submitted by the Applicant, the shed dormer addition would increase the total floor area of the home to 1,956 sq. ft. No information regarding the lot size or FAR calculations have been submitted. Staff recommends the plans indicate the FAR calculations for the proposed structure with the addition. As the addition will not require an expansion in the footprint of the existing structure, there will be no change in the lot coverage of the structure.

Staff has two concerns with the design of the proposed dormer addition. First, the Staff is concerned the shed roof form will create an incompatible shape/wall face on this façade of the house. Further the roof form of the house is subject to the compatibility rule. Staff would recommend the applicant provide a front façade elevation view of the dormer and document compliance with the compatibility rule. Second Staff finds that the windows proposed for use on the shed dormer are not compatible with the fenestration on the visible portions of the structure with regards to their design and size. Staff recommends the proposed windows on the shed dormer be compatible with the design and size of fenestration on the existing structure.

Staff has no concerns with the removal of the window on the existing rear addition as the proposed alteration will better match the fenestration pattern of the structure as a whole. With regards to the proposed skylight, the regulations require that such elements be placed where they would not be visible from the street if possible. Staff finds that there may be other portions of the existing roof where a skylight could be placed that would reduce or eliminate its visibility from the public right of way. Staff recommends the Applicant clarify whether the skylight can be placed elsewhere on the existing roof, or the skylight shall be removed from the plans.

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 (CA3-16-078) for a dormer addition and alterations at **50 Waddell St.** Property is zoned R-5 / Inman Park Historic District (Subarea 1) / Beltline with the following conditions:

1. The plans shall indicate the FAR calculations for the proposed structure with the addition, per Sec. 16-20L.006(4)(a)(v);
2. The applicant shall provide a front façade elevation view of the dormer and document compliance with the compatibility rule, per Sec. 16-20L.005(1)(d)(2)(b);
3. The proposed windows on the shed dormer shall be compatible with the size of fenestration on the existing structure, Sec. 16-20L.006(1)(n)(ii);
4. The Applicant shall clarify whether the skylight can be placed elsewhere on the existing roof, or the skylight shall be removed from the plans, per Sec. 16-20L.006(1)(q)(x); and,
5. Staff shall review and if appropriate, approve the final plans and documentation.



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STAFF REPORT March 23, 2016

Agenda Item: Application for a Type III Certificates of Appropriateness (CA3-16-078) for alterations and additions at **1073 St. Charles Place** – Property is zoned R-4/Atkins Park Historic District.

Applicant: Seth Lively
1073 St. Charles Place

Facts: According to the Atkins Park Historic District Survey, this single family dwelling built in 1920 is considered contributing to the District. At some point before the District's designation, a side addition was built in the right (west) side of the house that wraps around to the rear of the house.

The proposal before the Commission at this time is as follows:

1. Remove the contemporary addition on the right (west) side of the house and a screened porch on the left (east), rear corner of the house;
2. Add a brick walkway along the right (west) side of the house;
3. Repair an existing brick patio in the rear yard;
4. Build an addition at the left (east), rear corner of the house, slightly larger than the existing screened porch;
5. Reconfigure / rebuilt contemporary on the right (west) rear corner of the house;
6. Extend the rear portion of the hipped roof to cover the new rear addition (left rear corner) and reconfigured / rebuilt former rear addition (right rear corner); and
7. Build an addition on the right (west) side of the house behind the existing sunroom and extend the gable roof to cover both the sunroom and the addition.

Analysis: The following code sections apply to this application:

Per Section 16-200.006 of the Atlanta Land Development Code, as amended:

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

(1) Certificates of Appropriateness:

- (E) Type III certificates of appropriateness shall be required for:
(ii) All major alterations and additions to existing structures.

(7) Compatibility rule.

- (A) In general, the intent of the regulations and guidelines is to ensure that alterations to existing structures and new construction are compatible with the design, proportions, scale, massing, materials, and general character of the contributing buildings in the immediately adjacent environment of the block face, the entire block, or the district as

a whole. Synthetic materials may be used if visually indistinguishable from the original materials. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The element in question (roof form, architectural trim, etc.) shall match that which predominates on the contributing buildings of the same block face or, where quantifiable (i.e., buildings height and width as measured at front façade, floor height, lot dimensions, etc.), no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same block face."

(B) Those elements to which the rule applies are noted in the regulations by a reference to the "compatibility rule."

Sec. 16-200.007. Specific Regulations.

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

(1) Development controls for principal structures.

(A) Front yards: The front yard setback of principal structures shall meet the compatibility rule.

(B) Side yards: The side yard setbacks of principal structures shall meet the compatibility rule. All new construction and additions shall maintain a minimum of three feet for side yards setbacks where the compatibility rule would permit otherwise.

(C) Rear yard: The rear yard setback of principal structures shall be a minimum of 15 feet.

(2) Architectural Standards for Principal Structures.

Architectural standards for principal structures shall apply to front facades, side facades, and half-depth front facades visible from core residential streets only.

(A) All new construction shall be one of the house styles of a contributing building that appears on the block face of the street on which the new construction shall occur.

(B) Building height and width: The compatibility rule shall apply to the height and width of the principal structure. In no case shall the height of a structure exceed 35 feet from grade.

(C) Foundation:

(i) The maximum height of the first floor above grade shall meet the compatibility rule. The foundation shall be a maximum of four feet above the surface of the ground adjacent to the front façade, measured at the front façade.

(ii) Slab on grade is not permitted.

(iii) When masonry, brick or stucco is used as the primary façade material, the foundation material shall be the same. Otherwise the foundation shall be brick or stucco.

(D) Siding: Siding shall be substantially consistent with siding materials found in contributing buildings on the block face and shall be consistent with the architectural style. Brick, brick veneer, stucco, shingles, or horizontal lapped wood or cementitious plank siding are permissible building materials for the façades.

(E) Roofs:

(i) The shape and pitch of roofs, as well as ridge, overhang, and soffit construction shall meet the compatibility rule and be consistent with the architectural style.

(ii) Clay tile, slate, composition asphalt shingles, and fiberglass shingles are permissible roofing materials.

(iii) Membrane or cold-rolled roofing is permitted only on flat roofs.

(iv) Corrugated roofing materials are not permitted.

(I) Windows and doors. Fenestration, if visible from a core residential street upon completion, shall meet the following requirements:

(i) The compatibility rule shall apply to the style, size, shape and overall pattern of fenestration.

(ii) Windows on the front façade shall be predominantly vertical.

(iii) Exterior doors and door transoms shall be appropriate to the house style, regarding design, size, dimension, and location on the building.

(L) Ornamentation: Installation of architectural ornaments, such as brackets, decorative trim, corner boards, bottom boards, fascia boards, porch railing, columns, steps, doors, half-timbering, and attic vents, where none previously existed shall be permitted and shall be subject to the compatibility rule.

(3) Maximum floor area ratio: The floor area ratio shall not exceed 50 percent of the total lot area.

(4) Maximum lot coverage: Lot coverage shall not exceed 50 percent of total lot area.

Sec. 16-200.009. Design criteria for alterations and additions to contributing structures.

Alterations and additions to contributing structures requiring a certificate of appropriateness shall comply with one of the following provided that the mere increase in floor area otherwise authorized in the district shall not constitute a standard for review:

(A) Alterations and additions shall be consistent with and reinforce the historic architectural character of the entire existing contributing structure and shall comply with the applicable regulations for architectural standards for principal structures set forth in subsection 16-200.007(2) above; or

(B) New additions, exterior alterations, or related new construction will not destroy historic materials that characterize the property. The new work may differentiate from the old. To protect the historic integrity of the property and its

environment, any new work will be compatible with the massing, size, scale, materials, and architectural features of the property and environment.

General Development Controls

The proposed project will change the lot coverage and floor area ratio of the property. However, in both cases the resulting amounts will be less than maximums permitted by the District regulations (50% of the net lot area for both requirements)

The proposed additions are subject to the half-depth front yard, side yard, and rear yard setback requirements. The front yard (and thus the half-depth front yard) and the side yard are based on the compatibility rule. Given the existing house is contributing to the District its setback dimensions can be included in the compatibility rule comparisons. Further, as the proposed additions align with the existing side façades of the house, the half-depth front yard and side yard meet the District regulations. The minimum rear yard setback requirement is 15 ft. The rear yard setbacks of the proposed additions are substantially more than 15 ft.

Remove the contemporary addition on the right (west) side of the house and a screened porch on the left (east), rear corner of the house.

The Staff finds that the addition on the right (west) side of the house that wraps around to the back is a non-historic component of the project and as such does not have any concerns about its removal. No historic fabric will be lost and the removal of the addition will expose the original / historic side façade of the house.

Similarly, the Staff finds that while the rear porch might be original or historic to the house, it is more likely contemporary construction or a contemporary alteration of a previous rear porch. The porch railing (though none is technically needed) is a pattern not found on the rest of the house, the screening is contemporary, the header / frieze of the screen walls does not have the same depth as the frieze of the main house, and the floor / foundation lip is poured concrete. The Staff has no concerns about the removal of the rear screened porch.

Add a brick walkway along the right (west) side of the house.

The Staff has no concerns about this component of the project.

Repair an existing brick patio in the rear yard.

The Staff has no concerns about this component of the project.

Build an addition at the left (east), rear corner of the house, slightly larger than the existing screened porch.

Reconfigure / rebuilt contemporary on the right (west) rear corner of the house.

Extend the rear portion of the hipped roof to cover the new rear addition (left rear corner) and reconfigured / rebuilt former rear addition (right rear corner).

As all three of these components of the project are related to each other, the Staff will assess them jointly. Given the contemporary time frame of these portions of the house, the Staff is not concerned about the loss of historic fabric. The materials and design elements are similar to materials and design elements on the main house (faux half-timbering, true stucco, similar windows, etc.) yet distinct from the immediately adjacent brick façade. This will allow these components of the project to “read” as additions to the main house vs. creating a false sense of development by mimicking the existing house. The addition roof will be the same height as the height of the main front to back roof on the house.

As such, the Staff finds that these components of the project meet both District regulations for additions and alterations to contributing structures. The alterations and additions will be consistent with and reinforce the historic architectural character of the house, will comply with the applicable regulations for architectural standards for principal structures, will not destroy historic materials that characterize the property, will be differentiated from the old, and will be compatible with the massing, size, scale, materials, and architectural features of the property and environment.

Build an addition on the right (west) side of the house behind the existing sunroom and extend the gable roof to cover both the sunroom and the addition.

In contrast to the three components of the project noted above, the Staff does have one overall concern about this component of the project. The Staff is concerned that the addition and accompanying roof will create a false sense of development to the house given that when this particular addition is finished, it will remove a distinct roof form (a nested, side gable) and otherwise blend in with the original house. The windows will be the same as those immediately adjacent to the addition and the brick work will be the same as the adjacent brick work and would appear to be “toothed in” such that there is no distinct joint line.

While the Staff understands the interest in creating a cohesive design, it would find that relatively minor architectural components could be introduced into the design of the side addition that would allow it to be viewed as an addition without sacrificing the overall design intent. For example, a control joint could be left at the rear extent of the existing brick or a false gable eave could be retained at the location of the existing rear gable plane. The Staff would recommend that architectural elements be introduced into the design of the right (west) side addition to distinguish the addition from the original portion of the house.

Staff Recommendations: Based upon the following:

1. Except as noted above, the project meets the District regulations, per Section 16-200.006, 16-200.007, and 16-200.009.

Staff recommends approval of the Application for a Type III Certificates of Appropriateness (CA3-16-078) for alterations and additions at **1073 St. Charles Place** – Property is zoned R-4/Atkins Park Historic District, with the following conditions:

1. Architectural elements shall be introduced into the design of the right (west) side addition to distinguish the addition from the original portion of the house, per Section 16-200.009(A) and (B); and
2. The Staff shall review, and if appropriate approve, the final plans, elevations, and supporting materials.



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STAFF REPORT March 23, 2016

Agenda Item: Type III Certificate of Appropriateness (CA3-16-081) for an addition and (CA3-16-082) for a variance to allow an addition that is not compatible with the size, scale, and massing of the existing house and is slab-on-grade construction at **307 Milledge Ave.** Property is zoned R-5 / Grant Park Historic District (Subarea 1).

Applicant: Daniel J Souther
556 Grant St.

Facts: The 1900s contributing house appears to be relatively unaltered from its original configuration, materials, and architectural components. The front yard of the property is relatively flat and even with the public sidewalk. The house sits to the left side of the lot.

A “perpetual ingress/egress easement” is noted along the right side of the lot to presumably access a house that is located on a land-locked piece of property behind the subject property. In the original application materials, the Applicant described this access as “Milledge Place” though there is no City of Atlanta record of public right of way being located there. The Staff would add that the property dimensions shown on the site plan and described in the variance narrative match those on the City’s plat map and the Fulton County tax assessor’s maps. As such, the property is not considered a corner lot by the City and as a result several of the originally requested variances are not necessary (a half-depth front yard reduction and a double garage door facing a public street) because of the non-corner status of the property.

However, the Staff did find that the two variances noted in the application description above are required given the addition’s design. A substantial portion of the addition (the portion that contains the garage) is being built on a slab (vs. a crawl space), and the placement and size of the addition is not typical of a “rear” addition raising concerns about its size, scale, and massing.

The project consists of the following components:

- removing portions of former rear additions to the existing house;
- removing an existing deck located on the right rear corner of the existing house;
- building a new addition on the rear/side of the house with a two-car garage facing the side of the property and a porch on the front façade of the addition;
- extending the rear portion of the existing hipped roof over part of the new addition; and
- connecting the two-car garage to the existing gravel driveway.

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

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

- (1) *General Criteria.*
 - a. Notwithstanding any other provision herein, no Certificate of Appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - b. Except as otherwise provided herein, the procedures for determining the appropriate type of certificate shall be those specified in section 16-20.008 of the zoning code.
 - c. In Residential Subarea I, the commission shall apply the standards referenced in 16.20.009 only if the standards set forth in this Chapter 20K do not specifically address the application.
- (2) *Certificates of Appropriateness.*
 - c. Type III Certificates of Appropriateness shall be required for:
 2. All major alterations and additions to existing structure, with respect to any façade that faces a public street.
- (3) *Variances.* Variance requests shall be heard by the commission which will have the authority to grant or deny variances from the provisions of this chapter when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, criteria and appeal provisions for decisions regarding such variances shall be the same as those specified in chapter 26 of this part 16.

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

- (1) *Development Controls.*
 - a. *Front Yards:* Front yard setbacks shall either: i) conform to the setback of the previously existing contributing building of like use; or ii) shall be no closer to the street than the closest and no farther from the street than the farthest contributing structure of like use on that side of the block.
 - b. *Side Yards:* Side yards shall either: i) conform to the setback of the previously existing contributing building of like use; ii) conform to the setback of the existing building; iii) conform to any existing pattern of unequal side yard setbacks previously established by a majority of the contributing buildings of like use on that side of the block; or iv) be of a width of not less than seven (7) feet.
 - c. *Rear Yard:* Rear yard setback shall be seven feet.
 - d. Off-street parking and driveway requirements:
 1. Off-street parking shall not be permitted in the front yard or half-depth front yard.
 2. The commission shall have the authority to vary section 28.006(10) relative to the requirement for an independent driveway connected to a public street.
 3. If constructed, independent driveways within the front yard or half-depth front yard shall be a maximum of ten feet wide and shall have a maximum curb cut of ten feet, exclusive of the flare.
- (2) *Architectural Standards.*
 - A. *Statement of Intent.* The purpose of these regulations is to set forth basic, minimum standards of architectural design and construction that are compatible with and complementary to the existing historic residences within the neighborhood, as the cumulative historic diversity of the built environment is a defining characteristic of this neighborhood. It is not the intent of these regulations to limit the design of new housing to replication of styles of existing structures, but to foster residential design that, with regard to massing, size, scale, materials, and architectural elements, enhances the architectural quality of the neighborhood and simultaneously encourages creativity. Additionally, these regulations are intended to integrate the physical characteristics of new construction into the existing neighborhood in a meaningful way so as to restore and promote the public health, safety, and welfare of this neighborhood.

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

- B. Design Standards and Criteria for New Principal Structures.
 1. Identified design elements of size, scale, massing and materials of new construction shall be substantially consistent with said identified design elements found in contributing structures of like use in the district as listed in subsection 16-20K.007(15)(c.).
 3. Front porches on the principal structure shall be required and shall be a minimum of one-third the width of the front façade and a minimum of seven feet in depth. Side porches shall be a minimum of four feet in depth. Porches may be enclosed by screen wire only, provided all the main features of a porch are maintained in place and the screening materials can be removed at a future date with minimal damage to said features.

4. All front façades and front porches of the principal structure shall face and be parallel to the lot frontage. Wrap around front porches are permitted.
 5. Roof form above the front façade of the principal structure shall be gabled and/or hipped. Roof pitch shall be a minimum of 6 in 12. Roof pitch above porches shall not be restricted.
 6. The height of the principal structure shall not exceed 35 feet. (See section 16-28.022 for excluded portions of structures.)
 7. The first floor of the principal structure shall be on foundations and elevated above the grade a minimum of two entrance step risers each of which shall be no less than six inches in height. All front steps shall have closed risers and closed ends. Access ramps shall be permitted.
 8. Garages entrances are prohibited on the front façade. Single car-width garage entrances are permitted on the half depth front yard façade of the structure. Double car-width garage entrances are permitted at the rear of the structure.
 11. Any façades that face a public street shall consist of fenestration that is either: 1) substantially consistent with fenestration on contributing structures of like use in the district, or 2) shall be no less than 15 percent and no greater than 40 percent of the total surface wall area. Windows may be individual or grouped. No individual window unit shall exceed 28 square feet. Within each individual window unit, no individual window sash, either fixed or operable, shall exceed 16 square feet.
 15. On those façades of any structure that face a public street, the following regulations on building materials shall apply. Alternate materials may be submitted for review by the commission.
 - b. Visible foundation materials: Foundations shall constitute a distinct building design element and shall contrast with the front façade siding material. Brick, stone, concrete, stucco, and architectural concrete masonry units (C.M.U.) shall be permitted. Standard, unfinished concrete block and stacked stone is prohibited.
 - c. Siding/veneer: Horizontal lap siding, vinyl siding, aluminum siding, shingles, brick, hard stucco, and stone shall be permitted. Stacked stone is prohibited.
 - d. Roofing: Asphalt shingles, wood shingles, metal shingles, slate, and pre-finished metal panels shall be permitted.
- D. Design Criteria for Alterations and Additions to Contributing Structures. Alterations and additions to contributing structures requiring a Certificate of Appropriateness shall comply with one of the following provided that the mere increase in floor area otherwise authorized in the district shall not constitute a standard for review:
1. Alterations and additions shall be consistent with and reinforce the historic architectural character of the entire existing contributing structure and shall comply with the applicable regulations for new construction set forth in subsection 16-20K.007(2)(B) above; or
 2. New additions, exterior alterations, or related new construction will not destroy historic materials that characterize the property. The new work may differentiate from the old. To protect the historic integrity of the property and its environment, any new work will be compatible with the massing, size, scale and architectural features of the property and environment.

Per Section 16-26.003:

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

Variance Analysis (CA3-16-081)

The project as currently designed would be required to have two variances from the District regulations: the use of slab on grade construction and an addition that is not compatible with the size, scale, and massing of the existing house.

Regarding the first variance, the Staff finds that given the nature of an attached garage, slab on grade construction is required. The Staff is not aware of any instance in the District where a garage (attached

or detached) has been built above the ground upon which it is located. There are several instances of garages in the basement of multi-story buildings, but none with the garage floor elevated above the grade. Given that the lot is essentially flat, there is no opportunity to use a slope condition to create an elevated garage floor without artificially and incompatibly changing the grade of the lot. Further, the Staff finds that the front façade of the addition will present itself as a crawl space construction method given how the façade is detailed and articulated. Lastly, the existing house is on a crawl space, which will not be changed by the construction of the addition.

The Staff would support the variance request for the slab on grade construction.

Regarding the second variance, as noted above there are two criteria / standards for additions and alterations to contributing houses to comply with the District regulations. Given the size, location, and massing of the proposed addition, the Staff found during a preliminary review that the proposed addition would not likely meet either of the methods and as such recommended a redesign to the addition or the Applicant applying for a variance from one of the compliance criteria / standards.

Though there have been numerous additions to houses in the District, many of which were two-story additions, they are almost all located to the rear of the existing house. While some of them do project beyond the side façades of the existing house, the Staff is not aware of any in which the projection to the side is almost as wide as the existing house's width. The proposed addition essentially creates a gabled ell house form, though much larger, taller, and wider than what is regularly found in the District. As noted by the Applicant in their response to the variance criteria, the possibility of such an addition only exists because the existing house is shifted to the left side of a lot that is somewhat wider (71 ft.) than a typical lot in the District.

As noted by the Applicant in their response to the variance criteria, the lot is somewhat shorter in depth (104 ft.) than what would be found for lots of a similar size. That is, the lot area is not unusually small (7,440 sq. ft.) but its dimensions make the lot wider and shorter than a "regular" lot in the District. As a result, the rear yard behind the existing house is 18.3 ft. deep, 7 ft. of which is the required rear yard setback making the placement of the entire addition behind the house not feasible. The Staff would also note the addition (even as currently designed) meets almost all of the new construction requirements as required by the first of the two criteria / standards used to assess additions to contributing structures.

Taking all of these factors into account, the Staff does find that the circumstances of the property and project are extraordinary, exceptional, and peculiar, and that an unnecessary hardship would be created using the normal location for a rear addition. At the same time, the Staff finds that the size, scale, and massing of the addition in relation to the existing house could be mitigated by moving as much of the addition to the rear of the house as possible within the buildable area of the lot. While the Staff understands that there would still be a portion of the addition substantially projecting to the side of the existing house, the Staff finds that every effort should be pursued to reduce that projection as much as possible.

The Staff would recommend support for the variance request related to the size, scale, and massing of the addition with the condition that the addition be redesigned to have as much of the addition located along the rear façade of the existing house as possible.

Design Analysis (CA3-16-082)

It is not clear if the proposed lot coverage would meet the zoning regulations, as the lot coverage calculations indicate that it is not changing, however, the footprint of the addition appears to be larger than the deck and other features that are being removed. The floor area ratio calculations shown on the site plan appear to be accurate, though it is not clear what the existing and proposed floor area ratio is. The Staff would recommend the Applicant provide complete lot coverage and floor area ratio calculations.

Given the location of the addition, the Staff finds that the front yard setback does not apply to this project. The side and rear yard setbacks of addition as currently designed meet the respective 7 ft. requirements.

The addition is less than 35 ft. tall, has a hipped roof form, and has a roof slope of 8 to 12. All of these characteristics meet the District regulations.

Except for the slab on grade construction for the garage portion of the addition, the addition is built on a crawl space foundation with at least two entrance steps to the finish floor. The porch stairs have closed risers, but not closed end. The Staff would recommend the steps to the porch of the addition have closed ends.

Double-car width garages are permitted in the side façade of the principal structure.

The Applicant has documented compliance with the fenestration percentage requirement of the front façade of the addition (the only façade to which it applies).

The proposed addition includes an almost full width porch with the same design as the existing front porch. However as the porch is located on the front of the addition, the Staff considers it to be a front porch and as such must be at least 7 ft. deep. The Staff would recommend the porch on the addition be at least 7 ft. deep. The porch stairs have closed risers, but not closed ends. The Staff would recommend the steps to the porch of the addition have closed ends.

The materials for the front façade of the addition consist of asphalt shingles, wood siding, wood windows, wood window trim, wood porch elements, and stucco coated foundation (which is distinct from the other façade materials). All of these materials meet the District regulations.

CA3-16-082 (Variances):

Staff Recommendation: Based upon the following:

1. Except as noted above, the Applicant has met the criteria for issuing a variance, per Section 16-26.003; and

Staff recommends approval of the application Type III Certificate of Appropriateness (CA3-16-082) for a variance to allow an addition that is not compatible with the size, scale, and massing of the existing house and is slab-on-grade construction at **307 Milledge Ave.**, with the following condition:

1. The addition shall be redesigned to have as much of the addition located along the rear façade of the existing house as possible, per Section 16-20K.007(2)(D).

CA3-16-081 (Addition):

Staff Recommendation: Based upon the following:

1. The Staff's recommendation regarding CA3-16-081; and
2. Except as noted above, the proposal meets the District regulations, per Section 16-20K.006 and 16-20K.007.

Staff recommends approval of the application for a Type III Certificate of Appropriateness (CA3-16-081) for an addition at **307 Milledge Ave.**, with the following conditions:

1. The Applicant shall provide complete lot coverage and floor area ratio calculations, per Section 16-20K.007(2)(D);
2. The porch on the addition shall be at least 7 ft. deep, per Section 16-20K.007(2)(B)(3);
3. The steps to the porch of the addition shall have closed ends, per Section 16-20K.007(2)(B)(7);
4. The Staff shall review, and if appropriate, approve the final plans, elevations, and support documentation.



CITY OF ATLANTA

KASIM REED
MAYOR

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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT March 23, 2016

Agenda Item: Applications for Type III Certificates of Appropriateness (CA3-16-084) for a variance to decrease the front yard setback from 4'7" (minimum) to 3'3" (proposed) and (CA3-16-084) for a new single family house at **73 Bradley Street** - Property is zoned Martin Luther King, Jr. Landmark District (Subarea 2)/Beltline.

Applicant: Frederic Dawson, Greenlaw Properties, LLC
PO Box 420598

Facts: This is currently a vacant lot. In 2012 the Commission reviewed applications for Type III Certificates of Appropriateness (CA3-12-281) for a variance to reduce the front yard setback from 8.9' (required) to .5' (proposed) and to increase the building height from 23' 11" (required) to 27' 11.5" (proposed); (CA3-12-264) for the construction of a new single family residence at 73 Bradley Street-- Property is zoned Martin Luther King, Jr. Landmark District (Subarea 2)/Beltline, with the following conditions:

CA3-12-281

1. The front yard setback shall be 3'3"; and
2. The variance request for height shall be excluded from the variance approval.

CA3-12-264

1. The roof shall be hipped with a small decorative front facing gable, per Section 16-20.009(6);
2. Exposed rafter tails shall be added to the design, per Section 16-20.009(6);
3. All the windows shall be compatible with the architectural character of the district including proportion, location and size;
4. The windows shall feature appropriate trim, headers and actual sills that are compatible with the historic windows on the block, per Section 16-20.009(6);
5. The side elevations shall have an appropriate number of windows to eliminate the appearance of blank walls, per Section 16-20.009(6);
6. The window trim shall be a true 4"-6", per Section 16-20.009(6);
7. The first floor porch feature a brick base and columns configuration that are similar in design and size as the porch elements at 105 Bradley Street per Section 16-20.009(6); and
8. Staff shall review and if appropriate, approve the final plans.

As the district requirements have been revised, a new review of the project is required.

Analysis: The following code sections apply to this application:

Sec. 16-20C.004. General regulations

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

1. General criteria. The Commission shall apply the standards set forth below only when the standards set forth elsewhere in Chapter 20C do not specifically address the application in whole or in part:
 - a. A property shall be used for its historic purpose or be placed in a new use authorized in Section 16-20C.005 using minimal change to the defining characteristics of the building and its site and environment.
 - b. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
 - c. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
 - d. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
 - e. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
 - f. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
 - g. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
 - h. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
 - i. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
 - j. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
2. The compatibility rule.
 - a. Block definitions. The following words and terms, when used in this chapter, shall have the meanings ascribed to them in this section:
 - i. Block. An area of land located within a continuous perimeter of public streets. An individual block shall begin at the back edge of curb of the adjacent street. Interstate 75/85, when no intervening street exists, shall be permitted to count as an adjacent street for purposes of meeting this definition, beginning at the edge of the adjacent 75/85 right-of-way.
 - ii. Block face. One side of a block, located between two consecutive street intersections.
 - b. The intent of these regulations is to ensure that alterations to existing structures and new construction are compatible with the massing, size, scale, and architectural features of each Subarea and of the immediately adjacent environment of a particular block or block face. To further that intent and simultaneously retain flexibility, the regulations provide a "compatibility rule" which is: The element in question, such as roof form or architectural trim, shall match that which predominates:
 - i. On contributing buildings of like use along the same block face in Subareas 1 and 2.
 - c. Where quantifiable, such as building height or floor height, the element shall be no smaller than the smallest or larger than the largest such dimension of the contributing building(s) along the same block face in Subareas 1 and 2 and on individual blocks in Subareas 3 and 4.
 - d. Those elements to which the compatibility rule applies are specified in these regulations by reference to "compatibility rule."
 - e. Building height shall be measured on the front elevation from the average point of grade on the front elevation to the highest point of the roof or façade, whichever is higher.
 - f. For new construction of single-family or two-family dwellings, the final average finished grade of the lot shall be no higher than the highest grade level existing prior to such construction or related land disturbance at any point along the front yard property line adjacent to the public right-of-way. The intent

and purpose of this grade provision is to prevent manipulation of grade levels in order to construct a taller dwelling than would otherwise be authorized.

- g. Whenever individual block faces in Subareas 1 and 2 or individual blocks in Subareas 3 and 4 are void of contributing structures, the contributing structures located on the opposing block face shall be utilized for purposes of adhering to compatibility rule provisions. If the opposing block face is void of contributing structures, the contributing structures on the nearest block face along the same street frontage shall be utilized.
- 3. Certificates of Appropriateness.
 - a. General Provisions.
 - i. The procedures for determining the correct type of Certificate of Appropriateness shall be those specified in Section 16-20.008, except as otherwise provided herein.
 - ii. No certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - c. Type III Certificates of Appropriateness. The following Type III Certificates of Appropriateness shall be reviewed by the Commission and shall be required for:
 - i. All new principal structures;
 - v. Variances, special exceptions and administrative appeals.
- 8. Variances, special exceptions and administrative appeals.
 - a. Variance applications and applications for special exceptions and administrative appeals from these regulations shall be heard by the Commission. The Commission shall have the authority to grant or deny variances from the provisions of this Chapter pursuant to the procedures, standards, and criteria specified in Section 16-26.001 through Section 16-26.006. The Commission shall have the authority to grant or deny applications for special exceptions from the provisions of this Chapter pursuant to the procedures, standards and criteria specified in Section 16-25.001 through Section 16.25.005. The Commission shall have the authority to grant or deny applications for administrative appeal pursuant to the standards in Section 16-30.010 (a) through (d).
 - b. Appeals from final decisions of the Commission regarding variances, special exceptions and administrative appeals shall be as provided for in Section 16-20.010.
- 9. Prohibited variances. Notwithstanding any provision in this chapter or part to the contrary, no variance from this chapter's maximum building height requirements shall be permitted or authorized by the Commission, Commission Staff or any other Board, official or entity.
- 10. Time period of historical significance. Where referenced in this chapter, the time period of historical significance for the district shall be the lifetime of Martin Luther King, Jr. (1929-1968).
- Sec. 16-20C.005. Permitted Principal Uses and Structures.
 - 1. Permitted Principal Uses and Structures: The following permitted uses and restrictions apply to all Subareas within this District, except Subarea 5:
 - a. The permitted principal uses and special permit uses set forth in Table 1: Martin Luther King Jr. Landmark District Table of Uses shall be permitted only as listed within each Subarea within said table of uses and only in the manner so listed.
 - b. Permitted principal uses. A building or premises shall be used only for the principal uses indicated with a "P" in Table 1: Martin Luther King Jr. Landmark District Table of Uses, subject to further restrictions where noted.

TABLE 1: MARTIN LUTHER KING JR. LANDMARK DISTRICT TABLE OF USES	SUBAREA 1 Auburn Ave Res	SUBAREA 2 Residential	SUBAREA 3 Institutional	SUBAREA 4 Auburn/Edgewood Commercial
RESIDENTIAL and DWELLING USES				
Single-family dwellings	P	P	P	P

- 2. The following additional Permitted Principal Use and Structures provisions shall apply to Subareas 1 and 2.
 - a. Previously-existing uses. Prohibited uses shall be permissible when granted a Certificate of Appropriateness by the Commission upon its finding that such use can be shown by archived evidence or sworn affidavit(s) to either previously or currently exist on the proposed site and that such use will be of an intensity and type that is no greater than that which previously or currently existed and otherwise meets the District regulations.
 - e. Active uses. Ground floor, sidewalk-level uses are further regulated in this district for the purposes of creating vibrant and pedestrian-oriented sidewalks and streets. Active uses, where provided, shall be serviced by plumbing, heating, and electricity and are limited to the residential uses and non-residential

uses designated in Table 1: Martin Luther King Jr. Landmark District Table of Uses, except that the following non-residential uses shall not be considered as active uses:

- i. Drive-in and drive-through facilities.
- ii. Parking and driveways.
- iii. Accessory non-residential storage areas.

Sec. 16-20C.006. Lot Controls and Building Heights.

1. The following Lot Controls and Building Heights provisions shall apply to Subareas 1 and 2.
 - a. Lot controls.
 - i. The compatibility rule shall apply for the purposes of determining permitted lot coverage.
 - b. Building heights.
 - i. Within the portion of this Subarea 2 lying along the southeastern side of Auburn Avenue east of Randolph Street, and along the eastern side of Randolph Street south of Auburn Avenue, the maximum height of any alteration, addition, or new construction shall be 32 feet.
 - ii. Within the portion of this Subarea 2 lying along the southern side of Irwin Street and the eastern side of Boulevard, the maximum height of any alteration, addition, or new construction shall be 32 feet.
 - iii. For all other areas, the height of any alteration, addition, or new construction shall be established through the compatibility rule.-

Sec. 16-20C.007. Sidewalks, Yards and Open Space.

1. The following Sidewalks, Yards and Open Spaces provisions shall apply to Subareas 1 through 4.
 - a. Sidewalks.
 - i. Public sidewalks shall be located along all public streets and shall consist of two (2) zones: an amenity zone and a walk zone.
 - ii. The amenity zone shall be located immediately adjacent to the curb with a consistent cross-slope not to exceed two (2) percent. Width shall be measured from back (building side) of curb to the walk zone. This zone is reserved for the placement of street trees and street furniture including utility and light poles, public art, waste receptacles, fire hydrants, traffic signs, traffic control boxes, newspaper boxes, transit shelters and similar elements in a manner that does not obstruct pedestrian access or motorist visibility. Such elements, where installed, shall be of a type specified by the director in accordance with uniform design standards for placement of such objects in the public right-of-way.
 - iii. The walk zone shall be located immediately contiguous to the amenity zone and shall be a continuous hardscape, with a consistent cross-slope not exceeding two (2) percent. No fixed elements, including pole mounted signage, traffic control boxes or other utility structures, shall be placed above ground in the walk zone for a minimum height of eight (8) feet.
 - iv. New sidewalks and their corresponding zones 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 amenity zone shall be a minimum of two (2) feet wide and the new walk zone shall be a minimum of five (5) feet wide.
 - v. Street trees shall be planted a maximum of 30 feet on-center within the amenity zone and shall be spaced equal distance between street lights.
 - vi. Any existing decorative hardscape treatment of sidewalks, including amenity zone or walk zone areas, shall be retained as part of any new development or replaced with materials that match in size, shape and color.
 - vii. Decorative pedestrian lights, where installed, shall be placed a maximum of 60 feet on center and spaced equidistant between required trees. Where installed, said lights shall be located within the amenity zone. Said lights shall be as approved by the Director. New developments shall match the light and tree spacing on blocks where existing Atlanta Type lights are installed.
 - viii. Changes or additions of planters, trash containers, street lighting, and similar elements, shall require a Certificate of Appropriateness by the Commission.
 - ix. Upon redevelopment of a parcel reasonable efforts shall be made to place utilities underground or to the rear of structures to allow for unobstructed use of sidewalks.
 - b. Yards. Notwithstanding the setback requirements of these Subareas, previously existing contributing structures may be reconstructed to their original footprints and setbacks upon a submittal of finding that such structural dimensions have been shown by archived evidence or sworn affidavit(s) to have previously existed on the proposed site, and as subsequently approved by the Commission.
 - c. Required Open Space.
 - i. Open Space shall be required only for multi-family uses. All other uses shall have no Open Space requirements.
2. The following additional Yards provisions shall apply to Subareas 1 and 2.
 - b. Subarea 2.

- i. Except as provided below, all front, side and rear yard setbacks shall be established through utilization of the compatibility rule. All new construction shall maintain a minimum of 10 feet for rear yard setbacks where the compatibility rule would permit a smaller rear yard setback, except as otherwise provided for accessory structures.
- ii. Within the portion of Subarea 2 lying along the southeastern side of Auburn Avenue east of Randolph Street, and along the eastern side of Randolph Street south of Auburn Avenue, the following development controls shall apply:
 - (1) Side yard: Three (3) feet.
 - (2) Front yard: Seven (7) feet.
 - (3) Rear yard: 25 feet.
- iii. Within the portion of Subarea 2 lying along the southern side of Irwin Street and the eastern side of Boulevard, the following development controls shall apply:
 - (1) Side yard: Three (3) feet.
 - (2) Front yard: 12 feet.
 - (3) Rear yard: Six (6) feet.

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

1. The following Design Standards provisions shall apply to Subareas 1 through 4.
 - a. Building Compatibility.
 - i. All elements of new construction shall be utilized in a meaningful, coherent manner, rather than a mere aggregation of random historic elements.
 - ii. The compatibility rule shall apply to a principal structure's general façade organization, proportion, scale, roof form, pitch and materials, door and window placement, and other architectural details including but not limited to brackets, decorative trim, corner boards, bottom boards, fascia boards, columns, steps and attic vents.
 - iii. Fiberglass roofs shall be prohibited.
 - b. Fenestration.
 - i. The compatibility rule shall apply to the following aspects of fenestration:
 - (1) The style and material of the individual window or door.
 - (2) The size and shape of individual window and door openings.
 - (3) The overall pattern of fenestration as it relates to the building façade.
 - (4) The use of wood or aluminum for exterior framing, casing, and trim for windows and doors, and the use of wood, aluminum, brick, or stone for bulkheads.
 - ii. Painted glass and reflective glass, or other similarly treated fenestration, are not permitted.
 - iii. Except as otherwise provided in 16-20C.008(2), if muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
 - c. Landscaping.
 - i. A landscape plan may be required by the Commission to mitigate the environmental and visual impacts of construction on adjoining properties. The Commission may require that plant materials in a landscape plan reflect the character of the district.
 - ii. Tree preservation and replacement. The provisions of the City of Atlanta Tree Ordinance, Atlanta City Code Sec. 158-26 et seq., shall apply to this district.
 - d. Loading Areas, Loading Dock Entrances, and Building Mechanical and Accessory Features for All Non-Residential Uses.
 - iii. Building mechanical and accessory features shall not be permitted between the principal building and any public street.
 - iv. Building mechanical and accessory features shall be located to the rear of the principal building and shall be in the location least visible from the public street. Screening with appropriate materials shall be required if the equipment is visible from any public street.
 - v. When located on rooftops, building mechanical and accessory features visible from the public street shall be incorporated in the design of the building and screened with materials compatible with the principal façade material of the building.
2. The following Design Standards provisions shall apply to Subareas 1 through 2.
 - a. Windows and Doors.
 - i. Simulated divided light windows or plain sash windows shall be authorized as replacement materials when replacement is warranted, and materials for new construction within these subareas.
 - ii. Windows shall be predominantly vertical in proportion, shall not be constructed in combination of more than two (2) units, and shall be double-hung.
 - iii. Front doors facing and parallel to the street shall be provided.

- iv. Front doors shall be solid wood panel or single-pane fixed glass and shall be composed of no more than 50 percent glass.
- b. Front Yard Porches.
 - i. Front yard porches shall be provided.
 - ii. Front yard porches shall contain balustrades, columns, floor dimensions, height, roof pitch and overhangs as regulated by the compatibility rule.
 - iii. Decorative metal, resin, fiberglass and plastic columns are prohibited.
 - iv. Front yard porches are permitted to be enclosed with recessed screen wire when the primary characteristics of the porch are maintained.
 - v. Front yard porch steps shall be wood, brick or concrete. Metal steps are prohibited.
 - vi. A paved walkway from the front yard porch to the adjacent public sidewalk shall be required.
- c. Siding and Foundations.
 - ii. Siding shall exhibit a horizontal, clapboard profile. Siding shall have no less than a four (4) inch reveal and no more than a six (6) inch reveal.
 - iii. Foundations shall be permitted to utilize brick, stone, smooth stucco, and smooth finish concrete as foundation-facing materials.
 - iv. When provided, chimneys shall be faced in brick and shall originate at grade.

Sec. 16-20C.009. Off-Street Parking, Parking Structures, Driveways, Driveways and Curb Cuts.

- 1. The following Off-Street Parking regulations shall apply to Subareas 1 through 4.
 - a. Parking Requirements. Off-street parking and bicycle parking requirements shall be as specified in the Martin Luther King, Jr. Landmark District Parking Table and subject to the following:

TABLE 2: MARTIN LUTHER KING JR. LANDMARK DISTRICT PARKING TABLE	MINIMUM PARKING: BICYCLES	MINIMUM PARKING: AUTOMOBILES	MAXIMUM PARKING: BICYCLES	MAXIMUM PARKING: AUTOMOBILES
Single-family dwellings, Two-family dwellings	None	None	None	2 spaces for every 1 residential unit

- i. Bicycle parking spaces shall include a metal anchor sufficient to secure the bicycle frame when used in conjunction with a user-supplied lock and shall be a type specified by the Director of the Office of Planning as applicable.
 - ii. Bicycle parking shall be located a maximum horizontal distance of 100 feet from a building entrance.
 - b. Surface Parking.
 - i. When utilized, off-street surface parking shall not be permitted to be located between a building and an adjacent street without an intervening building.
- 3. The following regulations shall apply to driveways and curb cuts within the district.
 - a. Use of shared driveways and/or alleys is permitted. Driveways may be located outside the lot boundaries if they directly connect to a public street and are approved by the Commission.
 - b. Circular drives and drop-off lanes shall not be located between any principal building and any public street. The Commission shall additionally have the authority to vary Section 28.006(10) relative to the requirement for an independent driveway connected to a public street.
 - c. Curb cuts and driveways are not permitted on Edgewood Avenue, Auburn Avenue, Boulevard and Piedmont Road when reasonable access may be provided from a side or rear street or from an alley.
 - d. One curb cut is permitted for each development. Developments with more than one (1) public street frontage or more than 300 feet of public street frontage may have two (2) curb cuts.
 - e. Curb cuts shall be a maximum of 24 feet for two-way entrances and 12 feet for one-way entrances, unless otherwise permitted by the Commissioner of Public Works.
 - f. Sidewalk paving materials shall be continued across intervening driveways for all Non-Residential and Multi-family uses.

Variance Request

The front yard setbacks of the contributing houses on the block range from 4’7” to 22’6”. The Applicant is proposing a variance to allow a 3’3” front yard setback. Staff would note that the previously existing historic house (demolished in 2007), had a front yard setback of 3’3”. As the lot is significantly smaller than the other lots on the block face, Staff finds that meeting all of the setback

requirements is a hardship. Staff finds that matching the previously existing front yard setback does not create a significant detriment. Staff has no concerns regarding the proposed front yard setback.

Site

According to the site plan submitted, this interior lot fronts 33' on Bradley Street and has a depth of 49.5'. In comparing the proposed site plan, Staff finds there is a discrepancy with the lot dimensions. Staff suggests the Applicant contact the Office of Buildings to determine whether resolution of the lot discrepancy is required to get a building permit.

Per regulations, the front yard setback is based on the compatibility rule. As mentioned in the variance section, Staff has no concerns regarding the proposed front yard setback. Per regulations, the side yard setbacks are based on the compatibility rule. According to the Applicant, the right side yard setbacks on the block face range from 1' to 2'. The proposed right yard setback is 6' and therefore does not meet the requirement. Staff recommends the right side yards setback meet the requirements or the Applicant shall submit a side yard setback variance request. The Applicant did not provide side yard setback calculations for the left side. Staff recommends the Applicant provide documentation the proposed left side yard setback meets the requirements or the Applicant shall apply for a variance.

Per regulations, the rear yard setback is based on the compatibility rule and in no case shall be less than 10'. The Applicant did not provide calculations for the rear yard setbacks on the block face. Staff recommends the Applicant provide documentation the rear yard setback requirement has been met or the Applicant shall apply for a rear yard setback variance.

Per regulations, the maximum lot coverage allowed is based on the compatibility rule. According to the Applicant, the lot coverage on the block face ranges from 38.3% to 76.5%. The proposed lot coverage is 54.9% and therefore meets the requirement.

Per regulations, a walkway from the front entryway to the sidewalk is required. Staff recommends the site plan indicate the required walkway. It is possible the existing sidewalk may be damaged during construction. If the sidewalk is damaged or destroyed during construction, Staff recommends the sidewalk be repaired or replaced as required by the regulations.

There is no notation on the plans regarding mechanical equipment. Staff recommends any mechanical over 30" in height meet the setback requirement. Staff recommends any exterior mechanical equipment be appropriately screened as required by the regulations. Staff would note that there are no parking requirements and no FAR (floor area ratio) requirements in this subarea.

Massing and Building Height

The proposed two-story house is defined by a 6 in 12 hipped roof and a two-story full width porch. The overall height and massing appear to be similar to the existing contributing houses at 103 and 105 Bradley Street. Per regulations, the height is based on the compatibility rule. According to the Applicant, the heights of the houses on the block face range from 21' to 28'. The proposed house is 27.5' and therefore meets the requirements.

Overall Design

Per regulations the general façade arrangement, proportion, roof pitch, roof form and materials are all based on the compatibility rule. In looking at the contributing houses on the block face, Staff finds the proportions, roof form and roof pitch meet the requirements. Staff finds the general façade arrangement does not meet the requirements. Specifically, the predominate façade arrangement is to have the main entry on the left side of the front elevation and centered on the stair. Staff recommends

the first floor door is located on the left side of the front elevation. Staff does not have concerns regarding the location of the second floor door.

Fenestration

Per regulations, the compatibility rule applies to the fenestration pattern. In comparing the proposed fenestration to the survey pictures, Staff finds the overall fenestration pattern is consistent and compatible with the contributing houses on the block face. In looking at survey pictures, the top of the windows and doors are at the same height. It is not clear why the top of the windows on the front façade are significantly taller than the top of the door. Staff recommends the tops of the windows and doors on the front façade are the same height. It is not clear whether the window trim meets the requirements. Staff recommends the window trim meet the requirements.

The material of the windows is indicated as vinyl. Per regulations, the materials for windows are based on the compatibility rule. Staff recommends the Applicant provide documentation that vinyl windows meet the requirements. On the right elevation there are two small square windows. Staff finds these windows are not appropriate. Staff recommends the small windows on the right elevation are revised to be full sized one over one double hung windows. Staff recommends all windows have actual sills and no lower apron.

Porch

In general, Staff finds the proposed porch and its architectural elements are similar to the house at 105 Bradley. While the overall porch configuration is appropriate, Staff has concerns regarding the proportions of the brick bases and columns. The columns appear much too thin and the brick bases appear too large. Staff recommends the columns and brick bases are appropriately proportioned. Staff recommends the plans indicate the railings will have a two-part top and bottom rail with balustrades that butt joint the top and bottom rail.

Per regulations, the first floor height is based on the compatibility rule. The Applicant did not provide information regarding the first floor heights on the block face. Staff recommends the Applicant provide documentation the proposed first floor height meets the requirements.

Per regulations, the porch depth is based on the compatibility rule. The Applicant did not provide any calculations for the porch depths on the block face. Staff recommends the Applicant provide documentation the proposed porch depth meets the requirements.

Materials

The materials on the plans are indicated as vinyl windows, smooth cementitious siding with a 6” reveal, composition shingles and a brick veneer foundation and brick veneer bases. All of the material details are not indicated on the plans. Staff recommends all material details are indicated on the plans and meet the requirements.

Staff Recommendations: Based upon the following:

- 1) There are some extraordinary and exceptional conditions pertaining to the particular piece of property in question (size, shape or topography);
- 2) The application of the Zoning Ordinance of the City of Atlanta to this piece of property creates an unnecessary hardship; and
- 3) Relief if granted would not cause a substantial detriment to the public good;

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-16-084) for a variance to decrease the front yard setback from 4'7" (minimum) to 3'3" (proposed) at **73 Bradley Street** - Property is zoned Martin Luther King, Jr. Landmark District (Subarea 2)/Beltline.

Staff Recommendations: Based upon the following:

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

Staff recommends deferral of the Application for a Type III Certificate of Appropriateness (CA3-16-083) for a new single family house at **73 Bradley Street** - Property is zoned Martin Luther King, Jr. Landmark District (Subarea 2)/Beltline, to allow the Applicant time to address the following concerns of Staff:

1. The right side yards setback shall meet the requirements or the Applicant shall submit a side yard setback variance request, per Section 16-20C.007(2)(b)(i);
2. The Applicant shall provide documentation the proposed left side yard setback meets the requirements or the Applicant shall submit a side yard setback variance request, per Section 16-20C.007(2)(b)(i);
3. The Applicant shall provide documentation the rear yard setback requirement has been met or the Applicant shall submit a rear yard setback variance, per Section 16-20C.007(2)(b)(i);
4. The site plan shall indicate the required walkway, per Section 16-20C.008(2)(b)(vi);
5. If the sidewalk is damaged or destroyed during construction, the sidewalk shall be repaired or replaced as required by the regulations, per Section 16-20C.007(1)(a);
6. Any mechanical over 30" in height shall meet the setback requirement, per Section 16-20C.008(1)(d)(iv);
7. Any exterior mechanical equipment shall be appropriately screened, per Section 16-20C.008(1)(d)(iv);
8. The first floor door shall located on the left side of the front elevation, per Section 16-20C.008(1)(a)(ii);
9. The tops of the windows and doors on the front façade shall the same height, per Section 16-20C.008(1)(b)(3);
10. All windows shall have actual sills and no lower apron, per Section 16-20C.008(1)(b)(i)(1);
11. All window trim shall meet the requirements, per Section 16-20C.008(1)(a)(ii);
12. The Applicant shall provide documentation that vinyl windows meet the requirements, per Section 16-20C.008(1)(b)(i);
13. The small windows on the right elevation shall be revised to be full sized one over one double hung windows, per Section 16-20C.008(1)(b)(i);
14. The columns and brick bases shall be appropriately proportioned, per Section 16-20C.008(2)(b)(ii);
15. The plans shall indicate the railings will have a two-part top and bottom rail with balustrades that butt joint the top and bottom rail, per Section 16-20C.008(2)(b)(ii);
16. The Applicant shall provide documentation the proposed first floor height meets the requirements, per Section 16-20C.008(1)(a);
17. The Applicant shall provide documentation the proposed porch depth meets the requirements, per Section 16-20C.008(2)(b);
18. All material details shall meet the requirements and be indicated on the plans, per Section 16-20C.008(1)(a); and
19. Appropriate copies of all updated plans and information shall be submitted 8 days before the deferred meeting.



CITY OF ATLANTA

M. KASIM REED
MAYOR

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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT March 23, 2016

Agenda Item: Application for Type III Certificate of Appropriateness (CA3-16-085) for alterations and site work at **1421 Fairview Road**– Property is zoned Druid Hills Historic District.

Applicant: Marc Mosley
2221 Peachtree Rd.

Facts: According to the District inventory sheet and architectural survey in 2002, the house was built in 1923 and is contributing to the district.

In June, 2014 the Commission approved with conditions extensive work to the property, as follows:

1. Replace all of the ground level windows and doors on the front elevation and other windows on other elevations;
2. On the left (east) side porch, remove the jalousie windows and replace with screening;
3. On the right (west) side of the house, reduce the size of the trellis and patio by removing and rebuilding the right hand edge of the patio, cutting down the existing trellis members as needed, rebuilding a rear facing stair off on the patio, and adding a iron railing;
4. On right (west) elevation, remove a door and window and “ghost” in their shape with recessed brick work, and add two transom windows;
5. On the left (east) elevation, add a new paired, casement window to the ground level towards the rear of the house;
6. Demolish a previous rear addition, a rear octagonal bay, a rear deck/porch (i.e. “catwalk”), and a lower rear deck;
7. Add a three story rear addition, with a basement garage, clipped gable roof, shed dormers, rear porch, and smaller extension on the western portion of the rear elevation;
8. On the existing front driveway, add a brick border;
9. Remove the existing paved area around the right (west), rear corner of the house and replace with a new circular motor court; and
10. Add a set of site stairs from the new motor court to the rear yard.

In February, 2015 the Commission approved with conditions the reconstruction / rebuilding of a pedestrian bridge over the creek that runs through the rear yard of the property.

In this submission, the Applicant proposes the following actions:

1. Replace the existing piers that flank the driveway entrances;
2. Add a walkway from the front door to the driveway and public sidewalk, with piers at the public sidewalk flanking the walkway;
3. Replace the existing driveway with a slightly different shape / configuration, including a drop-off zone in front of the main entrance;
4. Add a gate to the driveway along the side of the house;
5. Add a fence around the existing auto courtyard;
6. "Replace the auto courtyard";
7. Add a brick wall / retaining wall at the front left corner of the house;
8. Add a front terrace at the right side of the house;
9. Add a wine room terrace and utility terrace to the left side of the house;
10. Reconfigure / redesign the garage entrances on the lower level;
11. Reconfigure / redesign the right side terrace along the driveway;
12. Reconfigure / redesign the set of stairs / walls at the rear portion of the auto courtyard;
13. Reconfigure / redesign the set of stairs from the addition to the rear yard;
14. Building new terraces and landscape walls in the rear yard.

Analysis: The following code sections apply to this application:

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 (6) 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.
 - (e) The following Type II certificates of appropriateness shall be reviewed and decided by the Director of the Commission and shall be required for new paving not visible from the public right of way, fences, walls, and retaining walls.

If a Type II certificate of appropriateness is required and the proposed alteration meets the requirements of this Chapter, as applicable, and other criteria applicable to Type II certificates, the Director of the Commission shall issue the Type II certificate within 14 days of receipt of the completed application. If a Type II certificate of appropriateness is required and the proposed alteration does not meet the requirements of this Chapter, as applicable, the Director of the Commission shall deny the application with notice to the applicant within 14 days of receipt of the completed application. Appeals from any such decision of the Director regarding the approval and/or denial of Type II certificates may be taken by any aggrieved person by filing an appeal in the manner prescribed in the appeals section of chapter 16-20.008(a) for Type I certificates.

- (f) The following Type II Certificates of Appropriateness shall be reviewed and decided by the Commission and shall be required for the following:
 - (i) Any alteration to any façade of any principal structure or accessory structure and all site work, except as noted in Section 16-20B.003 (2)(b), (c), (d), and (e) above.
 - (ii) Clearance or removal of any tree with a diameter breast height of six (6) inches or greater, except as noted in Section (2)(c) above, and shrub massings or hedges over three (3) feet high.
 - (iii) Any major alteration in the landscape or topography which is visible from the public right-of-way.
- (3) Minimum off-street parking requirements:
- a. Off-street parking spaces shall not be permitted in any front yard nor within 50 feet of the public right-of-way in any half-depth front yard, except for yards adjacent to Moreland Avenue, where a 60-foot limit shall apply. For the purpose of this regulation, the front yard shall be that area between the public right-of-way and the forward line of the principal structure.
 - b. No off-street parking shall be located within 20 feet of any lot line.
 - c. Number of off-street parking spaces required:
 - 1. For single-family, two-family, and multiple-family dwellings: Two (2) spaces for each dwelling unit.
 - 2. For other permitted uses: As indicated in section 16-10.009.
- (4) Minimum landscape requirements: The overall quality of the landscaped area visible from public right-of-ways should be preserved as an integral part of the historic character of the District. Any major alteration to the landscape or topography visible from the public right-of-way in the District shall maintain the general landscaping scale and character reflected in the original development of Druid Hills in order to preserve the historic landscape character of the District. Any major alteration to the landscape or topography visible from the public right-of-way shall:
- (a) follow the standards set forth in 16-20B.003(1);
 - (b) be consistent and compatible with the overall landscape plan and design on the property and block;
 - (c) maintain the spatial organization of an open space in front of the house, asymmetrical plantings on the sides of the principal structure and a rear tree canopy;
 - (d) not excessively or unnecessarily alter the natural topography of the site, with the exception of grading necessary to protect and preserve the integrity of a structure;
 - (e) ensure that any new grades shall meet the existing topography in a smooth transition;
 - (f) retain any existing historic circulation systems, including driveways, walkways and paths;
 - (g) ensure that any new circulation systems and substantial reconstruction of existing circulation systems is consistent and compatible with the existing circulation systems on the property and block with respect to layout, scale, materials, and topographic siting;

- (h) ensure that any off-street parking be constructed of a material which will assure a surface resistant to erosion, have adequate access to a public street and have adequate circulation space; and
- (i) comply with the provisions of the City of Atlanta Tree Ordinance with the following exceptions:
 - i. When the removal of trees is permitted by the Commission, each tree removed shall be replaced with a tree of an appropriate species having a minimum caliper of two and one half (2 ½) inches; and
 - ii. Taking into account the site density and tree spacing regulations of the City of Atlanta Tree Ordinance, any replacement trees and placement of said trees shall comply with (a)-(g) above.
 - (iii) Compliance with (i) above shall not eliminate any additional recompense or tree replacement that otherwise may be required by the City of Atlanta Tree Ordinance.
- (5) Minimum drainage controls: Structures shall be located so as to preserve the natural terrain of the district. Proper drainageways shall be provided to prevent increased water runoff and erosion, siltation of streams or flooding of property as required by the department of public works.
 - (a) No structure shall be permitted within any 100-year floodplain.
 - (b) No single-family structure shall be constructed on natural slopes greater than 25 percent.
 - (c) No structure other than single-family shall be permitted on slopes greater than 15 percent.
- (6) Minimum architectural controls: Any new construction, additions, renovations or alterations in the District shall maintain the general architectural scale and character reflected in the original development of Druid Hills in order to preserve the historic character of the district and shall follow the standards set forth by Section 16-20B.003(1).
- (7) Fences, walls and retaining walls: Subject to the provisions of Section 16-28.008(5) and the following limitations:
 - (a) Fences and walls are not permitted in the front yard, yards adjacent to public streets, or between any principal structure and a public street.
 - (b) Fences and walls not exceeding 6 feet in height may be erected in the side or rear yard.
 - (c) Fences and walls shall be constructed of vertical iron pickets, brick, stucco, vertical wood pickets, or coated chain link.
 - (d) The front facing portion of fences shall be no less than 40% open.
 - (e) Retaining walls are allowed if existing on the block face. Such retaining walls shall be no taller than the existing retaining walls on the block face or the minimum height required to retain the adjacent grades. All retaining walls shall be faced with brick, stone or stucco.

Sec. 16-20B.005. Fairview Road regulations.

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

- (1) Permitted principal uses and structures:
 - a. Single-family dwellings.
 - b. Parks, playgrounds and community buildings owned and operated by a governmental agency.
- (2) Permitted accessory uses and structures: Uses and structures which are customarily incidental and subordinate to permitted principal uses and structures, including but not limited to the following, subject to limitations and requirements set forth herein or elsewhere in this chapter:
 - a. Greenhouse, fallout shelter, garden shed, private garage, storage room.
 - b. Guest house, servants quarters, dwelling or lodging facilities for caretaker or watchman.
 - c. Swimming pool and accessory buildings, tennis courts and the like not less than 25 feet from side or rear lot line.
 - d. Home occupations.
- (3) Minimum lot requirements:
 - a. Lot width: Each lot shall have a minimum lot width of 100 feet as measured along its frontage.
 - b. Lot area: Each lot shall contain a minimum lot area of 18,000 square feet.
- (4) Lot coverage: Lot coverage for all structures, parking and driveways shall not exceed 35 percent of the lot area.
- (5) Minimum yard requirements:
 - a. Setbacks:
 - 6. South side, Oakdale road to east end of Fairview Road, NE:
 - Front yard: 50 feet.
 - Side yards: 25 feet.
 - Rear yard: 100 feet.
- (6) Maximum height: No building shall exceed a height of 35 feet.

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

General Site Requirements

The lot fronts about 110' on the south side of Fairview Road and has a depth of about 373' on its longest side. The site plan included with the submission incorrectly notes the rear yard setback (80 ft. vs. the correct 100 ft.). Almost all of the components of the project that would be affected by the setback requirement are compliant as they are within the buildable area of the lot (stairs connected to the house and new design of rear terrace) or they are not subject to the setback requirements (fences, site stairs, retaining walls, site walls, etc.)

The two potential exceptions to this could be very end of the stair run going to the east off of the "new terrace" and the further reconfiguration of the terrace on the west side of the house along the driveway. Per the District regulations, the side yard setback shall be no less than 25'. It appears that the additional reconfiguration of the patio/trellis/stairs could violate the 25 ft. setback requirement along the west property line. (The Staff would note that in the photographs provided by the Applicant, it appears the entire terrace and stairs have been rebuilt from the ground up). Along the east property line, the end of the terrace stairs are within the 25 ft. setback distance and it is not clear if they will be site stairs or above-grade stairs connected to the terrace. The Staff would recommend that the Applicant document that all components of the project in their current design meet all setback requirements or the project shall be redesigned to meet all setback requirements

Per the district regulations, the lot coverage can be no more than 35% (13,368 sq. ft.). The proposed lot coverage is indicated on the site plan as 12,039 sq. ft. which meets the District regulations.

There are no notes on the proposed site plan regarding the relationship to the 100 year flood plain. The Staff would recommend the Applicant document that none of the proposed work will occur within the 100 year flood plain.

It appears that numerous trees will be affected by the proposed work, given the proposed site work. The site plan appears to indicate compliance with the City's regular tree ordinance requirements, but does not indicate compliance with the tree replacement requirements specific to the District. The Staff would recommend the District's tree-related requirements are met.

Project Components

Replace the existing piers that flank the driveway entrances.

Add a walkway from the front door to the driveway and public sidewalk, with piers at the public sidewalk flanking the walkway.

It is not clear from the photographs provided by the Applicant if the piers are a historic or original site feature, though they are clearly in very poor condition or missing. Further, the driveway pier detail appears to show the piers flanked by hedges, where do not hedges currently exist. The Applicant provided a photograph of a property nearby with piers flanking the driveway.

The Staff finds that the piers (given the bricks use, mortar work and design) are likely not original or historic to the property. Further, the Staff is concerned about the height and design of the proposed piers, which will include stone cap and be about 3 ft. tall. Lastly, the Staff is concerned about the use of

hedges to create, essentially, a fence / wall in the front yard severing the link between the front yard and the public street corridor which is one of the defining features of the District. While the Staff acknowledges that there are some hedges in the District along the front property line (and retaining walls as required by the slope of the front yard), introducing a new hedge in that location would not meet the District landscaping and site regulations.

In reviewing the inventory photographs of properties along Fairview Road, that Staff did not find that any of them had a walkway directly from the front door / porch / stoop to the public sidewalk. This new walkway would introduce a component to the circulation system that would not be compatible with the property or the block. The Staff has the same concerns with the piers at the end of the walkway as it did with those for the ends of the driveway.

The Staff would recommend that the walkway, walkway piers, driveway piers, and hedge be eliminated from the proposed design.

Replace the existing driveway with a slightly different shape / configuration, including a drop-off zone in front of the main entrance.

In contrast to the proposed piers, walkway, and hedge, a semi-circular driveway currently exists on the subject property and on several other properties on the block. It does appear that some of the driveway is deteriorated (or damaged from the recent construction activity) and is plain, though likely historic, concrete. Though the components of the new overall design would likely meet the District regulations, the Staff does have several concerns about this component of the project. First, it is not clear that the entire driveway is damaged and thus in need of replacement. Second, the design of the drop-off zone includes the use of boxwoods to define the space. It is not clear if the boxwoods will be located in raised planters or planted in the ground itself.

The Staff would recommend the Applicant document the need for the driveway replacement. Further, if such need is documented, the replacement driveway have a material and finish similar to the existing driveway and shall not include any raised planters in front of the front door.

Add a gate to the driveway along the side of the house.

Add a fence around the existing auto courtyard.

While the Staff has no concerns about the gate and fence design, it does appear that the gate and fence (including its posts) will be taller than the maximum six (6) ft. allowed. The Staff would recommend the gate and fence including all of its components be six (6) ft. or less above the grade at any given point.

“Replace the auto courtyard”.

Given the previous application included a new auto courtyard (which was conditionally approved by the Commission) it is not clear what this note means. The Staff would recommend the Applicant clarify the status of the auto courtyard.

Add a brick wall / retaining wall at the front left corner of the house.

Walls are not permitted between the house and the street, and retaining walls are only permitted if they already exist on the block face (this side of the street between the two closest intersections). Given the height of the wall, it would appear that it is taller than the surrounding grade making a portion of it a

regular wall, not a retaining wall. The Staff would recommend the wall at the front left corner of the house only be tall enough to act as a retaining wall and only if retaining walls exist on the block face.

Add a front terrace at the right side of the house.

No specific information is included about the front terrace (material, design, height above the ground, etc.) other than it will be surrounded by landscaping. The front elevation does not include information or graphics regarding the front terrace. The Staff would recommend the Applicant provide more information about the front terrace and that the design of the front terrace meet all District regulations.

Add a wine room terrace and utility terrace to the left side of the house.

It appears that these two terraces will be low to the ground and consist of masonry pads with no railing or other features. The Staff has concerns about the design of either terrace, but would suggest that the Applicant clarify the use of these terraces.

Reconfigure / redesign the garage entrances on the lower level.

The Staff does not have any concerns about the redesign of the garage entrances on the lower level of the existing house and the addition.

Reconfigure / redesign the right side terrace along the driveway.

The redesign of this terrace area consists of changes to the terrace itself and the adjacent wall of the existing house. Notably, the existing openings in the wall will be retained and reused in this revision vs. being shifted and the former openings “ghosted in”. Regarding the terrace itself, the pergola will be moved to the rear of the house from the side, the metal railing will be replaced with a solid brick wall, the stair run down of the auto court will be longer with a more elaborate railing, and the base of the terrace and stair run will be brick instead of rubble stone.

Except as those noted above regarding the setbacks, the Staff has no concerns about the design or materials of this changes in this component of the project.

Reconfigure / redesign the set of stairs / walls at the rear portion of the auto courtyard.

Reconfigure / redesign the set of stairs from the addition to the rear yard.

Building new terraces and landscape walls in the rear yard.

While all three of these changes to the project are significant, the Staff finds that the current configurations / design are compatible with the house and the property. The use of the more symmetrical designs and brick vs. rubble stone is appropriate for the new portions of the house (i.e. the new motor court and new addition). Taken as a whole, the new configurations / designs are internally consistent; create a design that compliments the existing house, are an extension of the house / rear addition / auto courtyard and still retain the overall openness and undisturbed design of the rear yard.

The Staff would note that based on the photographs provided by the Applicant, it would appear that the reconfiguration of the set of stairs from the addition to the rear yard is already underway.

The Staff has no concerns about these components of the project.

Staff Recommendation: Based upon the following:

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

Staff recommends deferral of the application for Type II Certificate of Appropriateness (CA3-16-085) for alterations and site work at **1421 Fairview Road**– Property is zoned Druid Hills Historic District., to allow the Applicant to address the following comments and concerns:

1. The Applicant shall document that all components of the project in their current design meet all setback requirements or the project shall be redesigned to meet all setback requirements, per Section 16-20B.005(5)(a)(6);
2. The Applicant shall document that none of the proposed work will occur within the 100 year flood plain, per Section 16-20B.003(5)(a);
3. The District's tree-related requirements shall be met, per Section 16-20B.003(4);
4. The Applicant shall document the need for the driveway replacement, and if such need is documented, the replacement driveway shall have a material and finish similar to the existing driveway and shall not include any raised planters in front of the front door, per Section 16-20B.003(1) and 16-20B.003(4);
5. The gate and fence including all of its components shall be six (6) ft. or less above the grade at any given point, per Section 16-20B.003(7);
6. The Applicant shall clarify the status of the auto courtyard, per Section 16-20B.003(1);
7. The wall at the front left corner of the house shall only be tall enough to act as a retaining wall and only if retaining walls exist on the block face, per Section 16-20B.003(1) and 16-20B.003(7);
8. The Applicant shall provide more information about the front terrace and that the design of the front terrace shall meet all District regulations, per Section 16-20B.003(1); and
9. The Applicant shall provide revised plans and any other additional information / documents (including the required number of copies no later than eight (8) days before the Commission meeting to which this application is deferred.



CITY OF ATLANTA

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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT March 23, 2016

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-16-086) for alterations / solar panels at **682 Home Ave.** Property is zoned R-5 / Grant Park Historic District (Subarea 1) / Beltline..

Applicant: Justin and Cathy McWhorter
682 Home Ave.

Facts: According to the 2010 photographic inventory his existing single family residence was constructed in 1924 and is considered contributing to the District.

On February 23, 2011 the Commission approved application (CA3-11-015) for an addition and alterations at this address.

Analysis: The following code sections apply to this application:

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

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

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

Sec. 16-20K.007. - Specific regulations: Residential Subarea I.

- (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.
 - 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.
- (D) Design Criteria for Alterations and Additions to Contributing Structures. Alterations and additions to contributing structures requiring a Certificate of Appropriateness shall comply with one of the following provided that the mere increase in floor area otherwise authorized in the district shall not constitute a standard for review:
 - 1. Alterations and additions shall be consistent with and reinforce the historic architectural character of the entire existing contributing structure and shall comply with the applicable regulations for new construction set forth in subsection 16-20K.007(2)(B) above; or
 - 2. New additions, exterior alterations, or related new construction will not destroy historic materials that characterize the property. The new work may differentiate from the old. To protect the historic integrity of the property and its environment, any new work will be compatible with the massing, size, scale and architectural features of the property and environment.

The Applicant is proposing to add solar panels to a non-historic portion of the front roof plane which was added by a Commission approved project in 2011. The regulations do not give specific guidance regarding the proper installation of solar panels which are not stand alone accessory features, but the regulations do address skylights which could provide guidance for the review of the proposed project. Of the two criteria for reviewing any alteration to a contributing structure, staff finds the second criterion to be appropriate as the project will not affect historic materials. Those regulations state that when practical skylights should be located where least visible from the public street. If this cannot be achieved, then the skylight should be tinted to match the surrounding roof material.

The materials submitted detail that the panels and racks will be black to better match the roofing material on the front roof plane. While this will likely not be an exact color match, Staff finds this method to be appropriate for minimizing the impact that the panels will have on the structure. Additionally, the Applicant states that the solar panels will be treated with an anti-reflective coating to reduce or eliminate any glare or reflection which might bring further attention to the panels and will be installed flush with the roof pitch to avoid any undue protrusion. As such, Staff has no concerns with the proposed work.

Staff Recommendation: Based upon the following:

- a) The proposal meets the District regulations per Sec. 16-20K.007;

Staff recommends approval of an Application for a Type II Certificate of Appropriateness (CA2-16-086) for alterations / solar panels at **682 Home Ave.** Property is zoned R-5 / Grant Park Historic District (Subarea 1) / Beltline.



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TIM KEANE
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CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT March 23, 2016

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-16-088) for alterations to an accessory structure and site work at **822 Lullwater Road** - Property is zoned Druid Hills Landmark District.

Applicant: Jim Roberts
822 Lullwater Road

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

Analysis: The following code sections apply to this application:

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

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

(3) Landmark buildings and sites:

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

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.
- (f) The following Type II certificates of appropriateness shall be reviewed and decided by the commission and shall be required for the following:
 - (i) Any alteration to any façade of any principal structure or accessory structure and all site work, except as noted in [section 16-20B.003\(2\)\(b\), \(c\), \(d\), and \(e\)](#) above.
 - (ii) Clearance or removal of any tree with a diameter breast height of six inches or greater, except as noted in subsection (2)(c) above, and shrub massings or hedges over three feet high.
 - (iii) Any major alteration in the landscape or topography which is visible from the public right-of-way.

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

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

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

- b. Guest house, servants quarters, dwelling or lodging facilities for caretaker or watchman.

(3) *Minimum lot requirements:*

- a. Lot width: Each lot shall have a minimum lot width of 100 feet as measured along its frontage.

b. Lot area: Each lot shall contain a minimum lot area of 38,000 square feet.

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

(5) *Minimum yard requirements*:

a. Setbacks:

5. West side of Lullwater Road, Ponce de Leon Avenue to city limit:

Front yard: 125 feet.

Side yards: 25 feet.

Rear yards: 100 feet.

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

Site

This interior lot fronts 140' on Lullwater and has a depth 508.49' on its longest side. The Applicant is proposing a new canopy and a new stoop on the side elevations. Per regulations, the side yard setback shall be no less than 20'. Staff finds the side yard setback requirement has been met. A no additions are proposed at the rear of the existing structure, Staff has no concerns regarding the rear yard setback. Per regulations, the maximum lot coverage allowed is 35%. Given the size of the lot, Staff finds it likely the lot coverage requirement has been met. As no calculations are indicated on the plans, Staff recommends the Applicant provide documentation the lot coverage requirement has been met.

The Applicant is proposing to replace existing stairs with a stone ramp to allow equipment access into the rear yard. While Staff finds the existing stairs are likely historic, Staff finds that access to the rear yard is needed. Staff does not have concerns regarding the installation of the new stone ramp. While not indicated on the site plan, the Applicant is proposing to remove a portion of the concrete slab and install new concrete with a slight slope to resolve a drainage issue. Staff has no concerns regarding the drainage proposal.

Alterations

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

While the existing principal structure was built in 1923, it is not known whether the accessory structure was built at the same time or later. In looking at the Sanborn Fire Insurance maps, the existing accessory structure is indicated on the site in 1941. While the accessory structure may not be original to the site, it is historic.

The Applicant is proposing to replace the existing garage door with a smaller door, replace the entry door, eliminate an existing door on the northwest elevation and add a new door on the southwest elevation. In looking at pictures of the existing doors, Staff finds it likely they are replacements and not original to the structure. As such, Staff does not have concerns regarding the replacement of the doors. Staff finds the new doors are appropriate for the existing accessory structure. Staff has no concerns regarding the elimination of the door on the northwest elevation or the addition of a new door on the southwest elevation.

The Applicant is proposing to replace four windows on the southwest elevation. In looking at the pictures submitted, it is not clear why the windows cannot be repaired and must be replaced. Staff recommends the Applicant provide documentation regarding the replacement of the windows. If replacement is warranted, Staff finds the new wood double hung windows are appropriate. The Applicant is proposing to add two new windows on the northwest elevation. As there are no windows on this elevation, Staff finds the addition of two new windows is appropriate.

The Applicant is proposing to add a small canopy over the door on the northeast elevation and a new stoop on the southwest elevation. Staff finds the addition of the stoop and canopy is appropriate. The Applicant is proposing to replace the existing asphalt shingle roof on both existing accessory structures with slate roofing. The original roofing material of the accessory structures is unknown and slate roofing is used on many houses in the district. Staff finds the use of slate roofing is appropriate and compatible with the slate roofing on the principal structure.

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 II Certificate of Appropriateness (CA2-16-088) for alterations to an accessory structure and site work at **822 Lullwater Road** - Property is zoned Druid Hills Landmark District, with the following conditions:

1. The Applicant shall provide documentation the lot coverage requirement has been met, per Section 16-20B.006(4);
2. The Applicant shall provide documentation regarding the replacement of the windows, per Section 16-20B.003(1); and
3. Staff shall review and if appropriate, approve the final plans.



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STAFF REPORT

March 23, 2016

Agenda Item: Application for a Review and Comment (RC-16-090) for new construction at **110 Hilliard Street (MLK, Jr. Recreational and Aquatics Facility)** – Property is zoned RG-5.

Applicant: Sarah McCracken
191 Peachtree Street

Facts: In 2015 the Commission heard an Application for a Review and Comment (RC-15-314) on the demolition of a City of Atlanta owned property at 70 Boulevard- Property is zoned Martin Luther King, Jr. Landmark District (Subarea 3)/ Beltline. This current application is for a new project that will replace the demolished natatorium on Boulevard in a new location.

Analysis: The following code sections apply to this application:
Per section 6-4043 of the Atlanta City Code, as amended:

(4) The Commission shall review the proposed location and design of any proposed park and any plan or proposal for the relocation of significant change, alteration or addition to any existing park.

Per Section 16-20.009. Same; further standards.

In deciding individual applications for certificates of appropriateness, the commission shall be guided by the purposes set forth in section 16-20.001, by findings contained in ordinances designating buildings and sites for protection, by purposes and objectives which are contained within individual Landmark and Historic District regulations, and by findings contained in reports prepared in support of Landmark and Historic District regulations as are required in article D of chapter 4 of part 6.

Furthermore, in considering whether to grant approval, conditional approval or denial of an application for a type II or type III certificate of appropriateness, the commission shall apply the following standards:

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

acquired significance in their own right, and this significance shall be recognized and respected.

- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object or site shall be kept where possible.
- (5) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (6) Wherever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

In 2015, the Commission reviewed and commented on the demolition of the Martin Luther King, Jr. Natatorium. While the building was not historic, Staff had concerns that demolishing the existing natatorium would be a significant loss to the community. This current application is for the construction of a new natatorium and recreation center in a new location.

The proposed new facility located on Hilliard Street, while not in the landmark district, is just south of the district and is located in the Sweet Auburn neighborhood. Staff finds the proposed location is within walking distance of the previous natatorium, the King Memorial MARTA station and is adjacent the Selena Butler Park. Staff finds the location of the proposed facility is highly appropriate and will be easily accessible for those taking MARTA, walking, biking or driving.

While Staff is generally supportive of the project and its location, it is difficult to make specific site comments because the proposed site plans are not properly scaled, are too small and are difficult to read. The narrative indicates the project addresses, run-off, utilities, landscaping (including maintenance) and ADA compliance. While Staff is appreciative of the detailed and informative narrative, Staff suggests the Applicant provide plans that are properly scaled or at the very least are large enough to clearly see the details and the written notations. Staff suggests the Applicant clarify whether there will be bike racks or benches provided on the site.

The Applicant submitted conceptual drawings for some of the elevations, but not all elevations. As drawings for all elevations were not provided, Staff cannot provide complete comments regarding the entire project. As the elevations are not properly scaled and no dimensions are indicated, it is not clear what the proposed height is. In looking at the overall location, the MARTA station down the street and the four story multi-family residential development across the street, Staff finds the massing of the building will likely be compatible with its location. While Staff finds the façade materials, fenestration and design are generally appropriate, Staff suggests the Applicant submit drawings for all elevations. Staff suggests the Applicant submit scaled drawings or provide dimensions for the proposed building.

In comparing the elevations to the survey submitted, one of the highlights of the proposed design is how both sides of the building on the Hilliard Street elevation address the corners of the site. No matter what direction you enter the site, there is a sense of arrival and clear ways to enter the building. The artwork of Dr. King at northwest corner and the signage and water feature at the southwest corner bring interest at both corners. One concern is the size of the signage at the southwest corner. While

Staff finds it is important to have signage and finds the general design of the sign is appropriate, Staff finds the sign appears out of scale with the building. While the narrative indicates the sign is meant to be seen from a distance, Staff finds a reduction in the massing of the sign would be more appropriate.

While Staff finds that confirming delivery of comments is appropriate, Staff does have concerns that all elevations were not submitted, the site plan is not readable and the plans are not properly scaled. As the plans are conceptual, Staff finds it is possible the design of the project could potentially change by the time it is submitted for permits. If the project is significantly changed from the conceptual plans submitted, Staff suggests the project be re-submitted to the Commission for review and comment.



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STAFF REPORT March 23, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-091) for an addition at **754 Lake Ave.** Property is zoned R-5 / Inman Park Historic District (Subarea 1) / Beltline.

Applicant: Reece Carter
10651 Allon Cove, Johns Creek

Facts: The existing single-family residence was constructed in 1907 and is considered contributing to the District. The property is a double frontage lot which means the Commission has purview over the design of the rear façade and roof plane.

At the November 23, 2015 Commission meeting the Commission voted at the request of the Applicant to deny without prejudice two applications: CA3-16-328 for a variance to reduce the West Ashland Street front yard from a minimum of 35' (required) to 9.7' (proposed), to reduce the east side yard setback from a minimum of 7.5' (required) to 5.8' (proposed), to allow a deck not located to the rear of the principal structure, to allow off street parking between the principal structure and the street, and to allow a lack of a front porch on the West Ashland façade of the principle structure and CA3-16-329 for alterations, an addition, and site work at this address. These applications were withdrawn due to ongoing discussions with the City of Atlanta regarding the West Ashland Avenue right of way which was thought to be property owned by the Applicant. As a result, the previous application had portions of the proposed additions and site features extending into the West Ashland right of way. The existing application shows the correct placement of the lot lines as shown in the City records and has all project components contained within the property owned by the Applicant.

Analysis: The following code sections apply to this application:

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

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

1. General criteria.

- a. Except as otherwise provided herein, the procedures for determining the appropriate type of certificate of appropriateness shall be those specified in section 16-20.008 of the Zoning Code.
- b. In the Inman Park Historic District, the commission shall apply the standards referenced below only if the standards set forth elsewhere in this chapter 20L do not specifically address the application including multifamily residential, institutional, commercial, industrial and mixed use structures in Subarea 1:

- i. A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
 - ii. The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.
 - iii. Each property shall be recognized as a physical record of its time, place, and use. Changes shall not be undertaken that create a false sense of historical development, such as adding conjectural features or elements from other historic properties.
 - iv. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
 - v. Distinctive materials, features, finishes, and construction techniques, or examples of craftsmanship that characterize a property, shall be preserved.
 - vi. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and, where possible, materials.
 - vii. Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
 - viii. Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
 - ix. New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
 - x. New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
- d. Compatibility rule:
- i. The intent of the mayor and council in establishing the regulations of the Inman Park Historic District is to ensure that alterations to existing structures, and new construction, in Subarea 1 and alterations to existing contributing structures in Subarea 2 and Subarea 3 are compatible with the historic design, scale, and general character of the entire district as it existed in 1945, of the contributing structures in each subarea, and of the contributing structures in the immediately adjacent environment of a particular block face; and further, to ensure that lot platting in Subarea 1 is compatible with the historic platting pattern of Subarea 1 and of a particular block face as it existed in 1945.
 - ii. To further that intent and simultaneously permit flexibility in design, the regulations provide a compatibility rule which is as follows:
 - (a) Where quantifiable (i.e. building height, setback, etc.), the element or building characteristic in question shall be no less than the smallest such element or building characteristic of buildings or site layouts in that block face that characterizes such like contributing buildings and shall be internally consistent with the historic design of the structure and shall be no greater than the greatest such element or building characteristic of buildings or site layouts in that block face that characterizes such like contributing buildings or site layouts and shall be internally consistent with the historic design of the structure.
 - (b) Where not quantifiable (roof form, architectural trim, etc.) it shall be compatible with that which predominates in contributing structures on that block face and shall be internally consistent with the historic design of the structure.
- f. Building height shall be measured on the front elevation from the average point of grade on the front elevation to the highest point of the roof or façade, whichever is higher.
2. Certificates of appropriateness.
- a. Notwithstanding any other provision herein, no certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - d. Type III certificates of appropriateness shall be reviewed by the commission and shall be required for:
 - ii. Additions that are visible from a public street or park, unless such additions are specifically exempted from a certificate of appropriateness in the subarea regulations.
 - e. Type IV certificates of appropriateness shall be required for demolition or moving of any contributing principal structure. A partial demolition of a contributing principal structure shall require a Type IV

certificate of appropriateness only when said partial demolition will result in the loss of significant architectural features that destroys the structure's historic interpretability or importance.

3. Variances, Special Exceptions, and Appeals.

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

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

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

1. Design standards and other criteria for construction of and for additions to one- and two-family residential structures.
 - a. No individual house design shall be substantially repeated on the same side of a street block.
 - b. An unpaved planting strip adjacent and parallel to the public street shall be provided. The compatibility rule shall apply to the dimensions and location of planting strips.
 - c. A sidewalk between the planting strip and the required front yard and parallel to the public street shall be provided. The compatibility rule shall apply to sidewalks. The sidewalk shall be the same width as the sidewalk on abutting properties or it shall be the width required by law, whichever is greater. If no sidewalk exists in the block, the new sidewalk shall not be less than six-feet wide. If no sidewalk paving material predominates in the block, the sidewalk shall be constructed of the historically accurate material for that block, either hexagonal pavers, concrete inlaid with hexagonal imprint, or brick.
 - d. A paved walkway from the front sidewalk to the front entry of the principal structure shall be provided.
 - e. All front façades, front porches, front steps, and front doors of the principal structure shall face and be parallel to the street, except in those blocks in which the historic pattern is such that houses are situated at an angle to the street, in which case the compatibility rule shall apply.
 - f. The compatibility rule shall apply to the form and pitch of the primary roof of the principal structure.
 - g. The compatibility rule shall apply to the height, scale, and massing of the principal structure, except as noted below. In no case shall the height of a structure exceed 35 feet. (See section 16-28.022 for excluded portions of structure.)
 - i. The height of additions shall not be subject to the compatibility rule, but shall be no higher than the existing structure.
 - ii. Notwithstanding the compatibility rule, any new roof ridge line shall be no higher than the highest roof ridge line of the existing structure.
 - h. Height of the first floor of the front façade above grade shall be subject to the compatibility rule. The first floor of the principal structure shall be on foundations and shall be elevated above grade at the front façade a minimum of two entrance risers each of which shall be not less than seven inches in height. Slab-on-grade construction is not permitted.
 - i. Front porches on principal structures shall be required. The compatibility rule shall apply to the design and size of said front porches, provided that such porches shall be a minimum of 12 feet wide or one-half of the width of the front façade, whichever is greater, and a minimum of eight feet deep. Front porches shall contain roofs, balustrades, columns, steps, and other features compatible with porches in the existing block. Front porches may extend up to ten feet into the required front yard. All front porch steps shall have closed risers and ends.
 - j. Decks are permitted only when located to the rear of the principal structure. Such decks shall be no wider than the width of the house and shall not project beyond the side façade of the existing house.

- k. The use of chimneys with new principal structures is encouraged. When any portion of a chimney is visible from a public street or park as a façade element, the chimney shall originate at grade.
- l. Fences and walls, excluding permitted retaining walls, visible from a public street or park upon completion, subject to the provisions of section 16-28.008(5) and the following limitations, may occupy required yards:
 - i. Fences not exceeding four feet in height may be erected in the front yard or half-depth front yard. Walls, excluding permitted retaining walls, are not permitted in the front yard or in other yards adjacent to public streets,
 - ii. Fences and walls not exceeding six feet in height may be erected in side or rear yards.
 - iii. Fences located in the required front yard adjacent to a street shall be constructed of brick, stone, metal vertical pickets or wood pickets. Chain link fencing is not permitted in front yards or in other yards adjacent to public streets.
- m. The compatibility rule shall apply to the height of portions of retaining walls located in a required front yard or in a required yard adjacent to a public street that are visible from a public street or park. Such retaining walls shall be faced with stone, brick, or smooth stucco. The compatibility rule notwithstanding, no single section of such retaining wall shall exceed four feet in height.
- n. The compatibility rule shall apply to the following aspects of fenestration, if visible from a public street or park upon completion:
 - i. The style of the individual window.
 - (1) Windows in the front façade shall be predominantly vertical in proportion.
 - (2) If muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
 - (3) Window and door casings widths and depths are subject to the compatibility rule.
 - ii. The size and shape of individual window openings.
 - iii. The overall pattern of fenestration as it relates to the building façade.
- o. Mechanical equipment shall be located to the side and rear of the principal structure and where possible in the location least visible from a public street or park. Screening with appropriate plant material or fencing is required if the equipment is visible from a public street or park.
- p. Wood lap siding, cementitious lap siding, brick, stone, external insulating finishing system ("EIFS"), and true stucco systems are permissible building materials for the façade of the principal structure. Corrugated metal, aluminum siding, and vinyl siding are not permitted.
- q. The compatibility rule shall apply to building materials and design elements, if visible from a public street or park upon completion, and in addition to all other applicable regulations, as follows:
 - i. The dimensions of the exposed face of lap siding and wood shingles.
 - ii. The type of brick and pattern of brickwork.
 - iii. The type of stone and pattern of stonework.
 - iv. The material and texture of stucco.
 - v. The size and type of doors.
 - (1) Exterior doors shall be wood panel or fixed glass panel in wood frame.
 - vi. The materials and pattern of roofing.
 - 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:
 - a. New construction: The following setback requirements and maximum floor area ratio shall apply to all permitted uses of new construction: Front, side, and rear setbacks shall be subject to the compatibility rule.

- b. New additions to existing structures: The following setback requirements and maximum floor area ratio shall apply to all permitted uses of new additions to existing structures: Rear setbacks shall be subject to the compatibility rule. The compatibility rule shall not apply to the front and side setbacks of any addition to an existing structure, however the front and side yard setbacks of the addition shall not be less than the respective setback, at its closest point, of the existing structure.
3. Off-street parking and driveways. In addition to the provisions of section 16-28.008(7), which shall apply and are incorporated herein, the following parking requirements shall apply to all permitted uses:
- a. Off-street parking shall not be permitted between the principal structure and any public street.
 - b. Parking shall not be permitted on walkways that are located between the street and the façade of the principal structure.
 - c. The use of alleys for access to such parking is both permitted and encouraged. No variance is required for driveways coming off of an alley provided however that such driveways shall not extend past any façade which faces a public street.
 - d. Driveways shall not exceed a width of ten feet not including the flare at the street. Two-way driveways, where required for an allowed commercial or multi-family use, shall not exceed 24 feet not including the flare at the street.

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

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

Addition and alterations

The Applicant is proposing a second story addition. As the property in question is non-conforming with regards to its frontage and size, the R-5 regulations allow for a floor area of 65% of the total lot area or 3,700 sq. ft. in interior space, whichever is less. The subject property is 4,077 sq. ft. and the structure with the proposed addition would have 1,902 sq. ft. of interior space which is less than the 65% of the total lot area. Staff finds that the floor area requirement has been met.

Under the R-5 lot coverage regulations, the Applicant is allowed to have a total of 55% of the net lot area in impervious surfaces. Given the area of the subject lot, the property has a maximum allowable lot coverage of 2,242.35 sq. ft. The proposed lot coverage is 1,935 sq. ft. Staff finds that the lot coverage requirement has been met.

The West Ashland front yard setback and the side yard setbacks do not extend past the existing footprint of the contributing structure. Per the regulations, the front and side yard setbacks in the District are determined by the compatibility rule. As the structure is considered contributing and is therefore within the allowable block face setback range, Staff finds that the setbacks of the proposed second story addition meet the regulations.

The proposed addition will consist of three gables, with two of the gables facing the side property lines and one gable facing the rear property line. Per the regulations, the gable additions will have a ridge line approximately 1 foot lower than the highest peak of the main roof. Staff does have concerns with the roof form of the proposed additions. In the Inman Park Historic District, roof form is subject to the compatibility rule. No information was submitted

detailing the compatibility of side gable additions on contributing structures on the block face. Staff recommends the Applicant provide documentation detailing the compatibility of side facing dormers with similar features on contributing structures on the block face. With regards to the rear gable addition, Staff finds that the overall massing of the rear façade with the proposed gable roof is not consistent with contributing structures on the block face, which predominately contain hipped roofs. As a standard hipped roof would not allow for the square footage increase and required egress, Staff finds that the inclusion of a dormer on the rear roof plane of the addition meets the District regulations. Staff recommends that the rear roof plane of the addition contain a hipped roof with a dormer.

Per the regulations the proposed additions contains fenestration which is predominately vertical in orientation. A rear entry door as well as several new windows are proposed for the rear façade. A new window grouping on the rear of the right façade is also proposed. Staff finds the overall pattern of the windows and doors to be consistent with those features found on contributing buildings on the block face. However, the Applicant has not provided information regarding the material of the proposed rear door and new windows. Staff recommends that the material of the proposed windows and doors meet the District regulations and be noted on the plans.

The Applicant is proposing to repair siding, trim, porch columns, and shingles. Staff recommends that any repairs be done in-kind, and any material which cannot be repaired be replaced in-kind.

The Applicant is proposing a deck on the West Ashland façade. The regulations require that decks be placed to the rear of the principal structure and within the buildable area of the lot. As a result Staff finds that the placement of the deck between the principal structure and West Ashland Avenue requires a variance. Staff recommends the Applicant apply for a variance to allow the placement of a deck between the principal structure and a public street. Additionally, With new additions to existing contributing structures, the front yard setback is defined as the closest point of the existing structure to the public right of way. The existing setback from the West Ashland right of way is 15 feet. The proposed deck will be placed 5 feet from the West Ashland right of way. As such, the proposed placement of the deck will require a variance to allow a reduction in the West Ashland front yard setback from a minimum of 15 feet (required) to 5 feet (proposed). Staff recommends the Applicant apply for a variance to allow a reduction in the West Ashland front yard setback.

Staff Recommendation: Based upon the following:

- (a) The plans do not meet the regulations, with the exceptions noted above per Sec. 16-20L.005 and .006;
- (b) The proposed project requires 2 variances listed in the above analysis;

Staff recommends deferral of an Application for a Type III Certificate of Appropriateness (CA3-15-329) for alterations, an addition, and site work at **754 Lake Ave.** Property is zoned R-5 / Inman Park Historic District (Subarea 1) / Beltline to allow the Applicant time to address the following concerns:

1. The Applicant shall provide documentation detailing the compatibility of side facing dormers with similar features on contributing structures on the block face, Per Sec. 16-20L.005(1)(d)(ii)(b);
2. The rear portion of the addition shall contain a hipped roof with a dormer, per Sec. 16-20L.005(1)(d)(ii)(b);
3. The material of the proposed windows and doors shall meet the District regulations and shall be noted on the plans, per Sec. 16-20L.006(1)(q);
4. Any repairs shall be done in-kind, and any material which cannot be repaired shall be replaced in-kind, per Sec. 16-20L.005(1)(b)(vi);
5. The Applicant shall apply for a variance to allow the placement of a deck between the principal structure and a public street, per Sec. 16-20L.006(1)(j);
6. The Applicant shall apply for a variance to allow a reduction in the West Ashland front yard setback, per Sec. 16-20L.006(2)(b); and,
7. The variance applications shall be submitted in accordance with the Urban Design Commission application deadline schedule, and all requested documentation shall be submitted no later than 8 days before the deferred meeting date.



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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT March 23, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-092) for alterations and an addition at **897 Edgewood Avenue** - Property is zoned R-5/ Inman Park Historic District (Subarea 1)/Beltline.

Applicant: Chris Hamilton
1095 Zonolite Road, #104

Facts: According to the District inventory sheet, this house was built in 1890 (with alterations in 1903) and is considered contributing to the District. The house is two-story, Queen Anne style house with a distinctive round turrets at its front left corner and a curved façade on its front right corner. The house appears to be essentially unchanged from its construction and previous alterations. The Staff would note that the rear portion of the house does appear on the 1911 Sanborn Map in its current configuration with the exception of the forward most portion of the side porch is enclosed space.

The proposal before the Commission at this time is to:

1. Repair the front portion of the first level side porch;
2. Enclose the rear portion of the first level side porch;
3. Reconfigure / replace the windows on the rear portion of the right (west) side of the house;
4. Reconfigure / replace the windows / doors on the rear portion of the left (east) side of the house; and
5. Above the one-story portion of the rear portion of the house, build a second story addition with a projecting staircase, rear-facing bay, and cross gable roof.

No site work is proposed as this time. There are interior modifications that are proposed as well, but they are not subject to the Commission's review.

Analysis: The following code sections apply to this application:

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

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

Section 16-20L.005 General Regulations.

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

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

- d. Type III Certificates of Appropriateness shall be required for:
 - ii. All major alterations and additions to existing structures where visible from a public street or park, unless such alterations or additions are specifically exempted from Certificates of Appropriateness in the Subarea regulations.
 - v. Variances and special exceptions.
- e. Type IV certificates of appropriateness shall be required for demolition or moving of any contributing principal structure. A partial demolition of a contributing principal structure shall require a Type IV certificate of appropriateness only when said partial demolition will result in the loss of significant architectural features that destroys the structure's historic interpretability or importance.

Section 16-20L.006. Specific Regulations for Inman Park Core District, Subarea 1.

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

- 1. Design Standards and other criteria for construction of and for additions to one- and two-family residential structures.
 - f. The Compatibility Rule shall apply to the form and pitch of the primary roof of the principal structure.
 - g. The Compatibility Rule shall apply to the height, scale, and massing of the principal structure. In no case shall the height of a structure exceed 35 feet. (See Section 16-28.022 for excluded portions of structure.)
 - i. The height of additions shall not be subject to the compatibility rule, but shall be no higher than the existing structure.
 - ii. Notwithstanding the compatibility rule, any new roof ridge line shall be no higher than the highest roof ridge line of the existing structure.
 - n. The compatibility rule shall apply to the following aspects of fenestration, if visible from a public street or park upon completion:
 - i. The style of the individual window.
 - (1) Windows in the front façade shall be predominantly vertical in proportion.
 - (2) If muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
 - (3) Window and door casings widths and depths are subject to the Compatibility Rule.
 - ii. The size and shape of individual window openings.
 - iii. The overall pattern of fenestration as it relates to the building façade.
 - p. Wood lap siding, cementitious lap siding, brick, stone, external insulating finishing system (“EIFS”), and true stucco systems are permissible building materials for the façade of the principal structure. Corrugated metal, aluminum siding, and vinyl siding are not permitted.
 - q. The Compatibility Rule shall apply to building materials and design elements, if visible from a public street or park upon completion, and in addition to all other applicable regulations, as follows:
 - i. The dimensions of the exposed face of lap siding and wood shingles.
 - ii. The type of brick and pattern of brickwork.
 - iii. The type of stone and pattern of stonework.
 - v. The size and type of doors.
 - (1) Exterior doors shall be wood panel or fixed glass panel in wood frame.
 - vi. The materials and pattern of roofing.
- 2. Setback requirements:
 - b. New additions to existing structures: The following setback requirements and maximum floor area ratio shall apply to all permitted uses of new additions to existing structures: Rear setbacks shall be subject to the compatibility rule. The compatibility rule shall not apply to the front and side setbacks of any addition to an existing structure, however the front and side yard setbacks of the addition shall not be less than the respective setback, at its closest point, of the existing structure.
- 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.

General Development Controls and Setbacks

According to the site plan, the lot fronts 60 ft. on south side of Edgewood Avenue. The lot has depth of 210 ft. Per the regulations, the side yard setback of the proposed addition can be no closer to the side property lines than the existing house. The proposed addition is being built on top of the existing enclosed footprint of the house on the west side, so that set back meets the District regulations. On the east side the addition will enclose on the first level and add on the second level where part of the side porch is today. However, the main portion of the house is substantially closer to the east property line than that portion of the addition, so that setback meets the District regulations as well.

On the rear of the addition there is a projecting bay on the second level that contains usable, head height floor area, which would make it subject to the setback requirements. The rear set back of additions are subject to the compatibility rule, which means the closest point of the addition can't be any closer than the closest point of the rear of a contributing house on the block face. No information was provided about the other rear setbacks on the block face. The Staff would recommend the Applicant document compliance with the compatibility rule for the rear setback of the addition.

Per the regulations the floor area ratio (FAR) can be no more than .50. The proposed FAR is not calculated. The Staff would recommend the Applicant document that the FAR of the proposed design meets the District regulations. As noted above, the addition is built generally on top of the existing proposed design, but the proposed bays on the addition would slightly increase the lot coverage. Though an existing lot coverage calculation was included, no lot coverage calculation was included for the proposed design. The Staff would recommend the Applicant document that the lot coverage of the proposed design meets the R-5 regulations. This will be further confirmed during the general building permit review process.

Project Components

Repair the front portion of the first level side porch.

The Staff has concluded that this component of the project is not visible from the public street and as such is not subject to review by the Commission.

Enclose the rear portion of the first level side porch.

The plans indicate that the enclosure of the rear portion of the first level side porch will be accomplished by demolishing that portion of the porch and building a new first level. While the Staff finds that this demolition will not result in the loss of significant architectural features that destroy the house's historic interpretability or importance, it is concerned about the complete elimination of any indication of the porch's existence and that the resulting design will create a false sense of development for the house. The Staff would recommend that the design of the enclosure of the rear portion of the first level side porch include physical indications of the previous porch.

Reconfigure / replace the windows on the rear portion of the right (west) side of the house.

The Staff has concluded that the only portion of the right side that would be visible from the public street would be from just behind the triple bay window to the rear of the house. That would mean that the two square windows on the second floor and the two large, steel frame windows on the first floor would be subject to review by the Commission. The Staff finds that though normally square windows would not be compatible with most house styles in the District, they are compatible with the Queen Anne style of this particular house, which includes more eclectic windows and architectural components. It is unclear as to the design / functionality and material of the square windows on the second level. The Staff would recommend the Applicant clarify the design and materials of the window changes on the west side of the house that are subject to review by the Commission.

The Staff is also concerned about the use of large, steel frame windows on the first level. The Staff finds that both the design (the large expanse of glass) and the material (steel frame) these are too eclectic and different from the Queen Anne style.

The Staff would recommend that the steel frame windows on the west side of the house be replaced with windows that are compatible with the existing house regarding their design, material, and function.

Reconfigure / replace the windows / doors on the rear portion of the left (east) side of the house.

The Staff has concluded that only the rear most window change on the second level and the door change on the lower level will be visible from the public street and as such is subject to review by the Commission. For these two specific components of the fenestration, the Staff finds that neither of them (a French door to a Juliet balcony on the second level and an elaborate door with transoms and fan light on the first level) are original or historic to the house. The Juliet balcony is a contemporary design feature and the elaborate door would have been historically been inside the house making such a design very unlikely.

The Staff does not have concerns about the design of the proposed French door on the first level but it unclear as to the design / functionality of the proposed paired window on the second level. The material is not defined for either component. The Staff would recommend the Applicant clarify the design and materials of the doors and window changes on the east side of the house that are subject to review by the Commission.

Above the one-story portion of the rear portion of the house, build a second story addition with a projecting staircase, rear-facing bay, and cross gable roof.

Beyond the concerns noted above about the rear yard setback and the enclosure of the rear portion of the first level side porch, the Staff finds that the overall size, shape, massing, architectural components, and materials are the addition are compatible with the existing house and meet the District regulations, with a few exceptions. The addition is not as tall as the tallest part of the house and it is located at the rear of the existing house. The use of the cantilevered stair case, bay window, eyebrows / flares, combination shingle / siding exterior sheathing, and gable roof forms all are indicative of the Queen Anne style.

However, except for the repair of the existing brick foundation, no materials are specified for the addition. The functionality of the windows is not specified.

The Staff would recommend that the materials and window functionality of the sides of the addition be indicated on the plans and meet the District regulations.

Staff Recommendation: Based upon the following:

- (a) Except as noted above, the plans meet the regulations per Section 16-20L.006.

Staff recommends approval of the application for a Type III Certificate of Appropriateness (CA3-16-092) for alterations and an addition at **897 Edgewood Avenue** - Property is zoned R-5/ Inman Park Historic District (Subarea 1)/Beltline, with the following conditions:

1. The Applicant shall document compliance with the compatibility rule for the rear setback of the addition, per Section 16-20L.006(2)(b);
2. The Applicant shall document that the FAR of the proposed design meets the District regulations, per 16-20L.006(4)(a)(v);
3. The Applicant shall document that the lot coverage of the proposed design meets the R-5 regulations, per 16-20L.006(4)(a);
4. The design of the enclosure of the rear portion of the first level side porch shall include physical indications of the previous porch, per Section 16-20L.005(1)(b);
5. The Applicant shall clarify the design and materials of the window and door changes on the west and east sides of the house that are subject to review by the Commission, per 16-20L.006(1)(n) and (q);
6. The steel frame windows on the west side of the house shall be replaced with the existing house regarding their design, material, and function, per 16-20L.006(1)(n) and (q);
7. The materials and window functionality of the sides of the addition shall be indicated on the plans and meet the District regulations, per 16-20L.006(1)(n), (p), and (q); and
8. The Staff shall review, and if appropriate, approve the final plans, elevations, and specifications.



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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT March 23, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-094) for a subdivision of one lot into two lots at **261-263 Walker St.** Property is zoned Castleberry Hill Landmark District (Subarea 1).

Applicant: Tracy Bergquist
261 Walker Street

Facts: According to the 2002 Inventory, this commercial building was built in 1930 and is considered contributing.

Analysis: The following code sections apply to this application:

Sec. 16-20N.006. - Certificates of appropriateness.

4. Type III certificates of appropriateness shall be required for:

- (a) Construction of all new principal structures;
- (b) All major alterations and additions to an existing principal structure, including all major alterations and additions to the roofs of principal structures.

Sec. 16-20N.007. - General regulations.

The following general regulations shall apply to all properties located within the district.

5. Subdivisions of lots. The subdivision of any lot within this district shall be subject to review and approval by the commission. No subdivision of lots shall be approved by the director of the bureau of planning unless said matter has first been submitted to and approved by the commission. The commission shall find that the resulting lots are so laid out that buildings that are compatible in design, proportion, scale, and general character of a particular subarea or the district as a whole, may be reasonably situated and constructed upon such lots.

The Applicant is proposing to subdivide the property at 263 and 261 Walker Street for the purposes of refinancing the properties. The proposed subdivision would result in a zero lot line for the two properties. The proposed lots are currently occupied by contributing structures and no new construction or alterations to the existing structures would result from the proposed subdivision. In looking at the lots of the neighboring properties on the block face as well as in the subarea in general Staff finds several instances of lot configurations which are generally similar to the one proposed with one difference. The lot for 261 walker St. has a very small sliver of area that wraps around the lot at 263 walker St. This part of the configuration does not

meet the district regulations. Staff only has that one concern with the proposed subdivision as the resulting lots do and could accommodate buildings that are compatible in design, proportion, scale, and the general character of the subarea and the district as a whole. Staff recommends that the rear property line of 263 Walker Street be extended to the south to connect with the alley to the south of the property, and the south property line of 263 Walker Street be the same as the existing south property line of the property.

Staff Recommendations: Based upon the following:

- a) The proposed subdivision meets the District regulations, except as noted above, per Section 16-20N.007.

Application for a Type III Certificate of Appropriateness (CA3-16-094) for a subdivision of one lot into two lots at **261-263 Walker St.** Property is zoned Castleberry Hill Landmark District (Subarea 1). with the following conditions:

1. The rear property line of 263 Walker Street shall be extended to the south to connect with the alley to the south of the property, and the south property line of 263 Walker Street shall be the same as the existing south property line of the property, Per Sec. 16-20N.007(5);
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 March 23, 2016

Agenda Item: Application for a Type II Certificates of Appropriateness (CA2-16-095) for new signage at **314 Auburn Avenue** - Property is zoned Martin Luther King, Jr. Landmark District (Subarea 4) / Beltline.

Applicant: Joy Huffman
52 Creighton Ln., Marietta

Facts: This existing commercial building is considered contributing.

Analysis: The following code sections apply to this application:

Sec. 16-20C.004. - General regulations.

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

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

- j. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
3. Certificates of appropriateness.
- a. General provisions.
 - i. The procedures for determining the correct type of certificate of appropriateness shall be those specified in section 16-20.008, except as otherwise provided herein.
 - ii. No certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - iii. No certificate of appropriateness shall be required to repaint any structure or portion thereof, or, to make ordinary repairs and maintenance using in-kind materials.
 - iv. No certificates of appropriateness shall be required for demolition or moving of non-contributing structures.

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

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

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

- a. General Regulations: Notwithstanding any other individual district standards, all signs within the M.L. King, Jr. landmark district shall be subject to the following general regulations:
 - (1) No billboard signs shall be permitted in the M.L. King, Jr. landmark district.
 - (2) No freestanding signs shall be permitted in the M.L. King, Jr. landmark district.
 - (3) No monument signs shall be permitted in the M.L. King, Jr. landmark district.
 - (4) No LSVD signs shall be permitted in the M.L. King, Jr. landmark district.
 - (5) No sign shall be permitted within the M.L. King, Jr. landmark district except after approval by the commission of a certificate of appropriateness as specified in Chapter 20 of this part.
 - (6) Signs provided for contributing structures shall be designed in a manner that is compatible with the design, materials and general character of signage from the time period of historical significance for the structure.
 - (7) Signs provided for non-contributing structures shall be designed in a manner that is compatible with the design, materials and general character of signage from the time period of historical significance for the district.
- e. Edgewood Avenue and Auburn Avenues Commercial District (Subarea 4): The sign regulations for Edgewood Avenue and Auburn Avenues Commercial District (Subarea 4) shall be the same as the regulations for the SPI-1 (Downtown) district provided that:
 - (1) No individual sign shall exceed 100 square feet in sign area.
 - (2) No projecting sign shall exceed eight square feet in sign area.
 - (3) Sign location on the building shall correspond with that portion of the building owned or leased by the person erecting the sign.
 - (4) Signs shall be located as follows:
 - i. In the area of the storefront above the transom and below the second floor windows or centered between the transom and the cornice.
 - ii. On or in display windows or upper façade windows.
 - iii. On or in the glazing of the doors.
 - iv. On the valance of awnings.
 - v. On the fascia or top edge of canopies.
 - vi. Projecting perpendicularly from the building.
 - (5) Changing signs shall be prohibited.

The Applicant is proposing a new sign which will be attached to the front façade of the building. The regulations allow for signs in Subarea 4 of the Landmark District to be a maximum of 100

sq. ft. The proposed sign measures approximately 24 sq. ft. and therefore meets this regulation. Of the façade locations allowed by the regulations, signs are allowed to be placed in the area of the storefront above the transom and below the second floor windows or centered between the transom and the cornice. Staff finds the proposed placement of the sign meets the regulations.

The drawings indicate that the sign will be made of a material called “Dibond”. Typically, this material consists of a polyethylene core sandwiched between two surface materials. The regulations require that signs on contributing buildings be compatible with materials used for signage in the period of historical significance for the building. It is not clear the visual appearance of the sign given that the cladding material is not specified. Staff finds that the proposed material is not appropriate for a sign on a contributing structure and recommends the plans be altered to include a sign material which meets the District regulations.

The plans indicate that the sign will be attached using a variety of methods including, double sided tape, screws, silicone, and hooks. The function of the silicone, double sided tape, and hooks is not clear from the submitted materials. Staff is concerned that screws and hooks anchored in the brick itself will cause irreparable damage to the brick which would require its replacement, and that silicone and double sided tape will deface the brick and be difficult to remove in the future. Staff recommends the screws be anchored to the mortar joints. Staff also recommends that double sided tape and silicone not be used as mounting techniques.

Staff Recommendation: Based upon the following:

1. The renovations meet the District regulations, per Section 16-28A.007 and 16-20A.009.

Staff recommends approval of an Application for a Type II Certificates of Appropriateness (CA2-16-095) for new signage at **314 Auburn Avenue** - Property is zoned Martin Luther King, Jr. Landmark District (Subarea 4) / Beltline, with the following conditions:

1. The plans shall be altered to include a sign material which meets the District regulations, Per Sec. 16-28A.010(a)(6);
2. The screws shall be anchored to the mortar joints, per Sec. 16-20C.004(1)(i);
3. Double sided tape and silicone shall not be used as mounting techniques, per Sec. 16-20C.004(1)(i); and,
4. The Staff shall review and if appropriate, approve the final plans and documentation.



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March 23, 2016

Agenda Item: Applications for a Type II Certificates of Appropriateness (CA2-16-096) for alterations and a new deck at **751 Catherine Street** - Property is zoned R4-A/Adair Park Historic District.

Applicant: Wole Oyenuga
1296-A Lea Court, Smyrna

Facts: According to the Adair Park Inventory this single family dwelling built in 1923 is considered a contributing structure.

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

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

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

1. *The Compatibility Rule:* The compatibility rule is a method of requiring that alterations and new construction are sensitive and sympathetic to existing elements of design, scale and general character of the district with particular attention to the immediate environment constituting a particular block. In accordance with this purpose, the compatibility rule is as follows: "To the maximum extent possible, the element in question, such as roof form or architectural trim, shall substantially match that which predominates on that block. When elements are quantifiable, such as building height or floor heights, they shall equal the statistical average of all like elements of all structures of like use in that block." Those elements to which the compatibility rule applies are specified in regulations by reference to "compatibility rule."
2. *Variations:* The urban design commission shall have the power to hear, grant and deny variations 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 variations shall be the same as those specified in chapter 26 of this part 16, which provisions are hereby incorporated herein.

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.
3. *Architectural Standards:*
 - (f) *Roofs:*
 1. Roofing materials shall be of the same size, texture and materials as existing, exposed roofing materials when the existing, exposed roofing materials constitute a significant architectural feature of the structure.
 2. Cold-rolled roofing is permitted only on flat roofs. Corrugated metal and corrugated fiberglass roofs are not permitted.
 3. The shape and pitch of roofs for new construction shall be subject to the compatibility rules.
 4. Decks, skylights, solar panels and communication equipment, when otherwise allowed by these or other regulations are permitted on roofs of buildings provided they cannot be seen from the public right of way.

Site

In comparing the site plan submitted to the City of Atlanta cadastral maps, Staff finds there is a very slight discrepancy. Staff suggests the Applicant contact the Office of Buildings to determine whether resolution of the lot dimension discrepancy is required.

The Applicant is proposing a deck at the rear of the property. In looking at pictures submitted by the Applicant, it appears the proposed deck will not be visible from the street. As such, Staff has no comments regarding the design of the proposed deck. Per underlying zoning, the side yard shall be no less than 7'. The proposed side yard setback is more than 7' and therefore meets the requirements. Per underlying zoning, the rear yard setback shall be no less than 15'. The proposed rear yard setback is more than 15' and therefore meets the requirements.

Per underlying zoning, the maximum lot coverage allowed is 55%. The proposed lot coverage is 37% and therefore meets the requirements. As there is no additional living space proposed, Staff has no concerns regarding the floor area ratio (FAR).

Alterations

In looking at survey pictures, it appears the porch was partially enclosed. This enclosure was recently removed. While the appropriate permits were not obtained, Staff finds the removal of the porch enclosure is appropriate and an improvement to the front façade of the house.

The Applicant is proposing to demolish the existing walkway, front stairs and porch flooring in order to replace them in-kind. While Staff has no concerns regarding in-kind replacement, it is not clear why these elements must be demolished and replaced. While the pictures indicate that some repair is needed on the stairs, it is not clear the walkway, stairs and porch floor require demolition. Staff recommends the Applicant provide information regarding the walkway, porch stairs and flooring, including an explanation as to why they require demolition and replacement.

Staff Recommendation: Based upon the following:

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

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA2-16-096) for alterations and a new deck at **751 Catherine Street** - Property is zoned R4-A/Adair Park Historic District, with the following conditions:

1. The Applicant shall provide information regarding the walkway, porch stairs and flooring, including an explanation as to why they require demolition and replacement, per Section 16-20.009; and
2. Staff shall review and if appropriate approve the final plans.



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STAFF REPORT March 23, 2016

Agenda Item: Application for a Review and Comment (RC-16-097) for alterations and site work at **800 Cherokee Ave. (Grant Park)** Property is zoned R-5.

Applicant: Grant Park Conservancy
PO Box 89189

Facts: This proposal involves changes and restorations to the fountain and hardscape of the Milliedge Triangle entrance to Grant Park.

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

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

Per Section 16-20.009. Same; further standards.

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (3) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object or site shall be kept where possible.
- (5) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.

- (7) Whenever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

The Applicant is proposing to resurface the existing hardscape and pavement with granite and concrete cobblestone pavers. Additionally, a new medallion made of either bronze or granite will be installed as a focal point of the space. The pavers will be placed in approximately 1 inch of sand which will serve as a setting bed. The existing granite bollards will be retained, but new removable and fixed bollards will be installed along Cherokee Ave. New fencing will be installed in place of the existing wire fencing.

The fountain contains several different types of tile in various configurations. The back wall of the fountain contains square tiles placed in a mosaic pattern. The lower basin contains terra cotta accent tiles around the rim and geometric accent tiles along the bottom of the basin which extend into the retention pool where the water is recirculated. The existing tile on the back wall of the fountain will be removed, cleaned, restored, and replaced where possible. Any tiles which are unable to be repaired being replaced in-kind. The Applicant is also proposing to remove the terracotta and accent tile and replace these features with reproduction materials. From the pictures provided, the majority of the terracotta tile appears to be missing and the majority of the accent tile, while still intact, is in various stages of deterioration. Staff finds that the replacement of the terracotta tiles is warranted, but suggests the Applicant consider retaining as much of the accent tile as possible.

New PVC pipes will be installed to accommodate the new fountain plumbing system. New fountain machinery and lighting will be installed in the fountain basin and will allow for the water used by the fountain to be recirculated. The water and power will be provided via an existing meter which is adjacent to the project area. In order to accommodate the new piping a trench will be cut into the existing granite backer beneath the tile façade. The finished work will not be visible as the restored tile will be installed over the new plumbing. According to the plans the structural cracks in the bottom of the fountain basin will be repaired by mortar and epoxy injection.

The bronze fish statuary is to be removed due to deterioration and replaced with an in-kind reproduction piece. The missing bronze upper bowl will be replaced in-kind. The applicant provides no explanation of why the statuary will be removed from the fountain entirely. As this element is original to the fountain and is a central component of the fountain as a whole, Staff is concerned with the resulting loss of historic fabric and feels the wholesale replacement of the statuary should be avoided if at all possible. Staff suggests the Applicant explain the reason for the statuary being removed and explore all possible options for retaining the historic fountain element.

Staff Recommendation: The Staff recommends that the Commission confirm that all the comments of the Commission and Staff have been delivered at the Commission meeting on the application for a Review and Comment (RC-16-097) for alterations and site work at **800 Cherokee Ave. (Grant Park)** Property is zoned R-5.

