



CITY OF ATLANTA

M. KASIM REED
MAYOR

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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT May 11, 2016

Agenda Item: Application for a Review and Comment (RC-16-147) for a new building / addition at **70 Claire Drive (Atlanta Public Schools Bus Facility)** – Property is zoned I-1.

Applicant: Michele Ritsch
57 Standish Drive

Facts: The Atlanta Public Schools (APS) Bus Facility is located in southeast Atlanta on the south side of Claire Drive. To the south of the property are the former race track / lake of the Lakewood Fairgrounds, to the east are residential property and the APS Lakewood sports stadium, to the north is residential property, and to the west is a City of Atlanta fleet / maintenance facility. The APS Bus Facility currently consists of large parking lots with utility, maintenance, storage and office buildings along the western side of a central driveway that splits the facility into eastern and western sections.

The project consists of renovating one section of an existing storage building and building a new bus maintenance shed to the west of the storage building. A traffic island will be removed and a fence will be installed around the portion of the property that contains the new bus maintenance shed. .

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.
- (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 Staff's comment will be related to the overall aesthetic of the project and its relationship to the surrounding properties.

The storage building that will be renovated is a metal, butler-style building (similar to other buildings on the site) and is contemporary in nature. The Staff does not have any concerns about this renovation as it mostly consists of interior work.

The proposed bus maintenance shed will also be a metal butler-style building, but will include a concrete block water table / exterior sheathing. Given the location of the proposed building on the site, the new building will have no visual effect on any surrounding residential property. Further, the Staff finds that given its utilitarian function, its metal and concrete block materials and overall simple design are appropriate.

The Staff does have a couple of questions about the proposed project, though. First, it is not clear if there will be any change in the lighting of the property, as this could affect the surrounding properties. Second, it is not clear how the storm water run-off from the bus maintenance shed will be handled. While the Staff knows that the shed is being built on an already impervious surface (virtually the entire property is already paved), the Staff still finds that it would be appropriate to try to improve the control of storm water runoff that would be affected by this project. Third, the Staff would recommend that if there are any potential noise effects on the nearby property from the use of the bus maintenance shed (different type of work, different hours of work, etc.) attempts to mitigate those effects be included in the final project design.

Staff Recommendation: The Staff recommends that the Commission confirm the delivery of its comments at the meeting regarding an application for a Review and Comment (RC-16-147) for a new building / addition at **70 Claire Drive (Atlanta Public Schools Bus Facility)**.



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STAFF REPORT May 11, 2016

Agenda Item: Application for a Review and Comment (RC-16-152) for alterations at **21 Northwood Avenue**. Property is zoned R-4 / Brookwood Hills Conservation District.

Applicant: Wright Marshall
1991 Rockledge Rd.

Facts: This existing single family structure was built in 1927 and has undergone at least two substantial alterations since that time. The photographic inventory does not show the architecture of the original structure.

Analysis: The following code sections apply to this application:

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

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

Sec. 16-20.009. Same; further standards.

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

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.

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

Brookwood Hills Conservation District does not have specific architectural regulations similar to Atlanta's Historic or Landmark Districts; therefore the Commission should refer to "Further Standards" listed in Chapter 20 of the Zoning Ordinance, which normally apply to all locally designated districts and properties.

The Applicant is proposing to alter the existing front and south side façade. On the front façade, the Applicant proposes replacing the windows on the far right portion of the façade with French doors which will lead out to the front patio area, as well as replacing the existing façade material with brick. As the materials for the proposed fenestration are not listed on the plans, Staff suggests the Applicant consider using materials which are appropriate for the time period of significance for this structure.

The current south side façade consists of glass panels and is likely the result of a previous alteration. The new façade will consist of brick, on the first floor, and stucco with faux half timbering to match the gable on the front façade. The new façade will contain several sets of what appear to be either shutters or double hung and casement windows. Staff suggests the Applicant clarify what the fenestration will be for this portion of the façade. As the materials for the proposed fenestration are not listed on the plans, Staff suggests the Applicant consider using materials which are appropriate for the time period of significance for this structure.

Staff Recommendation: The Staff recommends that the Commission send a letter with comments to the Applicant.



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STAFF REPORT May 11, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-157) for alterations, dormer additions, and site work at **187 Degress Ave.** Property is zoned R-5 / Inman Park Historic District (Subarea 1).

Applicant: Adam Stillman
350 Sinclair Avenue

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

Analysis: The following code sections apply to this application:

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

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

1. General criteria.
 - a. Except as otherwise provided herein, the procedures for determining the appropriate type of certificate of appropriateness shall be those specified in section 16-20.008 of the Zoning Code.
 - b. In the Inman Park Historic District, the commission shall apply the standards referenced below only if the standards set forth elsewhere in this chapter 20L do not specifically address the application including multi-family residential, institutional, commercial, industrial and mixed use structures in Subarea 1:
 - i. A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
 - ii. The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.
 - iii. Each property shall be recognized as a physical record of its time, place, and use. Changes shall not be undertaken that create a false sense of historical development, such as adding conjectural features or elements from other historic properties.
 - iv. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
 - v. Distinctive materials, features, finishes, and construction techniques, or examples of craftsmanship that characterize a property, shall be preserved.
 - vi. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and, where possible, materials.
 - vii. Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
 - viii. Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.

- ix. New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
 - x. New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
 - c. New construction in Subarea 2 and in Subarea 3: Contemporary design for new construction and for additions
 - 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.
 - d. Type III certificates of appropriateness shall be reviewed by the commission and shall be required for:
 - ii. Additions that are visible from a public street or park, unless such additions are specifically exempted from a certificate of appropriateness in the subarea regulations.
- Sec. 16-20L.006. - Specific regulations for Inman Park Core District, Subarea 1.

In the Inman Park Core District, Subarea 1, the commission shall apply the standards referenced in section

16-20L.005(1)(b) only if the standards set forth below in this chapter 20L do not specifically address the application:

- 1. Design standards and other criteria for construction of and for additions to one- and two-family residential structures.
 - g. The compatibility rule shall apply to the height, scale, and massing of the principal structure, except as noted below. In no case shall the height of a structure exceed 35 feet. (See section 16-28.022 for excluded portions of structure.)
 - i. The height of additions shall not be subject to the compatibility rule, but shall be no higher than the existing structure.
 - ii. Notwithstanding the compatibility rule, any new roof ridge line shall be no higher than the highest roof ridge line of the existing structure.
 - i. Front porches on principal structures shall be required. The compatibility rule shall apply to the design and size of said front porches, provided that such porches shall be a minimum of 12 feet wide or one-half of the width of the front façade, whichever is greater, and a minimum of eight feet deep. Front porches shall contain roofs, balustrades, columns, steps, and other features compatible with porches in the existing block. Front porches may extend up to ten feet into the required front yard. All front porch steps shall have closed risers and ends.
 - 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.
 - 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.

- 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.
 - x. Skylights are permitted where not visible from a public street or park wherever possible. Protruding bubble skylights are prohibited.
2. Setback requirements:
- b. New additions to existing structures: The following setback requirements and maximum floor area ratio shall apply to all permitted uses of new additions to existing structures: Rear setbacks shall be subject to the compatibility rule. The compatibility rule shall not apply to the front and side setbacks of any addition to an existing structure, however the front and side yard setbacks of the addition shall not be less than the respective setback, at its closest point, of the existing structure.
4. Principal uses and structures:
- a. Properties that have an underlying zoning designation of R-5 shall be used only for the following principal purposes subject to the following provisions:
 - v. Floor area ratio shall not exceed 0.50.
6. *Permitted accessory uses and structures:* These regulations permit uses and structures that are customarily incidental and subordinate to permitted principal uses and structures. These include but are not limited to the following, subject to limitations and requirements set forth herein or elsewhere in this part:
- a. Greenhouses, garden sheds, private garages, and similar structures. When a private garage is part of a principal structure, the garage door may not be located on the front façade of the principal structure, nor the side façade if visible from a public street or park.
 - f. The following regulations shall apply to all permitted accessory uses and structures:
 - iii. Accessory structures shall not cover more than 25 percent of the rear yard.
 - iv. Accessory structures shall be placed behind the principal structure; side and rear setbacks shall not be less than three feet.

Additions

As the property in question is non-conforming in regards to its size and street frontage, the structure can have a maximum floor area of 3,750 sq. ft. The structure with the proposed addition has a floor area of 2,273 sq. ft. which meets this requirement.

The proposed additions will not increase the footprint of the existing structure and therefore will not affect the lot coverage.

The Applicant is proposing three dormer additions to the structure. Two of the dormers on the sides of the structure will be visible from the street, while the rear dormer will not. Per the regulations, the dormers are placed in such a way as to have a ridge line lower than the ridge line of the existing structure, and will match the roof form and pitch of the main roof. Per the regulations, the dormers will have fenestration which matches the fenestration on the existing structure. As such Staff has no concern with the design or placement of the proposed dormer additions.

Alterations

The Applicant is proposing to replace the front porch railing. The porch railing will be replaced in-kind and, due to the height of the porch, will include the addition of a top rail to comply with current building code. Staff has no concerns with the replacement of the non-historic railing or the design of the replacement railing.

The Applicant is also proposing the removal of non-historic fenestration on the right and rear facades, and the removal of a non-historic rear stair. The non-historic vinyl windows on the side and rear facades will be replaced, in their original openings, with wood windows which match the design of original windows found on the house. Three non-historic windows (one on the rear façade and two on the right side façade) and one rear door will be removed and the openings will be enclosed with cementitious lap siding. Staff finds that the proposed visible fenestration pattern on the right side façade to be compatible with shed roofed additions of this type.

The Applicant is also proposing the removal of two skylights on the front roof plane of the structure. The resulting openings will be enclosed and covered with new roofing material to match the existing roofing material. A new skylight will be installed on the left slope of the roof between the chimney and proposed dormer addition. Staff recommends the Applicant clarify the visibility of the proposed skylight in this location.

Staff has no concerns with the alterations as proposed.

Site Work

The R-5 regulations allow for a maximum lot coverage of 55% of the net lot area. The subject property is 6,227 sq. ft. meaning that the maximum lot coverage for the site is 3,424.85 sq. ft. The proposed lot coverage is 3,317 sq. ft. which meets this requirement.

The Applicant is proposing a new carport/patio area to the rear of the principal structure which will replace an existing non-historic metal carport. Per the regulations, the accessory structure is setback from the side and rear property line 3 feet.

The regulations limit the lot coverage of accessory structures to no more than 25% of the rear yard. The area of the subject property's rear yard is approximately 2,700 sq. ft. The proposed accessory structure is 499 sq. ft. or 18% of the rear yard area. Staff finds that the lot coverage

requirement has been met. A brick chimney will be attached to the accessory structure and will originate at grade.

A gravel drive will be installed at the rear of the property leading to the proposed carport/patio. As the driveway will be attached to an existing gravel alleyway, Staff has no concerns with the proposed paving material.

A deck is proposed on the rear of the structure within the allowable setbacks.

HVAC units are noted on the plans and are appropriately screened with vegetation. Staff recommends the Applicant clarify whether the HVAC units are an existing or proposed condition.

Design Review (CA3-16-157):

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 (CA3-16-157) for alterations, dormer additions, and site work at **187 Degress Ave.** Property is zoned R-5 / Inman Park Historic District (Subarea 1), with the following conditions:

1. The Applicant clarify the visibility of the proposed skylight in this location, per Sec. 16-20L.006(1)(q)(x);
2. The Applicant clarify whether the HVAC units are an existing or proposed condition, per Sec. 16-20L.006(1)(o); and,
3. 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 September 9, 2015

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-160) for alterations and an addition at **562 West End Pl.** Property is zoned R-4A / West End Historic District / Beltline.

Applicant: Roderick Cloud
1110 Cascade Rd.

Facts: This existing single family structure is considered contributing to the District.

Analysis: The following code sections apply to this application:

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

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

- (1) Certificates of Appropriateness: Certificates of appropriateness within this district shall be required as follows:
 - (a) When required:
 - (i) To change the exterior appearance of any portion of a structure within the district, when said change can be seen from the public right-of-way;
 - (b) Type required:
 - (i) Except as otherwise provided herein, the procedures for determining the appropriate type of certificate of appropriateness shall be those specified in section 16-20.008 of the Code of Ordinances.
 - (ii) Notwithstanding any other provision herein, no certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - (vi) The following Type III Certificates of Appropriateness shall be reviewed by the commission and shall be required for:
 - b. Additions that are visible from a public street or park.
- (2) The Compatibility Rule: The compatibility rule is a method of ensuring that alterations to existing structures and the design of proposed new construction are sensitive to and sympathetic toward existing elements of design, proportions, scale, massing, materials, and general character of the contributing buildings in the immediately adjacent environment of the block face. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The elements 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.), shall be no smaller than the smallest or larger than the largest such dimension of the

contributing buildings of the same block face." Those elements to which the compatibility rule applies are specified in these regulations by reference to "compatibility rule."

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

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

- (1) Generally: The following building elements and architectural features shall be considered when applying section 16-20.009 of this chapter to the West End Historic District: doors, windows, foundations, finished floor elevations, roofs, roof features, gutters, downspouts, cornices, siding, porches, steps, terraces, dormers, shutters, awnings, gateways, archways, louvers, walls, fences, and gates.
- (2) Building Façades:
 - (a) All new construction shall conform to the existing building orientation by having sidewalks, front yards, porches and front doors facing and parallel to the street, and if located on a corner, the main façade shall face the principal street whenever possible.
 - (b) At a minimum, the front of all new construction, including any portion thereof, shall be placed at the distance from the street determined by the compatibility rule. This requirement shall also apply to those sides of corner lots which also face a street.
 - (c) All building materials, which upon completion are visible from the public right-of-way, are subject to the compatibility rule.
 - (d) Siding repair or replacement shall match the original in material, scale and direction. For new construction and additions, brick, wood or horizontal smooth cementitious siding is permitted.
 - (e) Contemporary design of new construction, compatible with adjacent and surrounding structures, is permitted.
 - (f) Height of the first floor of the front façade above grade shall be subject to the compatibility rule. Notwithstanding 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.
 - (g) No structure shall exceed that height established by the compatibility rule.
- (3) Windows and Doors:
 - (a) Architecturally significant windows and doors, including details, trim work, and framing, shall be retained.
 - (b) Original window and door openings shall not be blocked or enclosed, in whole or in part.
 - (c) Replacement windows and doors shall be permitted only when originals cannot be rehabilitated. Replacement windows and doors shall match the original in style, materials, shape and size, with no more than a one-inch width or height difference from the original size. The use of simulated divided lite windows is permitted.
 - (d) 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.
 - (e) The replacement and reconfiguration of windows on the side elevations to accommodate kitchens and bathrooms is permitted.
 - (f) Dropped ceilings, when located below the head of a window, shall be sufficiently recessed from the window opening to maintain the original exterior appearance.
 - (g) New doors and windows, when permitted, shall be compatible in scale, size, proportion, placement, and style to existing windows and doors.
 - (h) The ratio of openings to solid for all new construction (for example, windows to wall) shall be established by the compatibility rule.
 - (i) The scale, size, proportion, and location of all openings in new construction shall be established by the compatibility rule.
 - (j) New windows or doors added to existing structures shall be located façades that don't face a public street.
 - (k) New or replacement doors shall be made of wood and shall contain a rectangular light opening subject to the compatibility rule as to its scale, size, proportion placement, and style to original doors within that block face.
- (4) Storm Doors, Storm Windows, Shutters and Awnings:

- (a) Shutters shall not be added to the building if they were not a part of the original building.
 - (b) Shutters shall be operable or appear operable, and shall fit the size of the window.
 - (c) Replacement shutters shall match the original shutters in design, materials and configuration.
 - (d) Storm doors, screen doors or storm windows shall be of compatible design and shall not cover, obscure or dominate significant architectural details.
 - (e) Fabric and metal awnings are permitted. All other types of canopies and awnings are prohibited.
- (5) Foundations:
- (a) Foundation materials, including infill materials, shall replicate the original materials in size, shape, color, texture and mortar, and shall be installed using construction techniques similar to the original.
 - (b) New foundations shall be of masonry or concrete construction. Other foundation materials are permitted provided they are appropriate to the building on which they are located and in scale, materials and style with adjacent and surrounding buildings.
 - (c) Slab on grade is not permitted.
 - (d) Lattice, painted concrete block, brick or stucco shall be used as infill between foundation masonry piers when infill is otherwise required.
- (6) Chimneys:
- (a) Chimneys shall match original materials, mortar, color and pattern whenever possible.
 - (b) New chimneys shall be faced with brick or stucco.
 - (c) Siding on chimneys is prohibited.
 - (d) When any portion of a chimney is visible from a public street as a façade element, the chimney shall originate at grade.
- (7) Roofs:
- (a) Replacement roofing materials shall be of the same size, texture and material as existing, exposed roofing materials when the existing, exposed roofing materials constitute a significant architectural feature of the structure.
 - (b) Cold-rolled roofing is permitted only on flat roofs. Corrugated metal and corrugated fiberglass roofs are not permitted.
 - (c) The use of synthetic roofing materials is permitted if not visibly distinguishable from the original as viewed from the public street.
 - (d) The shape and pitch of roofs for new construction shall be subject to the compatibility rule.
 - (e) Skylights, solar panels and communication equipment, when otherwise allowed by these or other regulations, are permitted on roofs of buildings provided they are not visible from any public right-of-way.
- (9) Porches:
- (a) Architecturally significant porches, including their component features, steps and stoops shall be retained.
 - (b) Replacement porches, steps and stoops shall match the original in size, style and materials. All front porch steps shall have closed risers and ends.
 - (c) Porches may be enclosed with screen wire or glass provided that the main characteristics of a front porch are maintained.
 - (d) New or replacement porches shall contain balustrades, columns and other features consistent with the architectural style of the house or other original porches in that block. The height of the top rail shall be no more than 33 inches above the finish porch floor, except as required by the City's building code.
- (12) Paved Surfaces:
- (a) The original layout, patterns and paving materials of sidewalks, driveways, alleyways, curbs and streets shall be retained. The design and material of new replacement paving materials shall be subject to the compatibility rule.
 - (b) The design and material of new paved surfaces areas, other than those specified in subsection (a) above, including driveways, walkways, and patios, or portions thereof, shall be subject to the compatibility rule.
 - (c) New driveways shall not exceed a width of ten feet not including the flare at the street.
- (13) Off-Street Parking Requirements:
- (a) Off-street parking shall not be permitted in the front yard or half-depth front yard.

- (b) Carports and garages shall be behind the rear of the main structure. If the main structure is located on a corner lot, the front yard setback for that side street shall apply to the construction of a carport or garage.
 - (c) The use of alleys for access to such parking is permitted. No variance is required for driveways accessed from an alley.
- (16) Ornaments:
- (a) Architecturally significant ornaments, such as corner boards, cornices, brackets, downspouts, railings, columns, steps, doors and window moldings, shall be retained.
 - (b) Replacement ornaments shall be permitted only when originals cannot be rehabilitated.
 - (c) Installation of new ornaments, where none previously existed, shall be permitted only when it is in accordance with the architectural style of the original structure.

Section 16-20.009:

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

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

Sec. 16-06A.008. - Minimum yard requirements.

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

- (1) Front yard: There shall be a front yard having a depth of not less than 30 feet.
- (2) Side yard: There shall be two side yards, one on each side of the main building, each having a width of not less than seven feet.
- (3) Rear yard: There shall be a rear yard of not less than 15 feet.
- (4) Accessory structures: Accessory structures, when permitted, shall be placed to the side or rear of the main structure within the buildable area of the lot so as not to project beyond the front of the main structure. For fences, see section 16-28.008(5).
- (5) Maximum floor area within this district:

- a. For a lot which meets the minimum lot area requirement described in section 16-06A.007(1): The maximum floor area ratio shall not exceed 0.50 of the net lot area.
 - b. For a lot which does not meet the minimum lot area requirement described in section 16-06A.007(1): The maximum floor area shall not exceed the lesser of either:
 1. 3,750 square feet of floor area; or
 2. A maximum floor area ratio of 0.65 of the net lot area.
- (6) Maximum lot coverage: Maximum lot coverage within this district shall not exceed 55 percent of the net lot area.

Alterations

The existing screened porch will be unenclosed and repairs will be made to the front porch columns and railing. The Applicant has provided two pictures of the property which do not match the existing conditions shown in the drawings. Additionally, no information regarding the design of the columns or the existing railing can be ascertained from the pictures. As such, Staff recommends the Applicant submit comprehensive photographic documentation showing the existing porch and its associated features. Further, Staff recommends any repairs on the front porch be done in-kind with regards to material, style, and size.

The Applicant proposes replacing the entire front roof plane along with the dormer on the front façade and both side gables. No information regarding the need for this alteration has been provided by the Applicant. However, the District inventory shows the ridgeline of the roof sloping inward towards the center of the structure. Staff recommends the Applicant provide photographic documentation of the existing roof and provide information regarding the extent of the needed repairs. Staff would note that depending on the possible degree of original materials being removed, a Type IV Certificate of Appropriateness may be required.

Given the possibility of extensive repairs to the original roof, Staff has concerns regarding damage to the original chimney. Staff recommends the existing chimney be retained and that any necessary repairs be done in-kind.

As part of the interior programming change, several new windows are proposed for installation and several existing windows are proposed for relocation. No information regarding the material of the windows has been provided. As such, Staff recommends all proposed windows be wood.

On the south side façade the Applicant proposes installing three double hung windows in the second story gable, relocating an existing window and installing a new window on the rear portion of the façade. Staff has concerns with the proposed gable window additions as the proposed double grouped window is not compatible with the fenestration pattern of the existing structure. Additionally, Staff finds that the use of two windows in this gable would be more compatible with the fenestration pattern of the existing structure. Staff recommends the double grouped window in the south side façade be removed from the plans. Additionally Staff recommends the south side gable contain at most two double hung windows. Staff finds that the regulations only allow for the relocation of existing windows due to the addition of a kitchen or bathroom on the interior of the structure. As such, Staff recommends the existing fenestration on the south side façade be retained in its original location.

On the north side façade, the applicant proposes to install two double hung windows in the second story gable. Staff finds that the proposed fenestration pattern is compatible with the existing structure and has no concerns with the proposed windows. Regarding the windows on the first floor of this façade, Staff finds that the proposed elevations and the proposed floor plans show two different treatments of the existing windows. The proposed elevation shows the windows on the first floor being relocated to have an evenly spaced pattern, while the proposed floor plans show the windows remaining in their original locations. Staff recommends the Applicant clarify the proposed locations of the first floor windows on the north side façade and that the plans be internally consistent. Additionally, Staff recommends the existing fenestration on the north side façade be retained in its original location.

Addition

The Applicant is proposing a second story addition and a rear porch addition to the existing structure. Per the regulations, the site plan shows the additions conforming to the 7' side yard setback. No information regarding the floor area or lot coverage of the structure with the proposed additions has been received. Staff recommends the Applicant provide the floor area and lot coverage for the proposed addition.

The ridgeline of the proposed addition will meet the existing ridgeline of the front roof plane. Staff recommends the Applicant revise the design of the addition to have a lower ridge line than the existing front roof plane. Staff finds that addition will create an overall boxy shape which is not compatible with the architecture of the existing structure. Further Staff finds that the massing of the proposed addition destroys the existing spatial relationships of the historic one story structure. Staff recommends the Applicant revise the design of the addition to have a massing which is more compatible with the existing structure. The new addition will have a roof pitch which is significantly shallower than the pitch of the existing principal and rear roofs. Staff recommends the proposed roof pitch match the pitch of the existing principal and rear roofs.

The proposed elevations will have a false eave line that separates the first and second floors. Staff finds that this element is not compatible with the existing structure and is not appropriate for a historic structure. Staff recommends the false eave line be removed from the side and rear elevations.

No information regarding the proposed foundation material has been received. Staff recommends the Applicant provide information detailing the proposed foundation material.

A new porch is proposed for the rear façade. The porch will be inset from the south side façade and will be minimally visible from the public street as a result. Staff finds that the placement of the porch is appropriate for this feature and has no concerns with the proposed rear porch addition.

In general, Staff finds that the fenestration pattern of the proposed addition is compatible with the pattern of the existing structure. Given Staff's earlier recommendation regarding window material, Staff has no concerns with the windows in the proposed addition.

Staff Recommendation: Based upon the following:

- a) The plans do not meet the District regulations with the exceptions noted above, per Section 16-20G.006 and Section 16-20.009.

Staff recommends deferral of the Application for a Type III Certificate of Appropriateness (CA3-16-160) for alterations and an addition at **562 West End Pl.** Property is zoned R-4A / West End Historic District / Beltline, to allow the Applicant time to address the following Staff concerns:

1. The Applicant shall submit comprehensive photographic documentation showing the existing porch and its associated features;
2. Any repairs on the front porch shall be done in-kind with regards to material, style, and size;
3. The Applicant shall provide photographic documentation of the existing roof and shall provide information regarding the extent of the needed repairs;
4. The existing chimney shall be retained and any necessary repairs shall be done in-kind
5. All proposed windows shall be wood;
6. The double grouped window on the south side façade shall be removed from the plans
7. The south side gable shall contain at most two double hung windows;
8. The existing fenestration on the south side façade shall be retained in its original location;
9. The Applicant shall clarify the proposed locations of the first floor windows on the north side façade and the plans shall be internally consistent;
10. The existing fenestration on the north side façade shall be retained in its original location;
11. The Applicant shall provide the floor area and lot coverage for the proposed addition;
12. The Applicant shall revise the design of the addition to have a lower ridge line than the existing front roof plane;
13. The Applicant revise the design of the addition to have a massing which is more compatible with the existing structure;
14. The proposed roof pitch shall match the pitch of the existing principal and rear roofs;
15. The false eave line shall be removed from the side and rear elevations;
16. The Applicant shall provide information detailing the proposed foundation material; and,
17. All new drawings and materials shall be submitted no less than 8 days before the scheduled meeting date.



CITY OF ATLANTA

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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

May 11, 2016

Agenda Item: Review and Comment (RC-16-162) on an ordinance to increase the maximum allowable floor area in **Subarea III of the Grant Park Historic District** - Property is zoned SPI-22 (Subarea 4) / Grant Park Historic District (Subarea 3).

Applicant: Ben Curran
3438 Peachtree Road

Facts: The Grant Park Historic District contains three subareas. Subarea III is located on two adjacent half-blocks in the northern portion of the District immediately south of Memorial Drive. The majority of the Memorial Drive corridor is zoned SPI-22 which in most cases creates a development framework and expectation of higher density development along the corridor with transitional requirements to adjacent residential and lower-scale development. In several locations (including the two blocks that are zoned Subarea III within the District) the entire block is also within the SPI-22 zoning district, but only the southern half is within the District. Given Subarea III has FAR limitations that are less than what was anticipated in SPI-22, a conflict is created between the two zoning categories.

The proposed rezoning legislation would increase the residential floor area ratio (FAR) limitations of Subarea III of the District from .696 to 1.2 times the net lot area. No other regulations in the District would be revised.

The Staff would note that the Commission has currently deferred an application (CA3-16-070) that would be affected by this proposed change in FAR. If the proposed rezoning is adopted by the City, the pending review by the Commission of the proposed project would continue under the new FAR limitations.

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

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

The Staff finds that the proposed rezoning will be appropriate for the District designation and create an excellent opportunity to compatibly and sensitively revitalize an important corridor in the City for several reasons:

1. The physical characteristics of the surrounding properties in the District would not change;
2. The architectural requirements found in the existing District regulations that apply to the Subarea III properties would not be altered;
3. The Commission's role in reviewing development within Subarea III of the District would not change;
4. The Commission's ability to ensure that new construction, alterations, additions, site work, etc. will be compatible with the District as required by the District and other historic preservation-related zoning regulations would not change; and
5. Subarea III only contains a small number of properties at the very northern edge of the District such that any historic, residential buildings are located across the street from the Subarea III areas.

The Staff would also note that SPI-22 has design requirements that while not specifically historic preservation-based, do reinforce and/or reestablish a development pattern and site layout that is generally compatible with the development pattern and site layout of the period of significance of the District (front doors on the sidewalk, buildings up to the street, articulated building facades, etc.) As such, the change in density will not change the overall character of the District given the District and corresponding SPI-22 design regulations.

Staff Recommendation: Staff recommends that a letter with the Commission comments regarding Review and Comment (RC-16-162) on an ordinance to increase the maximum allowable floor area in **Subarea III of the Grant Park Historic District** be sent to the Secretary of the Zoning Review Board and appropriate City Staff.



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STAFF REPORT

May 11, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-164) for alterations, additions, and site work at **888 Edgewood Ave.** Property is zoned R-5 / Inman Park Historic District (Subarea 1) / Beltline.

Applicant: Vance B. Jones
888 Edgewood Ave.

Facts: The existing single family residence was constructed in 1930 and is considered contributing to the District.

Analysis: The following code sections apply to this application:

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

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

1. General criteria.
 - a. Except as otherwise provided herein, the procedures for determining the appropriate type of certificate of appropriateness shall be those specified in section 16-20.008 of the Zoning Code.
 - b. In the Inman Park Historic District, the commission shall apply the standards referenced below only if the standards set forth elsewhere in this chapter 20L do not specifically address the application including multifamily residential, institutional, commercial, industrial and mixed use structures in Subarea 1:
 - i. A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
 - ii. The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.
 - iii. Each property shall be recognized as a physical record of its time, place, and use. Changes shall not be undertaken that create a false sense of historical development, such as adding conjectural features or elements from other historic properties.
 - iv. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
 - v. Distinctive materials, features, finishes, and construction techniques, or examples of craftsmanship that characterize a property, shall be preserved.
 - vi. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and, where possible, materials.
 - vii. Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.

- viii. Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
 - ix. New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
 - x. New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
- d. Compatibility rule:
- i. The intent of the mayor and council in establishing the regulations of the Inman Park Historic District is to ensure that alterations to existing structures, and new construction, in Subarea 1 and alterations to existing contributing structures in Subarea 2 and Subarea 3 are compatible with the historic design, scale, and general character of the entire district as it existed in 1945, of the contributing structures in each subarea, and of the contributing structures in the immediately adjacent environment of a particular block face; and further, to ensure that lot platting in Subarea 1 is compatible with the historic platting pattern of Subarea 1 and of a particular block face as it existed in 1945.
 - ii. To further that intent and simultaneously permit flexibility in design, the regulations provide a compatibility rule which is as follows:
 - (a) Where quantifiable (i.e. building height, setback, etc.), the element or building characteristic in question shall be no less than the smallest such element or building characteristic of buildings or site layouts in that block face that characterizes such like contributing buildings and shall be internally consistent with the historic design of the structure and shall be no greater than the greatest such element or building characteristic of buildings or site layouts in that block face that characterizes such like contributing buildings or site layouts and shall be internally consistent with the historic design of the structure.
 - (b) Where not quantifiable (roof form, architectural trim, etc.) it shall be compatible with that which predominates in contributing structures on that block face and shall be internally consistent with the historic design of the structure.
 - f. Building height shall be measured on the front elevation from the average point of grade on the front elevation to the highest point of the roof or façade, whichever is higher.
2. Certificates of appropriateness.
- a. Notwithstanding any other provision herein, no certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - d. Type III certificates of appropriateness shall be reviewed by the commission and shall be required for:
 - ii. Additions that are visible from a public street or park, unless such additions are specifically exempted from a certificate of appropriateness in the subarea regulations.
 - e. Type IV certificates of appropriateness shall be required for demolition or moving of any contributing principal structure. A partial demolition of a contributing principal structure shall require a Type IV certificate of appropriateness only when said partial demolition will result in the loss of significant architectural features that destroys the structure's historic interpretability or importance.

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.

Alterations:

The Applicant has submitted proposed elevations, but has not provided existing elevations. Staff recommends the Applicant comprehensive photographic documentation of the existing structure, existing elevations which accurately reflect the current conditions of the structure, and a detailed scope of work which lists all proposed alterations to the structure and the site.

In comparing the proposed elevations to the inventory photographs for the property, the project appears to include numerous alterations to the front façade of the structure. These alterations include:

- The addition of windows in both front façade gables;
- Removal the front gable vents;
- The addition of a false eve line in the front façade gables;
- Removal of the non-historic shutters;
- Replacement of the front porch columns;

- Removal of the front porch stairs;
- Removal the architectural roof brackets;
- Removal of the front porch railing;
- Removal of the awning over the front porch;
- Replacement of the siding in the front gables;
- The addition of architectural trim to the front façade;
- The addition of window trim; and,
- The addition of horizontal lap siding over the existing brick façades.

On the side facades, The Applicant is proposing the removal of existing windows and the addition of new windows, the addition of new window trim, and the installation of horizontal lap siding over the existing brick façades. As Staff cannot confirm the extent of the proposed alterations with the materials available at this time, Staff is concerned that alterations other than those listed may also be proposed. Additionally, given the lack of information available at this time Staff is unable to accurately review the proposed alterations.

Additions

The Applicant is proposing a rear addition to the structure. Per the R-5 District regulations the subject property can have a total lot coverage of no more than 55% of the net lot area. Lot coverage calculations are required to include all impervious surfaces on the site including pavement and accessory structures. The lot coverage listed on the site plan provided only notes the area of the principal structure. Staff Recommends the Applicant provide an updated site plan which shows the existing and proposed lot coverage for all impervious surfaces on the site.

The subject property is non-conforming in regards to its frontage and area. As such, the R-5 regulations allow for a maximum floor area of 65% of the lot area, or 3,056 sf. The structure with the proposed additions is 1322 sf. Staff finds that the floor area requirements have been met.

The proposed addition will be setback from the west property line 7 feet, from the east property line 8 feet, and the rear property line 19 feet. For additions in the District, side yard setbacks are allowed to be no closer to the side yard lot lines than the existing contributing structure. Staff finds that the east side yard setback meets this requirement, but that the west side yard setback does not. As such, Staff recommends the west side yard setback be 10 feet. Rear yard setbacks are determined by the compatibility rule. No compatibility information has been received for the rear yard setback. Staff recommends the Applicant submit compatibility information for the proposed rear yard setback.

A rear deck is proposed, but does not appear on the site plan. Staff recommends the proposed deck be shown on the site plan.

The proposed addition will bump out from the west side façade and be capped with a side facing gable. Staff finds that the addition of a side gable will not be internally consistent with the architecture of the existing structure. Given this finding as well as the previous finding regarding the west side yard setback, Staff recommends the addition be flush with, or inset from, the west side façade of the structure. The proposed addition will be flush with the existing east side

façade. No compatibility information for the proposed fenestration pattern on the addition has been received. Staff recommends the Applicant submit compatibility information for the fenestration on the side facades of the proposed addition. As the rear of the structure will not be visible from a public right of way or public park, Staff has no concerns regarding the design of the rear façade.

No materials are noted on the plans. Staff recommends the plans note all materials proposed for use in the project.

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;

Staff recommends deferral of an Application for a Type III Certificate of Appropriateness (CA3-16-164) for alterations, additions, and site work at **888 Edgewood Ave**. Property is zoned R-5 / Inman Park Historic District (Subarea 1) / Beltline, to allow the applicant time to address the following Staff concerns:

1. The Applicant shall provide comprehensive photographic documentation of the existing structure, existing elevations which accurately reflect the current conditions of the structure, and a detailed scope of work which lists all proposed alterations to the structure and the site;
2. The Applicant shall provide an updated site plan which shows the existing and proposed lot coverage for all impervious surfaces on the site;
3. The west side yard setback shall be 10 feet;
4. The Applicant shall submit compatibility information for the proposed rear yard setback;
5. The proposed deck shall be placed on the site plan;
6. The Applicant shall submit compatibility information for the fenestration on the side façades of the proposed addition;
7. The plans shall note all materials proposed for use in the project; and,
8. The Applicant shall submit all updated plans and documentation no less than 8 days before the scheduled meeting date.



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KASIM REED
MAYOR

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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT May 11, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-166) for a variance to allow a reduction in the west side yard setback from a minimum of 3 feet (required) to 2 feet (proposed) for an accessory structure at **1089 Austin Ave.** Property is zoned R-5 / Inman Park Historic District (Subarea 1)

Applicant: Sean Cash
2308 – 5 Lawrenceville Highway, Decatur

Facts:

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.

2. Certificates of appropriateness.

d. Type III certificates of appropriateness shall be reviewed by the commission and shall be required for:

v. Variances and special exceptions.

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:

6. *Permitted accessory uses and structures:* These regulations permit uses and structures that are customarily incidental and subordinate to permitted principal uses and structures. These include but are not limited to the following, subject to limitations and requirements set forth herein or elsewhere in this part:

f. The following regulations shall apply to all permitted accessory uses and structures:

- iv. Accessory structures shall be placed behind the principal structure; side and rear setbacks shall not be less than three feet.

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.

The Applicant is requesting a variance to allow an accessory structure to be placed 2 feet from the west side property line. In their justification the Applicant states that the narrow width of the driveway requires a significant portion of the area to the rear of the principal structure to be used for a vehicle turnaround area. The need for a larger turnaround area requires the shed to be placed in the proposed location. While not related to the variance criteria, the Applicant also states that the current placement of the shed would allow for screening of the principal structure from the adjacent community center.

Staff is not convinced that the movement of the shed to the east 1 foot to comply with the 3 foot side yard setback requirement would prohibit the Applicant from having a sufficient turnaround area. Additionally, the Applicant has only responded to one of the variance criteria in their application. At this time Staff recommends the Applicant explore alternate placement methods and provide documentation that compliance with the 3 foot side yard setback for the accessory structure creates a hardship.

(CA3-16-166):

Staff Recommendation: Based upon the following:

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

Staff recommends deferral of the Application for a Type III Certificate of Appropriateness (CA3-16-166) for a variance to allow a reduction in the west side yard setback from a minimum of 3 feet (required) to 2 feet (proposed) for an accessory structure at **1089 Austin Ave.** Property is zoned R-5 / Inman Park Historic District (Subarea 1), to allow the applicant time to address the following Staff concerns:

1. The Applicant explore alternate placement methods and provide documentation that compliance with the 3 foot side yard setback for the accessory structure creates a hardship; and,
2. The Applicant shall submit all materials no less than 8 days before the scheduled meeting date.



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TIM KEANE
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CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT May 11, 2016

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-16-146) for alterations at **674 Holderness Street**. Property is zoned R 4A / West End Historic District / Beltline.

Applicant: Mahdi Chaney and Leigh Torrence
PO Box 4277

Facts: This existing single family residence was constructed in 1926 and 1927 and is considered contributing to the District.

Prior to the submission of this application, a Type II Staff Review application (CA2S-15-398) for repairs to the front porch, soffits, and trim, and the replacement of missing features was approved by Staff. After the issuance of the approval, Staff was notified that two side windows were being replaced without a permit or the required Commission review. The current application is for the review of the replaced windows.

Analysis: The following code sections apply to this application:

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

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

- (1) *Certificates of Appropriateness:* Certificates of appropriateness within this district shall be required as follows:
 - (a) *When required:*
 - (i) To change the exterior appearance of any portion of a structure within the district, when said change can be seen from the public right-of-way;
 - (b) *Type required:*
 - (i) Except as otherwise provided herein, the procedures for determining the appropriate type of certificate of appropriateness shall be those specified in section 16-20.008 of the Code of Ordinances.
 - (v) The following Type II Certificates of Appropriateness shall be review by the commission and shall be required for any of the following to the extent they are visible from a public street:
 - a. Alterations to any façade of any principal structure; and

- (2) *The Compatibility Rule:* The compatibility rule is a method of ensuring that alterations to existing structures and the design of proposed new construction are sensitive to and sympathetic toward existing elements of design, proportions, scale, massing, materials, and general character of the contributing buildings in the immediately adjacent environment of the block face. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The elements 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.), shall be no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same block face." Those elements to which the compatibility rule applies are specified in these regulations by reference to "compatibility rule."

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

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

- (1) *Generally:* The following building elements and architectural features shall be considered when applying section 16-20.009 of this chapter to the West End Historic District: doors, windows, foundations, finished floor elevations, roofs, roof features, gutters, downspouts, cornices, siding, porches, steps, terraces, dormers, shutters, awnings, gateways, archways, louvres, walls, fences, and gates.
- (2) *Building Façades:*
 - (c) All building materials, which upon completion are visible from the public right-of-way, are subject to the compatibility rule.
 - (d) Siding repair or replacement shall match the original in material, scale and direction. For new construction and additions, brick, wood or horizontal smooth cementitious siding is permitted.
- (3) *Windows and Doors:*
 - (a) Architecturally significant windows and doors, including details, trimwork, and framing, shall be retained.
 - (b) Original window and door openings shall not be blocked or enclosed, in whole or in part.
 - (c) Replacement windows and doors shall be permitted only when originals cannot be rehabilitated. Replacement windows and doors shall match the original in style, materials, shape and size, with no more than a one-inch width or height difference from the original size. The use of simulated divided lite windows is permitted.
 - (d) 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.
 - (e) The replacement and reconfiguration of windows on the side elevations to accommodate kitchens and bathrooms is permitted.
- (16) *Ornaments:*
 - (a) Architecturally significant ornaments, such as corner boards, cornices, brackets, downspouts, railings, columns, steps, doors and window moldings, shall be retained.
 - (b) Replacement ornaments shall be permitted only when originals cannot be rehabilitated.
 - (c) Installation of new ornaments, where none previously existed, shall be permitted only when it is in accordance with the architectural style of the original structure.

Two windows (one on the right side façade and one on the left side façade) are proposed for replacement to accommodate two new bathrooms. The Applicant has submitted drawings which show the existing/proposed conditions, but the side facades do not show the new smaller windows. Staff recommends the Applicant provide elevations which show the proposed windows on the side facades. The provided pictures show smaller windows installed. These windows slide horizontally as opposed to vertically. No information regarding the material of the replacement windows has been provided.

While the replacement of original windows to accommodate kitchens and bathrooms is permitted by the District regulations, those windows must still match the original in style, materials, and overall shape. Staff finds that the diminutive size and horizontal operation of the replacement

window are incompatible with the historic structure. Staff recommends that the currently installed replacement windows be removed and that they be replaced with windows which are smaller than the originals, but which match the originals in regards to style, materials, proportion, and operation.

In looking at the provided pictures, Staff finds that several portions of siding have been replaced in-kind. Staff has no concerns with this portion of the completed work. The pictures also show that the exposed rafter tails have been enclosed with wood panels. Staff finds that this alteration is incompatible with the architecture of the existing structure. Staff recommends the wood panels be removed and the rafter tails be exposed.

The floor plans show the rear window on the left side façade changing, however the elevations do not show any change to the rear window on the right side façade. Staff recommends the rear window on the right side façade be retained and that the plans be internally consistent.

Staff would also note that it appears the front porch columns were replaced without proper review and approval. In the initial Staff Review application, the columns were approved for in-kind repairs to the existing column but not for wholesale replacement. The new columns are wood and match the dimensions and style of the previously existing columns.

Staff Recommendation: Based upon the following:

- a) The completed work does not meet the regulations, with the exceptions noted above, per Section 16-20G.006

CA2-16-146

Staff recommends approval of an Application for a Type III Certificate of Appropriateness (CA2-16-146) for alterations at **674 Holderness St.** Property is zoned R-4A / West End Historic District / Beltline, with the following conditions:

1. The Applicant shall provide elevations which show the proposed windows on the side facades, per Sec. 16-20G.005(b)(i)
2. The currently installed replacement windows shall be removed and shall be replaced with windows which are smaller than the originals, but which match the originals in regards to style, materials, and operation, per Sec. 16-20G.006(2)(c);
3. The wood panels shall be removed and the rafter tails shall be exposed, per Sec. 16-20G.006(16)(a);
4. The rear window on the right side façade shall be retained and the plans shall be internally consistent, per Sec. 16-20G.006(2)(a); and,
5. 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 May 11, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-155) for rooftop alterations and an addition at 236 Auburn Avenue – Property is zoned M. L. King, Jr. Landmark District (Subarea 4).

Applicant: DJP Properties, Inc.
236 Auburn Avenue

Facts: The Odd Fellows Building is considered contributing to the M. L. King, Jr. Landmark District and is located on the northeast corner of Auburn Avenue and Jesse Hill, Jr. Drive. The building consists of two components: a commercial / office tower on the eastern end of the block and a two story, atrium / commercial / office portion on the west end of the block. The proposed work would take place on top of the two story portion closest to the street corner.

The application currently before the Commission includes the following components:

1. the addition of a rooftop entry vestibule;
2. new decking material for an existing deck;
3. a new railing along the edge of the deck near the west (street side) and north parapet walls; and
4. a service ladder on the east (interior) façade of the building.

The entry vestibule would be attached to the existing metal, butler-style roof top addition and have cementitious siding and a metal roof.

It is not clear if all of the other components shown on the roof plan already exist, such as the 4 ft. high fence in the southwest corner of the roof top; and the 4 ft. high screening around mechanical units, etc.

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:
 - ii. Additions;
8. 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.
9. 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.006. - Lot controls and building heights.

2. The following lot controls and building heights provisions shall apply to Subareas 3 and 4.
- a. Building heights.
 - i. Maximum building heights shall be permitted up to a maximum of one and one-half times the height permitted utilizing the compatibility rule, provided that:
 - (2) For property located west of Interstate 75/85, no building shall be permitted to exceed a maximum height of 68 feet.
 - iii. The building heights permitted in this subsection are intended to be the maximums authorized but are subject to further compatibility restrictions under other provisions of this district relative to building form, scale, massing and materials.

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.

The Staff has no concerns about the replacement of the decking and the service ladder on the interior (eastern) façade of the building.

Regarding the construction of the entry vestibule, the Staff finds that the wall sheathing material (cementitious siding) is not compatible with either the existing addition (butler-style metal panels) or the main, historic building (brick with cast stone). Roof-top additions should be secondary in detailing, visual presence, and size to the main, historic building as was done with the previous

additions. Further, roof top additions should be sheathed in materials that would be expected to be found on roof top appurtenances and utility related components, including metal or stucco. The Staff would recommend the entry vestibule be sheathed in metal panels similar to the existing roof top additions.

The handrail along the along the west and north parapet walls will be set-back from the back edge of the parapet wall 4-5 ft., where the Staff assumes the current metal picket railing is located. The existing railing is visible from the public street but does appear to be incomplete and/or varies in its distance from the edge of the parapet wall.

No information about the design, height or material of the new handrail.

The Staff would recommend the Applicant confirm the location, design and height of the existing deck railing. The Staff would recommend the new handrail be metal, be located along the edge of the existing deck, and be the lowest height possible to meet the building code.

Staff Recommendation: Based upon the following:

1. The plans meet the regulations, with the exceptions noted in the above analysis, per Section 16-20C.004, Section 16-20C.008, and Section 16-20C.009.

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-16-155) for rooftop alterations and an addition at **236 Auburn Avenue** – Property is zoned M. L. King, Jr. Landmark District (Subarea 4) with the following conditions:

1. The entry vestibule shall be sheathed in metal panels similar to the existing roof top additions, per Sec. 16-20C.004(1);
2. The Applicant shall confirm the location, design and height of the existing deck railing, per Sec. 16-20C.004(1);
3. The new handrail shall be metal, located along the edge of the existing deck, and be the lowest height possible to meet the building code, per Sec. 16-20C.004(1); and
4. The Staff shall review, and if appropriate, approve the final plans and documentation.



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CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

May 11, 2016

Agenda Item: Application for Type III Certificates of Appropriateness (CA3-16-159) for a variance to allow the use of an alternate block face for compatibility comparisons, and to allow an increase in the half-depth front yard setback from 0 feet (required) to 8.1 feet (proposed), and (CA3-16-158) for a new single family house at **559 Irwin St.** Property is zoned Martin Luther King, Jr. Landmark District (Subarea 2) / Beltline.

Applicant: Adam Stillman
350 Sinclair Avenue

Facts: This is currently a vacant lot

Analysis: The following code sections apply to this application:

Sec. 16-20C.004. General regulations

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

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

- i. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
 - j. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
2. The compatibility rule.
- a. Block definitions. The following words and terms, when used in this chapter, shall have the meanings ascribed to them in this section:
 - i. Block. An area of land located within a continuous perimeter of public streets. An individual block shall begin at the back edge of curb of the adjacent street. Interstate 75/85, when no intervening street exists, shall be permitted to count as an adjacent street for purposes of meeting this definition, beginning at the edge of the adjacent 75/85 right-of-way.
 - ii. Block face. One side of a block, located between two consecutive street intersections.
 - b. The intent of these regulations is to ensure that alterations to existing structures and new construction are compatible with the massing, size, scale, and architectural features of each Subarea and of the immediately adjacent environment of a particular block or block face. To further that intent and simultaneously retain flexibility, the regulations provide a "compatibility rule" which is: The element in question, such as roof form or architectural trim, shall match that which predominates:
 - i. On contributing buildings of like use along the same block face in Subareas 1 and 2.
 - c. Where quantifiable, such as building height or floor height, the element shall be no smaller than the smallest or larger than the largest such dimension of the contributing building(s) along the same block face in Subareas 1 and 2 and on individual blocks in Subareas 3 and 4.
 - d. Those elements to which the compatibility rule applies are specified in these regulations by reference to "compatibility rule."
 - e. Building height shall be measured on the front elevation from the average point of grade on the front elevation to the highest point of the roof or façade, whichever is higher.
 - f. For new construction of single-family or two-family dwellings, the final average finished grade of the lot shall be no higher than the highest grade level existing prior to such construction or related land disturbance at any point along the front yard property line adjacent to the public right-of-way. The intent and purpose of this grade provision is to prevent manipulation of grade levels in order to construct a taller dwelling than would otherwise be authorized.
 - g. Whenever individual block faces in Subareas 1 and 2 or individual blocks in Subareas 3 and 4 are void of contributing structures, the contributing structures located on the opposing block face shall be utilized for purposes of adhering to compatibility rule provisions. If the opposing block face is void of contributing structures, the contributing structures on the nearest block face along the same street frontage shall be utilized.
3. Certificates of Appropriateness.
- a. General Provisions.
 - i. The procedures for determining the correct type of Certificate of Appropriateness shall be those specified in Section 16-20.008, except as otherwise provided herein.
 - ii. No certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - c. Type III Certificates of Appropriateness. The following Type III Certificates of Appropriateness shall be reviewed by the Commission and shall be required for:
 - i. All new principal structures;
 - v. Variances, special exceptions and administrative appeals.
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. 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.

Variance Request

Alternate Block Face

Per regulations, the requirements for new construction are largely based on contributing buildings of like use on the block face. If there are no contributing houses on the block face, the opposing block face shall be used. If there are no contributing houses on the opposing block face, the nearest block face along the same street is used. In this case the opposing block face does not have contributing structures of like use. According to the Applicant, the closest block face with contributing buildings of like use contains narrow shotguns. Given the size of the existing lot, Staff does not have concerns regarding constructing a shotgun house on the existing lot. Staff finds the Applicant has not adequately shown that building a small house on a small lot is a significant hardship. Given the information we have at this time, Staff cannot support the variance request to allow an alternate block face. Staff recommends the Applicant provide additional information and documentation regarding a hardship for the proposed alternate block variance.

Notwithstanding the general concern regarding the lack of hardship, Staff has concerns regarding proposing Howell Street as the alternate block face. The Applicant submitted 589 Auburn Avenue as a point of comparison for the half depth front yard. If the currently proposed alternate block were approved, the house would be using two different streets for points of comparison. Staff finds using two different streets (Auburn Avenue and Howell Street) for points of comparison is not appropriate. As the proposed alternate block face (Howell Street) has no contributing corner lots, Staff finds either the Auburn Avenue block face be proposed or another block face with a contributing corner lot be proposed.

If an alternate block face is approved, all setbacks would be based on the compatibility rule. As the Applicant has not submitted compatibility information for the proposed alternate block face, it is not clear whether the house as currently proposed would meet the setback requirements. If a variance for an alternate block face is approved, Staff recommends the Applicant provide setback information for the approved block face.

Half Depth Front Yard

The regulations do not specifically address the requirements for half depth front yards. As such, Staff finds the requirements for front yards should be used. For all properties on the south side of Irwin and east of Boulevard within Subarea 2, Staff finds the required half depth front yard is 12'. If the closest Irwin block face is used as a point of comparison, Staff finds the project would require a variance to reduce the half depth front yard from 12' (required) to 8.1' (proposed). Given the size and shape of the existing lot, it would appear that approval of a reduction could be appropriate depending on the variance justification submitted. Staff would note that a revised variance request would need to be properly advertised. If the Auburn Avenue block face comparison is approved, Staff finds that increasing the half depth front yard from 0' (required) to 8.1' (proposed) is appropriate due to the size and shape of the existing lot.

New Construction

Per regulations, the design of new construction is based on the compatibility rule. As the comparison block face is not known at this time, Staff cannot determine whether the proposed house meets the requirements. While Staff finds the proposed new construction is generally compatible with the Howell Street block face, Staff finds there is documentation still needed. Specifically, the current proposal does not include compatibility information for the house height, first floor height, porch depth, fenestration pattern or façade arrangement. Staff recommends the Applicant provide compatibility information as required in the regulations.

In looking at the site plan, Staff has concerns regarding the off-street parking. Per regulations, there is no parking allowed between the building and the street. As the proposed parking is located between the building and the street, Staff recommends the proposed parking meet the requirements or the Applicant shall apply for a variance.

Given Staff's concern regarding the alternate block face, the likely requirement for a revised or new variance request and the need for additional compatibility rule information, Staff finds deferral of the variance and new construction application is appropriate at this time.

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 does not create an unnecessary hardship; and
- 3) Relief if granted may cause a substantial detriment to the public good;

Staff recommends deferral of the Application for a Type III Certificate of Appropriateness (CA3-16-159) for a variance to allow the use of an alternate block face for compatibility comparisons, and to allow an increase in the half-depth front yard setback from 0 feet (required) to 8.1 feet (proposed) at **559 Irwin St.** Property is zoned Martin Luther King, Jr. Landmark District (Subarea 2) / Beltline, to allow the Applicant to address the following concerns of Staff:

1. The Applicant shall provide additional information and documentation regarding a hardship for the proposed alternate block variance;
2. If an alternative block face is approved, the Auburn Avenue block face shall be used or another block face with a contributing corner lot shall be used; and
3. If an alternated block face is approved, the Applicant shall provide setback information for the approved block face.

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 (CA3-16-158) for a new single family house at **559 Irwin St.** 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 Applicant shall provide compatibility information as required in the regulations, per Section 16-20C.006 and 16-20C.008;
2. The proposed parking shall meet the requirements or the Applicant shall apply for a variance, per Section 16-20C.009; and
3. Appropriate copies of all plans and documentation shall be submitted to Staff no later than eight 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 May 11, 2016

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-16-163) for alterations and additions at **859 Confederate Avenue** - Property is zoned R-5 / Grant Park Historic District (Subarea 1) / Beltline.

Applicant: Robert Ross
847 Ormewood Terrace

Facts: The 1920s contributing building appears to be relatively unaltered from its original configuration with the exception of the added siding (including on the front porch gable and front porch columns), a previous rear addition, and the reconfiguration of the front façade windows and doors on the first level.

At this time, the Applicant is proposing the following actions:

1. Remove the vinyl and asbestos siding and repair/replace the existing wood siding underneath;
2. Repair the front porch;
3. Eliminate the two (2) middle front porch columns;
4. Replace the existing front porch railing with a new railing;
5. Relocate the front door to an existing window location and close the other doors on the front façade;
6. Add a second story at the rear of the house on the existing footprint of the house; and
7. Build a rear deck aligned with the right side of the house.

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

Analysis: The following code sections apply to this application:

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

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

(1) General Criteria.

- a. Notwithstanding any other provision herein, no Certificate of Appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
- b. Except as otherwise provided herein, the procedures for determining the appropriate type of certificate shall be those specified in section 16-20.008 of the zoning code.
- c. In Residential Subarea I, the commission shall apply the standards referenced in 16.20.009 only if the standards set forth in this Chapter 20K do not specifically address the application.

(2) Certificates of Appropriateness.

- c. Type III Certificates of Appropriateness shall be required for:
 2. All major alterations and additions to existing structure, with respect to any façade that faces a public street.

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

(1) Development Controls.

- a. Front Yards: Front yard setbacks shall either: i) conform to the setback of the previously existing contributing building of like use; or ii) shall be no closer to the street than the closest and no farther from the street than the farthest contributing structure of like use on that side of the block.
- b. Side Yards: Side yards shall either: i) conform to the setback of the previously existing contributing building of like use; ii) conform to the setback of the existing building; iii) conform to any existing pattern of unequal side yard setbacks previously established by a majority of the contributing buildings of like use on that side of the block; or iv) be of a width of not less than seven (7) feet.
- c. Rear Yard: Rear yard setback shall be seven feet.

(2) Architectural Standards.

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

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

B. Design Standards and Criteria for New Principal Structures.

1. Identified design elements of size, scale, massing and materials of new construction shall be substantially consistent with said identified design elements found in contributing structures of like use in the district as listed in subsection 16-20K.007(15)(c).
3. Front porches on the principal structure shall be required and shall be a minimum of one-third the width of the front façade and a minimum of seven feet in depth. Side porches shall be a minimum of four feet in depth. Porches may be enclosed by screen wire only, provided all the main features of a porch are maintained in place and the screening materials can be removed at a future date with minimal damage to said features.
4. All front façades and front porches of the principal structure shall face and be parallel to the lot frontage. Wrap around front porches are permitted.
5. Roof form above the front façade of the principal structure shall be gabled and/or hipped. Roof pitch shall be a minimum of 6 in 12. Roof pitch above porches shall not be restricted.
9. Decks, Balconies and Upper Level Terraces:
 - a. Decks shall be permitted only when located to the rear of the principal structure.
 - b. Decks shall be permitted at any level.
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.

Documentation Concerns

No site plan was included in the application submission, so the Staff cannot confirm the setbacks of the proposed addition and deck. The Staff would note that the side setbacks of the proposed rear addition and deck should be compliant given that they are on top of the existing footprint of the house (the rear addition) or aligned with the existing side façade (the deck). However, the rear yard setback is fixed at 7 ft. and both the addition and deck would need to meet the rear yard setback requirement.

The Staff would recommend that a complete and accurate site plan be submitted.

General Development Controls

Given the proposed scope of work, the proposed lot coverage should be the same as the existing lot coverage and thus meet the zoning regulations but as no site plan was included in the submission, the Staff cannot confirm this conclusion. Further, the floor area ratio calculations shown on the site plan are not complete. The Staff would recommend the Applicant provide lot coverage and floor area ratio calculations.

As noted above, it would appear that the side yard setbacks of the proposed work would meet the District regulations as being equal to the existing house's setbacks, The Staff would recommend the site plan indicate all of the setbacks of the existing house, the proposed addition and the proposed deck, and that all of the setbacks meet the District regulations.

Remove the vinyl and asbestos siding and repair/ replace the existing wood siding underneath.

The Staff has no concerns about the removal of the contemporary siding materials. In the project summary listed on the application, the Applicant noted that the siding might be replaced. The Staff would recommend that any original wood siding that can be repaired be repaired instead of replaced and if replacement is necessary it shall be in-kind.

Repair the front porch.

Though noted in the summary listed in the application, it is not clear to the Staff if the "repair of the front porch" consists of more than the specific action items otherwise called out for the front porch. The Staff would recommend the Applicant clarify the repairs to the front porch.

Eliminate the two (2) middle front porch columns.

In the photographs provided by the Applicant, the two (2) middle front porch columns are wrapped in vinyl siding. It is not clear if the columns underneath are original or historic to the house. Given the presence and size of the brick bases at the bottom of these columns (which appear original to the house) and the width of the span that would exist without middle columns, the Staff finds that the original configuration of the house would have included some type of column on top of the existing brick bases that would have been similar in design to the outside, corner columns. The Staff would recommend that if historic / original middle columns remain and are salvageable, they are repaired in-kind and if not, they are replaced in-kind. The Staff would further recommend that if no historic / original middle columns are present, new middle columns are installed that are compatible with the existing house and meeting the District regulations.

Replace the existing front porch railing with a new railing.

Based on the photographs provided by the Applicant, the Staff finds that the existing front porch railing is not historic or original to the front porch and as such the Staff has no concerns about the loss of historic fabric. In the proposed elevations, the new front porch railing looks almost the same as the existing front porch railing. The Staff would recommend the proposed front porch railing be compatible with the existing house and otherwise meet all of the District regulations.

Relocate the front door to an existing window location and close the other doors on the front façade.

The Staff would agree that the existing front door opening on the right side of front façade is not historic or original to the house. Based on the photographs provided by the Applicant and the interior room layout, the Staff finds that the left hand front door opening and paired windows in the middle of the facade are historic or original to the house and should be retained to avoid destruction of historic fabric. However, the District regulations also allow for fenestration alterations on contributing houses to meet the more general new construction fenestration requirements. The Staff would recommend that the Applicant document that the new fenestration pattern on the front façade meets either of the two standards for alterations to an existing contributing building.

Add a second story at the rear of the house on the existing footprint of the house.

Except for the concerns noted above about the setbacks, the Staff has no comments about the rear addition.

Build a rear deck aligned with the right side of the house.

Except for the concerns noted above about the setbacks, the Staff has no comments about the rear deck.

Staff Recommendation: Based upon the following:

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

Staff recommends approval of an application for a Type II Certificate of Appropriateness (CA2-16-163) for alterations and additions at **859 Confederate Avenue** - Property is zoned R-5 / Grant Park Historic District (Subarea 1) / Beltline, with the following conditions:

1. A complete and accurate site plan shall be submitted that indicates all of the setbacks of the existing house, the proposed addition and the proposed deck, and that all of the setbacks meet the District regulations, per Section 16-20K.007(1);
2. The Applicant shall provide lot coverage and floor area ratio calculations, per Section 16-20K.007(2)(D);
3. Any original wood siding that can be repaired shall be repaired instead of replaced and if replacement is necessary it shall be in-kind, per Section 16-20K.007(2)(D);
4. The Applicant shall clarify the repairs to the front porch;
5. If the historic / original middle columns remain and are salvageable, they shall be repaired in-kind and if not, they shall be replaced in-kind, per Section 16-20K.007(2)(D);
6. If no historic / original middle columns are present, new middle columns shall installed that are compatible with the existing house and meeting the District regulations, per Section 16-20K.007(2)(D);
7. The proposed front porch railing shall be compatible with the existing house and otherwise meet all of the District regulations, per Section 16-20K.007(2)(D);
8. The Applicant shall document that the new fenestration pattern on the front façade meets either of the two standards for alterations to an existing contributing building, per Section 16-20K.007(2)(D); and
9. The Staff shall review, and if appropriate, approve, the final plans and supporting documentation.



KASIM REED
MAYOR

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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
DIRECTOR
Office of Planning

STAFF REPORT
May 11, 2016

Agenda Item: Application for a Review and Comment (RC-16-171) on the Juniper Street streetscape proposal on **Juniper Street** - Properties are zoned variously.

Applicant: Matt Cherry, Lord Aeck Sargent
1175 Peachtree Street, Suite 2400

Facts: Several of the streets in the Midtown area have completed streetscape projects that are based on the design model established by the Peachtree Street streetscape that was designed and built prior to the 1996 Summer Olympic Games. Relatively unchanged since then, the typical Midtown streetscape package contains a standard palette of street furniture, materials, and design techniques.

The proposal before the Commission at this time would essentially extend this streetscape design package to Juniper Street from 14th Street on the north to Ponce de Leon Avenue on the south. As described in the Applicant's narrative, the streetscape renovations will include new street furniture, ADA ramps, concrete sidewalk and paver furniture zone, retention of existing trees, infill of new street trees, repaired / upgraded street lights, etc. Many of the existing sidewalks in good condition will be retained. The most significant component of streetscape proposal is the construction of a dedicated and protected bike lane on the west side of the street, the creation of permanent on-street parking, and bioswale-based storm water management.

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

- (5) The commission shall review the proposed location and design of buildings, bridges, viaducts, elevated ways, streets, highways, gates, fences, railings, lamp standards, and other structures or fixtures to be erected or placed on land belonging to the city, or on any private or public property which extends over or upon any property or right-of-way owned or controlled by the city.
- (7) The commission shall review the alteration, demolition, movement or construction of any structure, site or building which involves the use of capital expenditures by the City of Atlanta or capital expenditures by other public agencies or authorities which are required to submit plans for review by the city.

Given the general concept of the streetscape is an extension of the existing and previously reviewed Midtown streetscapes, the Staff does not have any overall concerns about the concept or general approach to the application of that design package to Juniper Street. The Staff has found that this streetscape design approach and material/architectural palette (plain concrete, colored pavers, standard street furniture, standard ADA ramp details, granite curbing in commercial areas, etc.) has provided the City and its partners the ability to create enhanced pedestrian experiences in specific parts of the City. At the same time, this approach has maintained some uniformity that has maintenance benefits and strengthens the overall City of Atlanta “look”. The Staff would continue to recommend that this design approach and materials / architectural palette be used for any future work on Juniper Street and all future streetscape work in Midtown.

For this particular proposal, the Staff does have a couple of questions.

First, not all street corners are proposed for right of way acquisition to allow for sidewalk expansion which the Staff assumes is due to budget or logistical reasons. Given that almost every cross street in the corridor has substantial pedestrian traffic, if / when additional funds are available the Staff finds that each corner could benefit for more space for pedestrians to wait / gather before crossing the street.

Second, in several locations the new street tree planter that separates the bike lane from the vehicle lanes includes the use of “porous concrete” between the tree wells. While the Staff assumes that this is to reduce maintenance (and the likely outcome that not much would grow in these locations), the Staff is still concerned about what could be a rather harsh and stark appearance to this material.

Third, the Staff would recommend that as much as possible the new streetscape features mesh seamlessly with the existing streetscape features to create a cohesive whole. This will avoid the appearance of a “tacked on” feature and lessen the creation of small forgotten spaces that look or are untended.

Fourth, the Staff would have concerns about the orientation of the ADA ramps in relationship to the travel lanes, particularly when one ramp has been used for both pedestrian movements. For example, on the northwest 10th Street corner, the ramp is oriented such that a wheelchair or stroller would have to venture slightly into the west bound travel lanes of 10th Street (which would be moving in sync with the pedestrian movement) before heading to the opposite corner.

Fifth, the Staff is concerned about an awkward design at the southwest corner of 10th Street that includes a traffic island out in the intersection that creates a south-bound turning slot which has a pedestrian crossing through it. Even though the southern eastbound travel lane of 10th Street has to turn south at this intersection, it would seem that additional conflicts would be created between bike riders, pedestrians and turning vehicles due to expectations of who has the right-of-way or not.

Staff Recommendation: The Staff recommends that the Commission confirm that it has delivered its comments to the Applicant at the Commission meeting regarding an application for a Review and Comment (RC-16-171) on the Juniper Street streetscape proposal on **Juniper Street** - Properties are zoned variously.



CITY OF ATLANTA

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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT
April 13, 2016
Updated May 11, 2016
(Updated text in italics)

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-101) for a variance to allow parking in the front yard at **709 Joseph E. Lowery Blvd.** Property is zoned R-4A / West End Historic District/Beltline.

Applicant: Olabisi Ajanaku
709 Joseph E Lowery Boulevard

Facts: According to the District inventory this single family residence is considered contributing to the District. The subject property is located at the corner of Oglethorpe Ave. and Joseph E. Lowery Blvd.

Prior to the submission of this application, the property received a Stop Work Order for installing a driveway and walkway in the Oglethorpe Ave. front yard without a permit. This application is to allow the driveway to remain in place.

At the April 13, 2016 meeting of the Atlanta Urban Design Commission, the Commission requested that an accurate survey/site plan be provided for the property showing the location of all associated features. Staff's updated analysis will be based off of these pictures and graphics.

Analysis: The following code sections apply to this application:

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

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

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

- (i) To change the exterior appearance of any portion of a structure within the district, when said change can be seen from the public right-of-way;
 - (ii) To erect a new structure or to make an addition to any structure within the district, when said addition can be seen from public right-of-way; and
 - (iii) To demolish or move any contributing structure, in whole or in part, within the district.
- (b) *Type required:*
- (vi) The following Type III Certificates of Appropriateness shall be reviewed by the commission and shall be required for:
 - a. All new principal structures.
 - b. Additions that are visible from a public street or park.
 - c. Revisions to previously approved plans that result in an increase in floor area ratio, lot coverage, height or a change in the building footprint.
 - c. Subdivisions and aggregations.
 - d. Variances.
- (3) *Variances:* The urban design commission shall have the power to hear, grant and deny variances from the provisions of this chapter (20G) when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, criteria, and appeal provisions for decisions regarding such variances shall be the same as those specified in chapter 26 of this part 46, which provisions are hereby incorporated herein.

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

(12) *Paved Surfaces:*

- (a) The original layout, patterns and paving materials of sidewalks, driveways, alleyways, curbs and streets shall be retained. The design and material of new replacement paving materials shall be subject to the compatibility rule.
- (b) The design and material of new paved surfaces areas, other than those specified in subsection (a) above, including driveways, walkways, and patios, or portions thereof, shall be subject to the compatibility rule.
- (c) New driveways shall not exceed a width of ten 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.

The subject property is situated with frontages along both Joseph E. Lowery Blvd. and Oglethorpe Ave. The two options for compliant driveways (i.e. a driveway which would extend beyond the front of the house) would be in either the west side yard or the south side yard. The variance is to allow parking in the Oglethorpe Ave. front yard in front of the house.

The subject property is non-conforming in regards to lot area. Additionally, the structure takes up the majority of the lot and is positioned in such a way as to make a compliant driveway difficult to place on the lot due to the closeness of the structure to the setbacks. The topography of the lot slopes downward from both Oglethorpe Ave. and Joseph E. Lowery Blvd. which would create a blind drive on either frontage. Further, Staff finds that there is a lack of street parking for the property as Joseph E. Lowery Blvd. is not wide enough to legally allow parking and a MARTA bus stop is situated directly in front of the house on the Oglethorpe Ave. frontage.

While not associated with any of the variance criteria, the Applicant has provided police reports documenting attempted theft and damage to her vehicle by both criminals and MARTA buses.

Staff finds that the criteria for granting a variance has been met.

The Applicant has provided an updated site plan/survey showing the actual dimensions of pertinent site features as well as pictures of the site. From the site plan/survey and pictures provided, Staff finds that a driveway that pulls past the front façade of the structure on the Oglethorpe Ave. frontage is not feasible due to the shallow side yard setback as well as dense vegetation between the structure and the property line. Additionally, the lower topography of this portion of the the lot would create a blind drive.

On the Joseph E. Lowery frontage the setback (about 9 feet) would allow for a reasonably sized driveway, however the topography of the lot would still create a blind drive on this frontage.

As such, Staff retains its previous recommendation.

Staff Recommendation: Based upon the following:

- a) The variance request meets the regulations per Section 16-26.003(1)

CA3-16-101

Staff recommends approval of an Application for a Type III Certificate of Appropriateness (CA3-16-101) for a variance to allow parking in the front yard at **709 Joseph E. Lowery Blvd.** Property is zoned R-4A / West End Historic District/Beltline.



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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

April 13, 2016

UPDATED

April 27, 2016

(Updated text shown in italic.)

UPDATED

May 11, 2016

(Further updated text shown in Arial.)

Agenda Item: Application for Type III Certificates of Appropriateness (CA3-16-120) for variances to reduce the rear yard setback from 50' (required) to 21' (proposed); and to reduce the east side yard setback from 20' (required) to 11' (proposed) to allow alterations and additions to an existing accessory structure; and (CA3-16-121) for alterations and additions at **1240 Fairview Rd.** - Property is zoned Druid Hills Landmark District.

Applicant: Kenneth P. Dooley
222090 Dunwoody Club Drive, Suite 106-235

Facts: According to the Druid Hills inventory, the single family house on the property was built in 1920 and is considered contributing to the District, as is the accessory structure. The property sits up from the side walk and street, with an existing granite retaining wall along the front property line.

The current application consists of the following actions:

1. Reduce the rear and east side yard setbacks to accommodate alterations and additions to the existing accessory structure;
2. Replace the existing front walkway and front site stairs with bluestone;
3. Construct new granite cheeks walls for the front site stairs and granite columns attached to the existing granite retaining wall;
4. Replace the timber wall along the front portion of the driveway with a raised granite, cobblestone curb;
5. Install a 5 ft. tall wood fence in the side and rear yards including a gate at the driveway and in the west side yard;
6. Install a wood fence / corral for trash cans on the east side of the house;
7. Repave the existing driveway with colored concrete.
8. Reconfigure the existing driveway / parking area in the rear yard by removing existing paving along the property line and adding paving towards the interior of the yard;

9. Install an in-ground pool and pool terrace in the rear yard;
10. Construct retaining walls, walkways, stepping stones, or terraces in the rear yard;
11. Renovate the existing accessory structure, to include new siding, windows, roof form, eave detail, and stone chimney.
12. Construct a two-story addition on the west side and an exterior stair on the east side of an existing accessory structure;
13. Repair the front façade siding and columns of the house using materials that match the existing;
14. Add a new balustrade / railing to the front porch;
15. Replace the existing front porch stairs with bluestone stairs;
16. Build new bluestone stairs off of the east side of the front porch to connect to the driveway;
17. Replace existing wood stair off of the west side of the front porch with granite / bluestone stairs;
18. Reconfigure the windows on the west side of the house;
19. Reconfigure the windows on the east side of the house and eliminate the enclosed side porch;
20. Add a shed roof, four window dormer above the front entry way of the house;
21. Extend the ridge line of the main hip to the rear and add a light atrium to the middle of the hipped roof; and
22. Add a two-story addition to the rear of the house, including a screened rear porch, rear sunroom, rear facing second floor balcony, and rear facing skylights.

At the April 13, 2016 Commission meeting the Commission deferred this application to allow time for the Applicant to address the concerns and comments of the Staff in the Staff Report. On April 19, 2016, the Applicant submitted revised plans that responded to the concerns and comments. It is these revised plans that are addressed in this updated Staff Report.

At the April 27, 2016 Commission meeting the Commission deferred this application to allow time for the Applicant to address the concerns and comments of the Staff in the Staff Report. On May 4, 2016, the Applicant submitted revised plans that responded to the concerns and comments. It is these revised plans that are addressed in this updated Staff Report.

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.
 - (g) Type III certificates of appropriateness shall be reviewed and decided by the Commission and shall be required for:
 - i. All new principal structures.
 - ii. All additions to existing principal structures and accessory buildings, including decks.
 - iii. All new accessory structures.
- (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.
- (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 six 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.
- (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:
 - 1. North side, Moreland Avenue to Springdale Road, NE:
 - Front yard: 65 feet.
 - Side yards: 20 feet.
 - Rear yard: 50 feet.
- (6) Maximum height: No building shall exceed a height of 35 feet.

Sec. 16-20B.008. Variances, special exceptions and appeals.

- (1) The Commission shall have the power to hear, grant or deny all variances from the sections of this chapter and all special exceptions as will not be contrary to the public interest when, due to special conditions, a literal enforcement of the provision in a particular case will result in unnecessary hardship, provided that the spirit of the chapter shall be preserved, public welfare and safety secured, and substantial justice done. The criteria and the procedures for such variances and special exceptions shall be the same as so specified in chapter 26 of this part for the board of zoning adjustment.
- (2) Appeals from decisions of any administrative officials shall be made to the urban design commission, the same as so specified for the board of zoning adjustment in section 16-30.010, chapter 30 of this part.

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

In their submission the Applicant notes that existing garage is within the required setbacks, the stairs are required for accessibility, the addition and stair locations are consistent with the existing garage, the proposed work will not have any impact on surrounding properties, and the resulting design will be consistent with other accessory structures in the District.

While the Staff generally concurs with Applicant's conclusions, it finds that the Applicant has not documented that there is any hardship in meeting the side yard setback requirement for the stairs or that there is hardship to not having an addition. Further, it is not clear to the Staff that there are peculiar or exceptional conditions to the property that would necessitate a variance. The Staff certainly understands the functional and aesthetic considerations of the proposed design, but is concerned about the lack of documentation specifically addressing some of the variance criteria.

The Staff would recommend the Applicant document compliance with all of the variance criteria.

No addition documentation or information was included in the revised submission regarding the variance criteria. The Staff would note that the completely new east side front porch stairs would meet the 11 ft. side yard setback that has been requested if the commission approves that variance request. The alterations and additions to the existing garage structure have been revised to eliminate the need for the side yard setback reduction for that component of the project but would increase the amount of the variance request for the reduction in the rear yard setback (see design commentary below).

Nonetheless, the Staff would retain its previous recommendation to complying with all of the variance criteria for the reduction in the rear yard setback (for the alterations and additions to the existing garage) and the east side yard setback (for the east side front porch stairs).

The Applicant has eliminated the stairs on the eastern side of the front porch such that the side yard setback is not required any more. Regarding the rear yard setback variance, the exterior stairs have been eliminated from the proposal reducing the amount of the variance request from a reduction to 21 ft. to a reduction in about 25 ft. The Staff would note that the rear yard setback for all buildings is 50 ft. Only swimming pools and accessory structures related to them can use the 25 ft. rear yard setback standard. No additional analysis was provided that supports the rear yard setback variance. The Staff would retain its previous recommend as it pertains to the rear yard setback.

General Development Controls

The proposed lot coverage is not indicated on the site plan. The Staff would recommend the Applicant document compliance with the maximum lot coverage requirement.

In the revised submission, the Applicant calculated the proposed lot coverage at 8,522 sq. ft. Given the lot is 21, 780 sq. ft.; the lot coverage percentage would be about 39%. While this exceeds the limitation of 35%, it is a reduction from an existing and larger non-confirming percentage. As the new lot coverage reduces the level of non-conformity, the Staff finds that it complies with the District regulations and the City's standard assessment of levels of non-conformity.

None of the addition to the main house is within the front or side yard setbacks, but the Staff is concerned about the replacement/rebuilding of the front porch stairs and the stairs off of the west side of the front porch, and the construction of the new stairs off of the east side of the front porch. If the existing stairs are completely demolished and their footprint or size is changed, the new stairs need to meet the setback requirements. The completely new stair on the east side needs to meet the setback

requirements regardless. The Staff still has the concerns about the side and rear yard setback requirements related to the accessory structure work. The Staff would recommend all of the components of the project meet the setback requirements.

The Staff has found that the front porch stairs and west side stairs will be rebuilt within their existing footprint and as such would meet the setback requirements. As noted below, the Staff would still retain its design comments and concerns about the front porch stairs and west side stairs, as well as the addition to the accessory structure (see design commentary below).

The survey submitted with the plans indicates that no portion of the property is within a “federal flood area”.

The District regulations restrict building on slopes of greater 25% for single-family structures (including additions thereto) and 15% for other structures. While likely not an issue the Staff would recommend the Applicant document compliance with all of the District’s slope disturbance requirements.

In the revised submission, the site plan now notes that there are no slopes over 15% on the site.

Site Work

Replace the existing front walkway and front site stairs with bluestone.

Though they have existed for some time, it is not clear if the existing front walkway and front site stairs are original or historic to the District. The Staff would not support the creation of a new front walk and stairs where none previously existed or where there were historic materials existed that could be repaired in-kind vs. replaced wholesale. The Staff would recommend the Applicant document the existing condition and origins of the front walk and stairs, and the rationale for its replacement. The Staff would further recommend that if replacement of the front walk and site stairs is warranted, the replacement occur in-kind if the materials are original or historic to the property.

In the revised submission, the Applicant refers to the previously submitted site condition photographs. The Staff would note that the existing condition photographs appear to show that the front walkway and front site stairs are in good condition and could be repaired. Further, these photographs do not provide information about the origin of the front walkway or front site stairs. Given the Staff had already reviewed the previously submitted photographs and no additional information was provided, the Staff would retain its previous recommendation.

In the current submission, the Applicant provided photographs that show the front walkway and front stairs are likely contemporary features of the house and as such their replacement would not destroy historic materials. Further, the Staff finds that the proposed replacement front walk and stairs are compatible with the existing house / property, particularly the existing front porch stairs and granite retaining walls, thus meeting the District regulations.

Construct new granite cheeks walls for the front site stairs and granite columns attached to the existing granite retaining wall.

The Staff finds that the existing stucco cheeks walls and columns are not likely original or historic to the property and as such does not have a concern about their replacement with granite. However, the Staff would recommend the granite cheek walls and columns are only as tall as is needed to properly retain the surrounding earth and appropriately tie into the existing granite retaining wall.

In the revised submission, the Applicant noted that the proposed walls would comply with the Staff's concern. However, given that there are no site elevations provided, the Staff would retain its previous recommendation.

In the current submission, the plans now include notes that the top of the proposed granite cheeks walls and columns will not be any taller than the existing walls (3 ft.). The Staff finds that the proposed design, height, and materials of the cheek walls and columns meets the District regulations.

Replace the timber wall along the front portion of the driveway with a raised granite, cobblestone curb. Given the existing timber wall is made of railroad ties, the Staff has no concerns about its replacement. However, it is not clear the design or height of the granite cobblestone curb. The Staff would recommend the Applicant document the design and height of the driveway curb and that it meet the District regulations.

In the revised submission, the Applicant noted that the driveway curb will be a low granite wall that ties into the front retaining wall. However, given that there are no site elevations provided, the Staff would retain its previous recommendation.

In the current submission, the plans now include notes that the top of the proposed curbing / walls will not be any taller than the existing walls to which they will attach on the west side of the driveway (about 3.5 ft. at its tallest) and will be a low curb on the east side of the driveway. The Staff finds that the proposed design, height, and materials of the driveway curb / walls and columns meet the District regulations.

Install a 5 ft. tall wood fence in the side and rear yards including a gate at the driveway and in the west side yard.

While the Staff has no concerns about the height and location of the fence, it is not clear the design of the fence. The Staff is particularly concerned about the sections of fence forward most in the property closest to the house. The Staff finds that a traditional wood privacy fence would not be appropriate for the portions of the fence in the side yards near the front façade that run east-west. The Staff would recommend the Applicant document the design and height of the fencing and that all portions of the fence meet the District regulations.

In the revised submission, the Applicant referred to photographs of fences similar to what they want to build. Given that these are essentially privacy fences (though only 5 ft. tall), the Staff would retain its previous concerns and recommend that the portions of the proposed fence forward most on the property shall be true picket fences (not privacy walls / fences) that are either wood or metal.

The current submission notes that the forward most portion of the fence will be 5 ft. tall and be a wood, decorative picket fence. The Staff finds that this design, height, and material meet the District regulations.

Install a wood fence / corral for trash cans on the east side of the house.

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

Repave the existing driveway with colored concrete.

It is not clear if the existing driveway is original or historic to the District. The Staff would not support the removal of historic materials that could otherwise be repaired in-kind vs. replaced wholesale. The Staff would recommend the Applicant document the existing condition and origins of the driveway and

the rationale for its replacement. The Staff would further recommend that if replacement of the driveway is warranted, the replacement occur in-kind if the materials are original or historic to the property.

In the revised submission, the Applicant refers to the previously submitted site condition photographs. The Staff would note that the existing condition photographs only show the portion of the driveway closest to the garage (which will be replaced for the new parking / turn around area) and appear to show that at least that portion of the driveway is in good condition and could be repaired. Further, these photographs do not provide information about the origin of the rest of the driveway. Given the Staff had already reviews the previously submitted photographs and no additional information was provided, the Staff would retain its previous recommendations.

In the current submission, the Applicant provided several additional photographs of the driveway documenting its poor condition and numerous previous repairs. It appears that there is one section of potentially original concrete near the garage building, which is being used as an example for the new driveway, which will be a beige tinted concrete with a broom finish. The Staff finds that this design and material meets the District regulations.

Reconfigure the existing driveway / parking area in the rear yard by removing existing paving along the property line and adding paving towards the interior of the yard.

The District regulations restrict off-street parking within 20 ft. of any property line. As the amount of paved area that could be used for parking within that 20 ft. distance is being reduced, the Staff finds that the level of non-conformity is being reduced. However, since it appears the entire driveway is being replaced, the Staff would recommend the Applicant document that only the minimal amount of paving required for turning movements is being re-installed within the 20 ft. distance.

In the revised submission no additional analysis was provided that showed that the minimum amount of paving was being retained / installed along the property line for turning movements. In reviewing the site plan in the revised submission, it would appear that a portion of the forward part of the paved area in front of the garage could be removed and still provide enough space for someone backing out of the garage and/or the parking area closest to the lawn to turn around. The Staff would retain its previous recommendation.

In the current submission, the driveway / parking area has been reduced in size such that a planting strip has been created along the east property line. The Applicant noted that this was the minimum size needed to maintain an 8 ft. turning radius. The Staff would recommend that the turning radius movements be documented on the site plan to show that the minimal amount of paving has been utilized within the 20 ft. setback distance.

Install an in-ground pool and pool terrace in the rear yard.

The setback distance for pools is measured to the water's edge. As such, the proposed pool meets the District setback requirements. The Staff has no concerns about the design or placement of the pool or pool deck.

Construct retaining walls, walkways, stepping stones, or terraces in the rear yard.

The Staff does not have any concerns about the design, location, or height of the proposed retaining walls or the proposed walkway, stepping stones or terraces.

While it does not appear that trees will be removed for the project, the Staff would recommend the Applicant document that all tree removal and replacement will meet all of the District regulations.

In the revised submission, the Applicant provide tree recompense calculations and showed that all seven (7) trees to be removed will be replaced with seven (7) new trees that meet the District regulations.

Accessory Structure Work

Renovate the existing accessory structure, to include new siding, windows, roof form, eave detail, and stone chimney.

The Staff considers the accessory structure original or historic to the property and contributing to the District. While the Staff understands the interest in renovating the existing garage, it is concerned that the level of detail and the idea to “match” various features of the existing house will elevate too much the visual and architectural prominence of the currently vernacular building and otherwise eliminate its secondary relationship to the main house. The accessory structure can have some details that are similar to the existing house, but its level of ornamentation should be less than the existing house. The Staff is also concerned that the amount of work proposed for the accessory structure will amount to essentially rebuilding the accessory structure which could be considered a demolition of the accessory structure. Lastly, the Staff is concerned that the amount of work proposed for the accessory structure will unnecessarily remove historic features and fabric.

The Staff would recommend the renovation to the accessory structure retain more historic fabric and elements, be simplified in design, and be secondary in detail and ornamentation to the main house.

Apart from the relocation of the exterior stairs from the east side of the garage to the north side of the addition, no other components of the renovation have changed. The Staff would retain its previous recommendation.

In the current submission, the Applicant explained how they thought the proposed renovations meet the District regulations. In particular, they noted that several features of the existing building had already been replaced and provided photographs of odd design characteristics of the garage, including the unfinished concrete block foundation and foundation corners. While the Staff would agree that there are several features on the existing accessory structure that are not historic, the Staff is still concerned that making the accessory structure match the existing house will raise the architectural significance of the accessory structure too much. The Staff would recommend that the proposed elements of the renovated accessory structure be simplified versions of the elements on the main house and secondary in level of detail and ornamentation.

Construction a two-story addition to the west side and an exterior stair on the east side of an existing accessory structure.

In addition to the concerns noted above about the proposed setbacks, and the amount and detail of the renovation work, the Staff is also concerned about the size and level of detail of the proposed addition to the accessory structure. When completed, the proposed addition will make the existing accessory structure almost un-recognizable. The Staff would recommend the proposed addition’s size and massing be reduced in relationship to the existing accessory structure and its level of detail be similar to the existing accessory structure.

In the revised submission the addition to the accessory structure has a slightly smaller footprint (from about 12 ft. by 13 ft. to 12 ft. by 11 ft. 6 in.) and the exterior stairs on the east side of the accessory structure have been relocated to the north side of the addition such that the side yard setback variance

would not apply to the work on the accessory structure anymore. The new location of the stairs decreases the rear yard setback to about 19 ft. at its closest point, closer than the addition was in the previous design and less than the distance advertised in the variance request.

No other components of the addition have changed, including its two-story massing. The Staff would note that with the relocation of the stairs from the east side to the north side of the addition, the east side yard setback variance would only apply to the east side stairs of the front porch (see comments above).

Even with the slight reduction in size and the relocation of the exterior stairs, the Staff would retain its previous recommendation.

The Staff would further recommend that the addition to the accessory structure (including the relocated exterior stairs) align with the previously requested, though as yet not proven, variance reduction in the rear yard setback.

In the current submission, the Applicant noted why they thought that the addition was appropriate and compatible with the renovated, existing accessory structure, including the extensive use of windows on the second floor and the open terrace on the ground floor which would be distinct from the renovated, existing accessory structure. While the Staff does concur with that assessment, it would still recommend that the proposed elements of the addition to the accessory structure be simplified versions of the elements on the main house and secondary in level of detail and ornamentation.

The proposed addition to the accessory structure now conforms to the requested, though as yet not proven, variance reduction in the rear yard setback.

Alterations to the House

Repair the front façade siding and columns of the house using materials that match the existing.

It is not clear the repair work to be done on the existing front façade or columns. The photographs provided with the submission do not document any substantive damage or deterioration to either of these features. The Staff would recommend the Applicant provide more information about the necessity for the repair work to the front façade siding and columns and that such repair work shall meet the District regulations.

In the revised submission, the Applicant noted the specific repairs that will be undertaken to the front façade and front porch columns. The Staff would recommend that all repairs to the front façade and front porch columns be done in kind with as much existing historic material retained as possible, including but not limited to the retention of all of the front porch columns.

The current submission includes notes that appropriately respond to and align with the Staff's concerns. These notes should be added to the final permit drawings.

Add a new balustrade / railing to the front porch.

The Staff has no concerns about the proposed balustrade / railing on the front porch, if it is wood. The Staff would recommend the front porch balustrade / railing be wood.

In the revised submission, the new balustrade / railing is noted as wood.

Replace the existing front porch stairs with bluestone stairs.

Based on the photographs provided with the submission, the Staff finds the front porch stairs (which are granite) are original or historic to the house, though the railing is likely a contemporary addition. It does also not appear that the stairs are damaged or deteriorated. The Staff would recommend the front porch stairs are retained and repaired in-kind, and that if desired a new hand rail is installed that meets the District regulations.

In the revised submission, no additional information or documentation was included. The Staff would retain its previous recommendation.

The current submission includes notes that appropriately respond to and align with the Staff's concerns. These notes should be added to the final permit drawings.

Build new bluestone stairs off of the east side of the front porch to connect to the driveway.

Notwithstanding the concerns noted above about the setbacks, the Staff does not have significant concerns about this component of the project. However, it would recommend that the new stairs off of the east side of the front porch be all granite to be similar to the foundation of the front porch.

In the revised submission, the stairs on the east side of the front porch will be granite. The Staff has no concerns about this revised design.

In the current submission, these stairs have been removed from the proposal.

Replace existing wood stair off of the west side of the front porch with granite / bluestone stairs.

Notwithstanding the concerns noted above about the setbacks, the Staff does not have significant concerns about this component of the project. However, it would recommend that the new stairs off of the west side of the front porch be all granite to be similar to the foundation of the front porch.

In the revised submission, the stairs on the west side of the front porch will be granite with bluestone treads. The Staff has no concerns about this revised design.

Reconfigure the windows on the west side of the house.

While the Staff will address its concerns about the location and design of the addition below, it is also concerned about the reconfiguration of the windows on the west side of the house beyond those affected by the addition. It is not clear the rationale for the window relocation and this would unnecessarily harm historic fabric to the house. The Staff would recommend that except for those windows that are affected by the final design of the addition, the windows on the west side of the house are left as is and repaired in-kind as necessary.

In the revised submission, the dining room triple window is moved farther to the rear of the house (vs. being eliminated) and a single window on the first floor is still moved slightly farther to the rear. All of the other windows will be retained in repaired. The Staff does not have concerns about these revised window actions.

Reconfigure the windows on the east side of the house and eliminate the enclosed side porch.

In contrast to the west side of the house, the east side of the house has been previously altered such that the windows from the projecting portion to the back of the house are not original or historic to the house and in fact are generally incompatible with the house. The Staff would recommend, however, that the

new windows on the west side of the house are similar in design and material as the existing, original windows on the house.

The Staff would amend its previous recommendation to reference the windows on the east and west sides of the house.

The current submission includes notes that appropriately respond to and align with the Staff's concerns. These notes should be added to the final permit drawings.

As for the removal of the previously enclosed side porch, the Staff is not able to determine if this is an original feature of the house, given the photographs provided in the submission. If this feature is original or historic to the house, the Staff is concerned about the unnecessary loss of historic fabric. The Staff would recommend that the Applicant document the status and condition of the enclosed side porch on the east side of the house and if it is original or historic, it shall be retained and repaired in-kind.

In the revised submission, the Applicant stated that the windows in the enclosed side porch were not original or historic, or have been modified. They did agree that the windows were older and noted that they will be incorporated into the new addition. No new documentation or photographs were provided to support their conclusions. The Staff would retain its previous recommendation.

In the current submission, the Applicant notes that the house has had a rear addition constructed which includes a wood deck, new kitchen addition, and entry vestibule. Further, the upper level of the house above the sunroom has also been changed (or significantly added to) as evidenced by the large horizontal window. All of these alterations / additions are well behind the sunroom or above the sunroom, which is the Staff's main concern on this side of the house. No information was included that supports the complete reconfiguration of the sunroom on the main level. The Staff would retain its previous recommendation as it relates to the sunroom.

Add a shed roof, four window dormer above the front entry way of the house.

The Staff is concerned that the new shed dormer will both eliminate the original hipped, accent roof over the front façade projection and introduce an incompatible element to the house's architectural style. The simple, uninterrupted front facing roof plane is a significant characteristic of the existing house. The dormer would add a stark element to that and would create a "stacked" effect to the center of the house given the copying of the window pattern from below. The Staff would recommend the front dormer be eliminated from the design.

In the revised submission, the front dormer has been retained in the design and no information or documentation was provided to support the inclusion of this design element. The Staff would retain its previous recommendation.

In the current submission, the front dormer has been removed from the design and two small, shed roof dormers have been added to the side planes of the main roof. The Staff finds that this alteration is compatible with the house and otherwise meets the District regulations.

Extend the ridge line of the main hip to the rear and add a light atrium to the middle of the hipped roof.

While it is not clear to the Staff the benefit of extending the ridge line of the main hip to the rear (and it how the geometry of the new roof would work), the Staff does not have concerns about it from an architectural or design perspective. However, it is concerned about the light atrium to be added in the middle of the roof. The Staff is not aware of any light atrium on any house in the District. Further, it does find that it will be slightly visible from the public street and like a visible skylight, would not meet

the District regulations as an incompatible alteration. The Staff would recommend the light atrium be eliminated from the design.

In the revised submission, the extension of the existing ridge line has been lowered about 1 ft., which in turn lowers the light atrium. Though that Staff has no concerns about this revised design, it would note that the front elevation was not changed to reflect the lower light atrium location (i.e. the light atrium still appears on the front elevation drawing).

In the current submission, the front elevation now reflects the lower ridge line and the lack of visibility of the light atrium on the roof. The Staff finds the revised design is compatible with the house and meets the District regulations.

Addition to the House

Add a two-story addition to the rear of the house, including a screened rear porch, rear sunroom, rear facing second floor balcony, and rear facing skylights.

The Staff finds that at a general level, the proposed addition meets the District regulations. It is located to the rear of the house, will not significantly affect the massing of the house, will use similar materials as the house and is less tall than the existing house. The Staff's concern is that on the west side of the house, the addition will wrap around the side of the house eliminating: the projection on that side of the house, the current footprint of the house, the articulation of the side façade, and a distinctive triple window. Further, this addition raises the visual presence of the addition on the property (and thus diminishing the presence of the existing house) by exposing more of it to view from the street.

The Staff would recommend the west side of the addition not wrap around, be stepped in from, and retain more of the existing historic fabric on the west side of the house.

In the revised submission, the configuration and design of the west side of the addition is unchanged. The Applicant noted that the proposed addition met the setback requirements (which it does) and that larger extensions had been permitted before, such as at 924 Springdale Road. The Staff would note that 924 Springdale Road is not located in the City of Atlanta. The District regulations require that a variety of criteria be addressed, both quantitative (setbacks), and qualitative (compatibility, retention of architectural features and form, ability to distinguish between original and added portions of a property, etc.). In this case, it is the architectural and qualitative criteria that have not been met. The Staff would retain its previous recommendation.

In the current submission, the Applicant has revised the detailing on the addition to include a control joint at the foundation level where the addition starts on the west side of the house and will include a slightly different detail on the eaves of the addition. The Staff finds that this detailing will sufficiently differentiate the addition from the main house. Further, the distinctive triple window on the west side of the house will be shifted to the rear and retained. The Staff finds that the addition is compatible with the house and meets the District regulations.

CA3-16-120 (Variance):

Staff Recommendation: Based upon the following:

- a) Except as noted above, the Applicant has not shown the variance request meets all of the variance criteria, per Section 16-26.003

The Staff recommends approval of the application for a Type III Certificate of Appropriateness (CA3-16-120) for variances to reduce the rear yard setback from 50' (required) to 21' (proposed); and to reduce the east side yard setback from 20' (required) to 11' (proposed) to allow alterations and additions to an existing accessory structure, to allow time for the Applicant to address the following comments and concerns:

1. All components of the project shall comply with the side yard setback requirements, per Section 16-20B.005(5)(a)(1); and
2. The Applicant shall document compliance with all of the variance criteria for the rear yard setback, per Section 16-26.003.

CA3-16-121 (Design Review):

Staff Recommendation: Based upon the following:

- a) Taking into account the Staff's recommendation regarding CA3-16-120; and
- b) Except as noted above, the proposed design does meets the District regulations, per Section 16-20B.

The Staff recommends approval of the application for a Type III Certificate of Appropriateness (CA3-16-121) for alterations and additions at 1240 Fairview Rd., with the following conditions:

1. The turning radius movements shall be documented on the site plan to show that the minimal amount of paving has been utilized within the 20 ft. setback distance, per Section 16-20B.003(3);
2. The proposed elements of the renovated accessory structure and the addition to the accessory structure shall be simplified versions of the elements on the main house and secondary in level of detail and ornamentation, per Section 16-20B.003(6);
3. The Applicant shall document the status and condition of the enclosed side porch / sunroom on the east side of the house and if it is original or historic, it shall be retained and repaired in-kind, per Section 16-20B.003(6); and
4. The Staff shall review, and if appropriate, approve the final plans and supporting materials.