



CITY OF ATLANTA

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TIM KEANE
Commissioner

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Director, Office of Planning

STAFF REPORT

June 22, 2016

Agenda Item: Application for a Type IV Certificate of Appropriateness (CA4PH-16-223) for demolition due to a threat to public health and safety at **995 Sparks Street**- Property is zoned R-4A/ Oakland City Historic District.

Applicant: City of Atlanta Code Compliance
818 Pollard Boulevard, SW

Facts: According to the Oakland City Inventory, this single family dwelling was built in 1920 and is considered a contributing building.

Analysis: The following code sections apply to this application:

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

The following general regulations shall apply to the Oakland City Historic District.

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

(a) *When required:*

iii. To demolish or move any contributing structure, in whole or in part, within the district.

(b) *Type required:*

ii. When a certificate of appropriateness is required under the provisions of subsection (a) above, the procedures for determining the appropriate type of certificate shall be those specified in section 16-20.008 of the Zoning Code. Provided, however, that a partial demolition shall require a type IV certificate of appropriateness only when said partial demolition will result in the loss of significant architectural features which destroys the structure's historic interpretability or importance.

Per Section 16-20.008

(d) Type IV Demolitions: Demolition of a Landmark Building or Site, a building or site in a Landmark District or a contributing building or site in a Historic District, constitutes an irreplaceable loss to the quality and character of the City of Atlanta.

Therefore, all demolitions of said specified buildings or sites shall require a type certificate of appropriateness. Said certificates shall be granted according to the following procedures and standards:

- (1) Conditions: Type IV certificates of appropriateness shall be issued by the commission only when (1) or both of the following two (2) conditions have been established pursuant to the standards and criteria required below:
 - a. The demolition is required to alleviate a threat to public health and safety;
- (2) Standards and criteria: The standards and criteria required to be shown in order to establish the existence of the conditions specified in subsection (d)(1) above shall be as follows:
 - a. Threats to public health and safety:
To prove the existence of a threat to public health and safety, the applicant must establish, and the commission must find, the following:

Type IV and In-Rem Process

Generally, if an Applicant is applying for a demolition based on a public threat to health and safety, the Applicant is required to provide information and documentation for all the questions in the application. In this particular case, the property has gone through the In Rem process and the Applicant is the City of Atlanta. Below is a description of the In Rem process as described by the Office of Code Compliance:

“The In Rem process, as defined is the process “against the property” versus against the individual owner. The cases that are handled by my office are cases where the Code Enforcement Officer (CEO) has been unsuccessful in either identifying the owner, the owner is out of state or out of this jurisdiction, the owner is indigent or the owner is deceased and heirs either cannot be identified or fail to bring the property into compliance. The cases are due to code violations of Section 19 of the Atlanta Housing Code. Most, like the one on Sparks, remain open and vacant. The properties are problematic as they tend to be a refuge for criminals and or a danger to the public at large. The properties effect the quality of life for the neighbors as well as a safety hazard.

The In Rem board meets once a month to assist in the decision making of the City as to the action that should be taken to bring the properties into compliance either by demolition or cleaning and boarding the house. The resultant is a lien on the property for the expense incurred by the City to correct the non-compliance. The Board consists of individuals who are not City employees, who have been appointed by the Mayor and approved by City Council.”

The Applicant is not the owner and the In Rem process does not allow for repair, renovations or sale of the property. Staff finds the questions regarding cost, taxes, alternative uses, and property values are useful for informational purposes but do not always apply in City of Atlanta In Rem cases. Staff finds the most relevant questions in this case are the following:

1. Demonstrate through independent analysis and supporting information that a major and imminent threat to public safety exists; and
2. Present all reasonable alternatives for rectifying the threat and analysis of all such alternatives

Demonstrate through independent analysis and supporting information that a major and imminent threat to public safety exists

The following is the Applicant’s answer to this question:

“Inspection of the property by the Atlanta Fire Department (See Attachment “N”) and Code Enforcement demonstrates the degree of the threat to the general public. (See Residential Assessment Form- Attachment B).”

Present all reasonable alternatives for rectifying the threat and analysis of all such alternatives

The following is the Applicant's answer to this question:

“The property has been substantially damaged as a result of the fire event. No alternative is reasonable or cost effective. The Estate of Effie harper did not have a will. All heirs identified have shown no interest in the property and have not been responsive.”

Documentation and Conclusions

In looking at survey pictures taken at the time of the districts designation and more recent pictures taken in 2012, this existing dwelling appears to be occupied and in good condition. In looking at pictures submitted by the Applicant, the house has suffered a severe fire and most of the house is gone. Based on the pictures alone, Staff finds the existing parts of the house are beyond repair and are currently a threat to public health and safety.

In looking at the inspection form, the vast majority of the house needs to be replaced. The form indicates the total cost for repair and replacement, including permit fees is \$64,921.09. The Office of Code Compliance estimates the building is 843% deteriorated based on the current value of the property versus how much it would cost to bring it into compliance.

Staff finds this property is currently a threat to public health and safety and is beyond repair. Staff finds there are no reasonable alternatives to demolition. Staff finds demolishing the property does not destroy historic fabric and therefore does not harm the historic district. Given the information we have at this time, Staff supports the proposed demolition.

Staff Recommendation: Based upon the following:

- a) The Applicant has proven a public threat to health and safety, per Section 16-20.008;
- b) The Applicant has proven there are no alternatives to rectifying the public threat to health and safety.

Staff recommends approval of the application for a Type IV Certificate of Appropriateness (CA4PH-16-223) for demolition due to a threat to public health and safety at **995 Sparks Street**- Property is zoned R-4A/ Oakland City Historic District.



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STAFF REPORT June 22, 2016

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-16-224) for alterations at **786 Lowndes St.** Property is zoned R-4A/Adair Park Historic District (Subarea 1).

Applicant: Hudson Urban LLC
1136 Hudson Dr.

Facts: According to the District photographic inventory, this single family residence is considered contributing to the District.

Analysis: The following code sections apply to this application:

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

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

- (1) *Certificates of Appropriateness:* Certificates of appropriateness within this subarea shall be required as follows:
 - a. *When required:*
 - b. *Type required:*
 2. Except with regard to Type I certificates, the procedures for determining the appropriate type of certificate required under subsection 16-20I.006(1)a. above shall be those specified in section 16-20.008 of the zoning code, provided, however, that a partial demolition shall require a Type IV certificate of appropriateness only when said partial demolition will result in the loss of significant architectural features which destroys the structure's historic interpretability or importance.
- (4) *Architectural Standards:*
 - a. *Building façades:*
 1. All new construction shall conform to the existing building orientation (setbacks) by having sidewalks, front yards, porches and front doors facing and parallel to the street, and if located on a corner, the main façade shall face the principal street whenever possible.
 2. At a minimum, the front of all new construction, including any portion thereof, shall be placed at the distances from the street determined by the compatibility rule. This requirement shall also apply to those sides of corner lots which also face a street.
 3. All building materials which upon completion are visible from the public right-of-way, shall be compatible with those which predominate in the subarea.
 4. Siding repair or replacement shall match the original materials in scale and direction. Wood clapboard, if original is preferred; however, aluminum, masonite vinyl or other horizontal siding is permitted if window trim, cornerboards, and fascia/bargeboards are left in place or replaced with new material to match the original.
 5. Contemporary design of new construction, compatible with adjacent and surrounding structures, is permitted.

6. No structure shall exceed that height established by the compatibility rule, with a permitted differential of ten (10) percent.
- b. *Windows and Doors:*
1. Architecturally significant windows and doors, including details, trimwork, and framing, shall be retained.
 2. Original window and door openings shall not be blocked or enclosed, in whole or in part.
 3. Replacement windows and doors shall be permitted only when originals cannot be rehabilitated. Replacement windows and doors shall match the original in style, materials, shape and size with no more than a one-inch width or height difference from the original size.
 4. Dropped ceilings, when located below the head of a window, shall be sufficiently recessed from the window opening to maintain the original exterior appearance.
 5. New doors and windows, when permitted, shall be compatible in scale, size, proportion, placement, and style to existing windows and doors.
 6. The ratio of openings to solid for all new construction (for example, windows to wall) shall be established by the compatibility rule, with a permitted differential of ten (10) percent.
 7. The scale, size, and proportion of all openings in new construction shall be established by the compatibility rule with a permitted differential of ten (10) percent.
 8. New windows or doors added to existing structures shall be located on sides or to the rear of buildings, rather than on the front.
- e. *Chimneys:*
1. Chimneys shall match original materials, mortar, color and pattern whenever possible.
 2. New chimneys shall be faced with brick or stucco.
 3. Siding on chimneys is prohibited.
- h. *Accessory structures:* Accessory structures, such as carriage houses, smoke houses, greenhouses, tenant and alley houses, private garages, carports, electric vehicle charging stations equipped with Level 1 and/or Level 2 EVSE, air conditioners and heating units, can be located to the side or rear of the main structure within the buildable area of the lot and shall not project beyond the front of the main structure. In addition, said structures shall be located in the least visible location within permissible areas. Screening with appropriate plant or fence materials is required if said structure is visible from the public right-of-way.
- k. *Ornaments:*
1. Architecturally significant ornaments, such as corner boards, cornice, brackets, downspouts, railings, columns, steps, doors and windows moldings, shall be retained.
 2. Replacement ornaments shall be permitted only when originals cannot be rehabilitated.
 3. 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.

The Applicant is proposing to remove the existing Transite siding to expose the original lap siding. Any damaged portions of lap siding are proposed to be replaced. No information regarding the proposed replacement material has been provided. As such, Staff recommends that any small portions of original siding requiring replacement be replaced with wood lap siding matching the original in scale and direction.

The Applicant is proposing to remove an original window on the left side elevation and replace it with a smaller window to accommodate a kitchen. Staff has no concerns with the proposed alteration to accommodate the new kitchen. The Applicant has indicated their intention of adding a new window to one of the side elevations; however, this new window does not appear on the submitted drawings. Staff recommends the plans indicate the location of the proposed window addition. Further, Staff recommends the new window meet the regulations.

The Applicant is propping repairs to the existing accessory structure. New siding, doors, and a new roof are indicated by the plans on the front and side of the accessory structure. On the rear of the structure, the existing swinging doors are proposed for replacement with overhead doors. Staff has no concerns with the proposed repairs and alterations to the accessory structure.

Lastly, the Applicant is proposing to remove the original non-operational chimney. No justification for the removal of this historic ornament have been provided by the Applicant. Staff finds that the removal

of a historic ornament, such as a chimney, on the basis of the current operational state of the chimney is not an appropriate treatment of historic materials. As such, Staff recommends the chimney be retained.

CA2-16-224:

Staff Recommendation: Based upon the following:

1) The plans meet the regulations with the exception of the elements noted above, per Section 16-20I.006;

Staff recommends approval of the Application for a Type II Certificate of Appropriateness (CA2-16-224) for alterations at **786 Lowndes St.** Property is zoned R-4A/Adair Park Historic District (Subarea 1), with the following conditions:

1. Any small portions of original siding requiring replacement shall be replaced with wood lap siding matching the original in scale and direction, per Sec. 16-20I.006(4)(a)(4);
2. The plans shall indicate the location of the proposed window addition, per Sec. 16-20I.006(4)(b)(8);
3. The new window shall meet the regulations, per Sec. 16-20I.006(4)(b);
4. The existing chimney shall be retained, per Sec. 16-20I.006(4)(k)(1); and,
5. Staff shall review and if appropriate, approve the final plans and documentation.



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STAFF REPORT June 22, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-230) for alterations and an addition at **649 Lexington Ave.** Property is zoned R-4A / Adair Park Historic District (Subarea 1).

Applicant: Rick Bizot
1077 Alta Avenue

Facts: According to the Adair Park Inventory this single family dwelling built in 1922 is considered a contributing structure.

At the June 10, 2015 Commission meeting the Commission denied an application for a Type IV Certificate of Appropriateness (CA4PH-15-203) for demolition due to a public threat to health and safety at this address.

Analysis: The following code sections apply to this application:

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

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

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

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

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

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

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

(c) *Foundations:*

1. Foundation materials, including infill materials, shall replicate the original materials in size, shape, color, texture and mortar, and shall be installed using construction techniques similar to the original.
2. New foundations shall be of masonry or concrete construction. Other foundation materials are permitted provided they are appropriate to the building on which they are located and in scale, materials, and style with adjacent and surrounding buildings.
3. Slab on grade is not permitted.
4. Lattice, painted concrete block, brick or stucco shall be used as infill between foundation masonry piers when infill is otherwise required.

(f) *Roofs:*

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

Site

According to the City's records, this lot fronts 50' on Lexington Avenue and has a depth of 200'. Per underlying zoning, the side yard shall be no less than 7'. The side yard setbacks are more than 7' and therefore meet the requirements. Per underlying zoning, the rear yard setback shall be no less than 15'. The proposed rear yard setback is more than 15' and therefore meets the requirements.

Per underlying zoning, the maximum lot coverage allowed is 55%. The proposed lot coverage is 29.1% and therefore meets the requirement. Per underlying zoning, the maximum floor area ratio (FAR) allowed is .50. The proposed FAR is .22 and therefore meets the requirement.

Alterations

The applicant is proposing to remove the existing aluminum siding to expose the original wood clapboard siding. Any portions of the siding which are damaged are proposed for replacement with smooth faced cementitious siding. Staff recommends any siding requiring replacement be replaced in-kind.

The Applicant is proposing to remove the currently installed front porch screen. In its place will be installed a 36" porch railing. A new wood front door is proposed which will contain a rectangular lite opening similar to the original doors on the blackface. All other features on the front porch will be repaired or replaced in-kind as the situation warrants. Staff has no concerns with the removal of the porch screen or with the replacement railing.

Addition

While the south side of the addition will likely be seen from the public right-of-way, Staff finds the north side and rear of the addition will not be seen. As such, Staff will not comment on the design of the north side and rear facades. Staff finds design, massing materials and fenestration of the proposed addition are appropriate and compatible with the existing house. The lowered ridgeline, the change in fenestration design and the change in the façade and foundation material

will make the new addition easily distinguishable from the existing house. Staff has no concerns regarding the new addition.

Staff Recommendation: Based upon the following:

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

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-16-230) for alterations and an addition at **649 Lexington Ave.** Property is zoned R-4A / Adair Park Historic District (Subarea 1), with the following conditions:

1. Any siding requiring replacement shall be replaced in-kind, per Sec. 16-20I.006 (3)(a)(4); and,
2. Staff shall review and if appropriate, approve the final plans and documentation.



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STAFF REPORT

June 22, 2016

Agenda Item: Application for Type II Certificate of Appropriateness (CA2-16-233) for site work at **1641 South Ponce De Leon Avenue** – Property is zoned Druid Hills Historic District.

Applicant: William McDonald
1123 Zonolite Road NE

Facts: According to the architectural survey, the single family was built in 1920 and is considered contributing.

Analysis: The following code sections apply to this application:

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

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

(3) Landmark buildings and sites:

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

Sec. 16-20B.003. - General regulations.

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

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

(a) A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

(b) The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.

- (c) Each property shall be recognized as a physical record of its time, place, and use. Changes shall not be undertaken that create a false sense of historical development, such as adding conjectural features or elements from other historic properties.
- (d) Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
- (e) Distinctive materials, features, finishes, and construction techniques, or examples of craftsmanship that characterize a property, shall be preserved.
- (f) Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and, where possible, materials.
- (g) Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
- (h) Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
- (i) New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
- (j) New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

(2) *Certificates of appropriateness.*

- (a) Except as otherwise provided herein, the procedures for determining the correct type of certificate of appropriateness shall be those specified in [section 16-20.008](#) of the Zoning Ordinance.
- (b) Notwithstanding any other provision herein, no certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
- (c) No certificate of appropriateness shall be required for the removal of dead, dying, or hazardous tree as defined in the City of Atlanta Tree Ordinance or a tree with a diameter breast height of less than six inches.
- (d) Type I certificates of appropriateness shall be reviewed and decided by the Director of the Commission and are required for the following:
 - (i) In-kind repair or replacement of roofing material, and in-kind repair of driveways, walkways, other similar paving, windows, and exterior doors.
- (e) The following Type II certificates of appropriateness shall be reviewed and decided by the director of the commission and shall be required for new paving not visible from the public right of way, fences, walls, and retaining walls.

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

(f) The following Type II certificates of appropriateness shall be reviewed and decided by the commission and shall be required for the following:

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

(3) *Minimum off-street parking requirements:*

- a. Off-street parking spaces shall not be permitted in any front yard or 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 spaces for each dwelling unit.
 - 2. *For other permitted uses:* As indicated in [section 16-10.009](#).

(4) *Minimum landscape requirements:* The overall quality of the landscaped area visible from public right-of-ways should be preserved as an integral part of the historic character of the District. Any major alteration to the landscape or topography visible from the public right-of-way in the District shall maintain the general landscaping scale and character reflected in the original development of Druid Hills in order to preserve the historic landscape character of the District. Any major alteration to the landscape or topography visible from the public right-of-way shall:

- (a) Follow the standards set forth in [16-20B.003\(1\)](#);
- (b) Be consistent and compatible with the overall landscape plan and design on the property and block;
- (c) Maintain the spatial organization of an open space in front of the house, asymmetrical plantings on the sides of the principal structure and a rear tree canopy;
- (d) Not excessively or unnecessarily alter the natural topography of the site, with the exception of grading necessary to protect and preserve the integrity of a structure;
- (e) Ensure that any new grades shall meet the existing topography in a smooth transition;
- (f) Retain any existing historic circulation systems, including driveways, walkways and paths;
- (g) Ensure that any new circulation systems and substantial reconstruction of existing circulation systems is consistent and compatible with the existing circulation systems on the property and block with respect to layout, scale, materials, and topographic siting;
- (h) Ensure that any off-street parking be constructed of a material which will assure a surface resistant to erosion, have adequate access to a public street and have adequate circulation space; and
- (i) Comply with the provisions of the City of Atlanta Tree Ordinance with the following exceptions:
 - i. When the removal of trees is permitted by the commission, each tree removed shall be replaced with a tree of an appropriate species having a minimum caliper of two-and-one-half 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.

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

The Applicant is proposing to repave the existing driveway and reconfigure the existing parking. As the width, alignment and grade of the existing driveway will remain, Staff has no general concerns regarding the proposed repaving. Staff would note that no parking is allowed within 20' of any lot line. As such, the additional parking indicated on the site plan does not meet the requirements. Staff recommends any parking within 20' of a lot line is eliminated or the Applicant shall submit a variance application.

The Applicant is proposing to add a new patio space with a low retaining wall. In looking at the site plan, the patio will be installed along the rear of the home and around the existing side porch. While Staff has no concerns regarding the installation of the patio, it is not clear whether this will impact the existing brick porch on the front façade. Staff recommends the Applicant clarify whether there are any changes proposed for the existing brick porch on the front façade.

The Applicant is proposing to screen the existing cellar with brick walls and a gate. Staff has no concerns regarding the proposed screening. The Applicant is proposing new stone site stairs in two different areas. While Staff has no general concerns regarding the proposed new site stairs, Staff recommends the Applicant provide an elevation of what the stairs will look like. The Applicant is proposing to restore an existing pond in place. While Staff has no general concerns regarding the restoration of a pond, there are no details regarding what the restoration of the pond entails. Staff recommends the Applicant provide details regarding the restoration of the existing pond.

The Applicant is proposing to install plantings and trees in the front yard that are consistent with the plantings at the Shadyside Park across the street. While Staff finds that having an open lawn in the center with the plantings along the side is appropriate, the regulations require that new landscaping be consistent and compatible with the block. Staff recommends the Applicant provide documentation the design of proposed new landscaping plan is consistent and compatible with the block. The site plan indicates a new rear addition. As the new addition is not part of the current review, Staff recommends it be removed from the plans.

Staff Recommendation: Based upon the following:

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

Staff recommends approval of the Application for Type II Certificate of Appropriateness (CA2-16-233) for site work at **1641 South Ponce De Leon Avenue** – Property is zoned Druid Hills Historic District, with the following conditions:

1. Any parking within a 20' lot line shall be eliminated or the Applicant shall submit a variance application, per Section 16-20B.003(3)(b);
2. The Applicant shall clarify whether there are any changes proposed for the existing brick porch on the front façade;

3. The Applicant shall provide an elevation of what the stairs will look like;
4. The Applicant shall provide details regarding the restoration of the existing pond;
5. The Applicant provide documentation the design of proposed new landscaping plan is consistent and compatible with the block, per Section 16-20B.003(4);
6. The proposed rear addition shall be removed from the plans; and
7. Staff shall review and if appropriate, approve the final plans.



CITY OF ATLANTA

M. KASIM REED
MAYOR

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CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT June 22, 2016

Agenda Item: Application for a Review and Comment (RC-16-234) for window replacement at **191 Huntington Rd.** Property is zoned R-4/Brookwood Hills Conservation District

Applicants: John & Susan Hogshead
191 Huntington Rd.

Facts: This single family residence was constructed in 1925 and is considered contributing to the District.

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.

The Applicant is proposing the replacement of the windows in a non-historic sunroom addition to the rear of the structure. The windows will be replaced with wood windows which will be longer than the existing windows. Staff finds that the proposed windows would fit the architecture of the existing home to a greater extent than the existing windows do. Additionally, the rear porch has minimal visibility from the public right of way. As such, Staff has no concerns with the proposed alterations.

Staff Recommendation:

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



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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT June 22, 2016

Agenda Item: Application for a Review and Comment (RC-16-236) for alterations, an addition, and site work at **35 Palisades Rd.** Property is zoned R-4/Brookwood Hills Conservation District

Applicants: Frank Neely
1447 Peachtree Rd.

Facts:

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.

Site Work

The Applicant is proposing to install a new stone garden terrace and associated paths to the side and rear of the structure. While Staff has no general concerns with the proposed site work, staff recommends the Applicant clarify the type of stone proposed for the project.

Additions

The Applicant is proposing several additions to the existing structure. Firstly, the Applicant is proposing a new side porch on the left side façade of the structure. The proposed side porch will match the architecture and details of the front porch and porte cochere exactly. As such, Staff has concerns that the proposed side porch would be mistaken as an original feature of the structure. Staff suggests the Applicant consider simplifying some of the ornamentation to allow for the differentiation of the new work from the historic structure.

The Applicant is proposing install a two story addition in place of an existing, non-historic; two story addition on the rear of the property. The addition will be capped with a hipped roof on the right hand side of the rear façade, and on the left hand façade of the rear façade the Applicant proposes a chimney which will match the height of the main roof ridgeline and thereby be obscured from view. Three existing dormers on the rear roof plane will be relocated to accommodate the new hipped roof of the proposed addition.

In general, Staff finds the massing and fenestration of the proposed addition to be appropriate and that the architecture of the existing structure is reinforced by the proposed addition. Additionally, the use of a hipped roof on the addition helps distinguish that portion of the addition from the original structure, which makes use of full width gables over both side facades. This along with the addition being inset from both side facades helps greatly diminish the potential visual impact of the addition from the public right of way. However, As Staff has stated previously, the details and ornamentation of the proposed addition are too similar to the original structure and would diminish the overall interpretability of the structure. As before, Staff recommends the Applicant consider simplifying the ornamentation and details of the proposed addition to allow for differentiation of the new work from the historic structure.

Staff Recommendation:

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



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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

June 22, 2016

Application: Type III Certificate of Appropriateness (CA3-16-238) for variance to allow a reduction in the front yard setback from 30 feet (required) to 15 feet (proposed), and to allow a reduction in the side yard setbacks from 7 feet (required) to 3 feet (proposed), and (CA3-16-237) for a new single family residential structure at **952 (aka 0) Austin Ave.** Property is zoned SPI-5 (Subarea 3) / Inman Park Historic District (Subarea 1).

Applicant: Tommy Pelletier
972 Dekalb Avenue

Facts: This is currently a vacant lot on the north side of Austin Avenue, near Freedom Park. To the right of this lot are several new houses there were built before the creation of the Inman Park Historic District under the SPI-5 regulations. To the left of this lot are contributing buildings to the Inman Park Historic District.

The proposed house would be a Prairie style house. It would be two stories with a projecting half-width front porch, a driveway / porte cochere on the left side of the house, a hipped roof, and integral rear porch.

Analysis: The following code sections apply to this application:

Sec. 16-18E.001. - Scope of provisions.

The regulations set forth in this chapter, or set forth elsewhere in this part when referred to in this chapter, are the regulations in the SPI-5 Inman Park Special Public Interest District. These regulations shall supplant any districts or portions of districts currently existing within the SPI-5 Inman Park District.

Sec. 16-18E.002. - State of intent.

The intent of the council in establishing the Inman Park Special Public Interest District is as follows:

- (1) To physically and architecturally reintegrate the Inman Park neighborhood by developing public park space and new low density housing in areas that were cleared as a result of public action for the construction of a freeway plan subsequently abandoned;
- (2) To provide for the development of new housing fronting on the public park, and to provide for open space, so as to protect views both to and from the public park and open space;
- (3) To assure that the development and management of this neighborhood public park and open space provides a passive, neighborhood park space, including neighborhood facilities such as a children's playground, but not including any regional facilities such as an amphitheater, in a manner consistent with the goals, objectives, and plans of the Freedom Park Concept Plan;

- (4) To provide for the development of single-family and limited two-family housing on lots so specified in this chapter in order to implement the goals and objectives of the City of Atlanta 1996 Comprehensive Development Plan and the Freedom Park Concept Plan;
- (5) To provide through the administration of specific standards and criteria that new housing achieve architectural and site design consistency with the Inman Park Historic District and Moreland Avenue Historic District which are listed in the United States Department of the Interior National Register of Historic Places;
- (6) To assure that in the process of knitting the neighborhood together through the construction of new housing and park space that the cumulative diversity which typifies the neighborhood is maintained through the prohibition of the repetition of any single-house design within the same block face and other reasonable design regulations that are intended to preserve and enhance the architectural and historic significance of this district; and
- (7) To encourage owner occupancy of new housing in single-family structures, while also offering limited opportunities for small rental apartment units within said structures.

Sec. 16-18E.003. - Boundaries of district and subareas established.

The boundaries of the Inman Park Special Public Interest District are as shown on map attachment "A" which by this reference is incorporated herein and is made a part of this chapter. The Inman Park Special Public Interest District is divided into three subareas as shown on said map attachment "A", designated as follows:

- (1) Subarea 1: Public open space or park.
- (2) Subarea 2: North Highland-Sinclair single-family and two-family housing.
- (3) Subarea 3: Freedom Park single-family and two-family housing.

Sec. 16-18E.004. - General regulations.

The following general regulations shall apply to the entire district, which includes all three subareas:

- (1) The provisions set forth in sections 16-18.005, 16-18.006 and 16-18.007 shall not apply to the SPI-5 Inman Park District.
- (2) Any proposed amendment to this chapter shall be processed, considered and decided pursuant to the procedures and criteria contained in Chapter 27 of this Part. Prior to action by the zoning review board on any amendment affecting this district, said amendment shall first be referred by the director of the bureau of planning to the Atlanta Urban Design Commission so as to provide an opportunity for review and written comment on said proposed amendment prior to action by the zoning review board.
- (3) Subdivision, consistent with the Freedom Park Concept Plan and applicable state law, is required pursuant to Part 15 of the code of ordinances: Notwithstanding the requirements of section 15-07.002 of Part 15, the director of the bureau of planning shall be authorized to initiate the subdivision of this district in accordance with applicable state law and the Freedom Park Concept Plan. For purposes of subdivision approval as to the number, size, width, shape and siting of lots, substantial compliance with attachment C shall constitute compliance with Part 16 of the code of ordinance.

Sec. 16-18E.006. - Subareas 2 and 3: Specific regulations.

Subareas 2 and 3 together are identified as the residential subareas. In addition to the general regulations and provisions of this chapter, the following general regulations shall apply to the residential subareas:

- (1) The general regulations for the residential subareas shall consist of section 16-18E.006 through section 16-18E.012.
- (2) No building permit shall be issued by the bureau of buildings within Subarea 2 or Subarea 3 without the prior approval and issuance of a certificate of compliance from the Atlanta Urban Design Commission. The purpose of this requirement is to assist the bureau of buildings with review of proposed permits for consistency with the requirements of sections 16-18E.012 and 16-18E.013 of this chapter. In addition to all materials otherwise required by the bureau of buildings, applications for building permits in these subareas shall include: a site plan at a minimum scale of one inch equals 20 feet; typical building sections; exterior elevations at a minimum scale of one-fourth inch equals one foot; and outline specifications for all exterior building and landscaping materials. Following transmittal of a complete application from the bureau of buildings to the AUDC, the AUDC shall review said application for consistency with the criteria and standards set forth in sections 16-18E.012 and 16-18E.013. The burden is on the applicant to demonstrate said consistency. If the application is consistent with said criteria and standards, it shall be approved and the AUDC shall issue a certificate of compliance certifying said consistency. The AUDC shall have the authority to impose conditions on said certificates as appropriate. If the application is not consistent with said criteria and standards, it shall be denied. Immediately following said action, the AUDC shall transmit the application together with its denial or approval to the bureau of buildings. The bureau of buildings shall then review the application for compliance with all remaining applicable provisions of this chapter and other applicable ordinances. No building permit shall be issued for any application that has not received the required certificate of compliance. Appeals from the final decision of the director may be taken pursuant to the provisions of section 16-30.010 to the board of zoning adjustment.
- (3) All regulations as stated herein shall be minimum standards which shall be followed and shall be applied.

- (4) The urban design commission shall have the sole power to hear, grant and deny variances from the provisions of this chapter 18E when, due to special conditions, a literal enforcement of its provisions in a particular case will result in an 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 Part 16 of the Code of Ordinances, which provisions are hereby incorporated herein.
- (5) The City of Atlanta Tree Ordinance shall apply.

Sec. 16-18E.007. - Residential subareas: Permitted principal uses and structures.

A building or premises shall be used only for the following principal purposes, and in no case shall there be more than one main building and one main use on a lot.

- (1) Single-family detached dwellings.
- (2) Two-family dwellings, subject to the limitations and requirements set forth herein.
- (3) A lot shall not be used for more than two dwelling units.

Sec. 16-18E.010. - Residential subareas: Minimum yard requirements; maximum floor area ratio.

The following minimum yard requirements shall apply to all 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 seven feet.
- 4) Maximum floor area ratio: The residential, or dwelling, floor area ratio shall not exceed 0.50.

Sec. 16-18E.001. - Residential subareas: Minimum off-street parking requirements.

In addition to the provisions of section 16-28.008(7), which shall apply and are incorporated herein, the following parking requirements shall apply to all permitted uses: Two spaces per building lot.

Sec. 16-18E.012. - Residential subareas: Architectural requirements.

In addition to the general regulations and provisions of this chapter, and except as otherwise specifically provided herein, the following architectural regulations shall apply to all residential subareas:

- (1) Definitions. For the purposes of interpreting this code section, the following definitions shall apply:
 - a. Neighborhood means the Inman Park Neighborhood as it exists on the official neighborhood map of the City of Atlanta.
 - b. Substantially proportional means that the element in question, such as roof pitch, scale, mass, or height, is sufficiently proportional to that found in the chosen architectural style to allow a trained observer to identify the new construction as originating from said architectural style.
 - c. Substantially characteristic means that the material in question, such as brickwork, stonework, or roofing material, reflects visual qualities that are sufficiently characteristic of those found in the chosen architectural style to allow a trained observer to confirm that the new construction is consistent with said architectural style.
- (2) Statement of intent. The council finds that the following established residential architectural styles currently exist in the neighborhood and contribute to its unique historic character: Queen Anne; Folk Victorian; High Victorian Eclectic; Neoclassical Revival; Dutch Colonial Revival; Prairie; Stick; and Craftsman. The purpose of the following regulations is to set forth basic, minimum standards of architectural design and construction that are consistent with these existing historic styles of 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 existing structures, but rather to foster residential design that incorporates the historic architectural elements and materials that are specific to the neighborhood in a meaningful, coherent manner. The following regulations are intended to achieve basic compatibility with these existing architectural styles while simultaneously encouraging consistent, creative designs that are more than a mere aggregation of random historic elements, through the use of specific standards and criteria. In addition, these regulations are intended to integrate the aesthetic and physical characteristics of new construction and landscape in this area into the existing neighborhood and public park areas in a meaningful way so as to restore and promote the public health, safety and welfare of this community.
- (3) Standards for criteria. The following standards and criteria shall apply to all new construction in the residential subareas:
 - a. All new construction on each lot shall be representative of a single architectural style chosen from those styles set forth in subsection (2) above.
 - b. No individual house design shall be substantially repeated on the same side of a street block.
 - c. A planting strip not less than four feet in width shall be provided adjacent and parallel to the street and shall remain unpaved.
 - d. A sidewalk not less than six feet in width shall be provided between the planting strip and the required front yard, parallel to the street.

- e. A paved walkway from the front sidewalk to the front entry of the principal structure shall be provided.
- f. All front façades, front porches, front steps, and front doors of the principal structure shall face and be parallel to the street.
- g. The form and pitch of the roof of new construction shall be substantially proportional to the chosen architectural style.
- h. The height, scale, and massing of new construction shall be substantially proportional to the chosen architectural style. In no case shall the height of a structure exceed 35 feet. (See section 16-28.022 for excluded portions of structures.)
- i. The first floor of the principal structure shall be on foundations and elevated above grade a minimum of two entrance step risers each of which shall be no less than seven inches in height.
- j. Front porches on the principal structure shall be required. The design and size of said front porch shall be substantially proportional to the chosen architectural style, provided that they shall be a minimum of 12 feet wide or one-third 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 typical of the chosen architectural style. Front porches may extend up to ten feet into the required front yard. All front porch steps shall have closed risers and ends.
- k. Decks are permitted when located to the rear of the principal structure.
- l. When any portion of a chimney is visible as a façade element, the chimney shall originate at grade.
- m. Fences and walls, visible from the public right-of-way upon completion, subject to the provisions of section 16-28.008(5) and the following limitations, may occupy required yards:
 - 1. Fences not exceeding four feet in height may be erected in the front yard. Walls shall not be erected in the front yard.
 - 2. Fences and walls not exceeding six feet in height may be erected in side or rear yards.
 - 3. All fences located in a required front yard or in a required yard adjacent to a street shall be constructed of brick, stone, ornamental iron, or wood pickets, in a manner which is substantially characteristic of the chosen architectural style.
 - 4. Visible portions of retaining walls located in a required front yard or in a required yard adjacent to a street shall be constructed of stone, brick or smooth stucco in a manner which is substantially characteristic of the chosen architectural style.
- n. The following aspects of fenestration of new construction, if visible from the public right-of-way upon completion shall be substantially proportional to the chosen architectural style:
 - 1. The style of the individual window.
 - 2. The size and shape of the individual window opening.
 - 3. 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 least visible location. Screening with appropriate plant or fence materials is required if the equipment is visible from the public right-of-way.
- p. The following building materials and design elements of new construction, if visible from the public right-of-way upon completion, shall be substantially characteristic of the chosen architectural style, and shall apply in addition to all other applicable regulations:
 - 1. The dimensions of the exposed face of lap siding and wood shingles.
 - 2. The type of brick and pattern of brickwork.
 - 3. The type of stone and pattern of stonework.
 - 4. The material and texture of stucco.
 - 5. The dimensions and placing of architectural ornamentation and trim. This is not intended to require the exact reproduction of existing molding profiles.
 - 6. The size and type of doors.
 - 7. The materials and pattern of roofing.
 - 8. Paving materials for walks and drives. Asphalt is prohibited.
 - 9. Visible foundation materials. Foundations shall constitute a distinct building design element and shall contrast with the primary façade siding material.
 - 10. Visible portions of chimneys.
 - 11. Front porches, including materials, features, and steps.

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.

Zoning Regulations

This property is part of both the Inman Park Historic District and the SPI-5 district. When there are two zoning districts for one property, the more restrictive regulations usually apply. The Staff has found that in this case both sets of regulations are equally restrictive, though they have different approaches to their regulatory structures. The Applicant has chosen to use the SPI-5 regulations for their project.

Variance Request

The Applicant is requesting a variance from the front yard setback and side yard setback requirements for two main reasons: the width of their lot and the presence of two sewer line easements that run diagonally across the property. The Staff finds that these two conditions are extraordinary and exceptional and are particular to this piece of property. Further, the Staff finds that the normal zoning requirements would create an unnecessary hardship and in fact would create the framework for an incompatible house design. Lastly, the Staff finds that granting these variances would not cause substantial detriment to the public because the location of the resulting house would be generally aligned with adjacent and nearby houses, the size and massing of the resulting house (including the one-story wings on the left side that necessitates one of the variances) would be compatible with the chosen style, and compatible with adjacent and nearby houses.

The Staff has found that the Applicant's request meets the variance criteria and as such would recommend approval of the variance request.

Setbacks and Development Controls

The property in question fronts about 44 ft. on the north side of Austin Avenue and has a depth of 122 ft. on its longest side. The regulations require the front yard setback shall be no less than 30 ft. Per the Staff's recommendation for the variance, the 15 ft. front yard setback is compliant. The regulations require the side and rear yard setbacks shall be no less than 7'. Per the Staff's recommendation for the variance, the 3 ft. side setbacks are compliant. The project meets the 7 ft. rear yard setback requirement.

Per regulations, the maximum floor area ratio (FAR) allowed is .50. The plans indicate a FAR of .49, which meets the regulations. The Staff would note that lot coverage is not regulated under the SPI-5 regulations.

Site Work

The regulations require a 6' sidewalk and 4' planting strip. The site plan is not clear as to the current or proposed sidewalk condition / design. The Staff would recommend the public sidewalk and planting strip meet the regulations. No fences or retaining walls are proposed as part of the project.

There is a walkway from the front porch to the public sidewalk and the material is indicated as concrete, both of which meet the regulations.

A concrete driveway is indicated on the left side of the house. The Staff finds the materials for the driveway meet the regulations. As the driveway extends at least 40 ft. past the front façade of the house, the Staff finds the minimum parking space requirement has been met.

Mechanical equipment is not shown on the site plan. It must be located to the side and rear of the principal structure and where possible in the least visible location. Screening with appropriate plant or fence materials is required if the equipment is visible from the public right-of-way. The Staff would recommend the mechanical equipment be shown on the site plan and such equipment meet the regulations.

Height, Massing and Scale

Per regulations, the height shall be no taller than 35'. As the SPI-5 regulations are being used, the City standard of measuring height shall be used in determining if the height requirement has been met. Specifically, the heights on all elevations shall be measured from the average grade to the midpoint of the roof. The plans indicate the height from the front façade grade to the peak of the roof is about 26 ft., meaning that using the City standard technique for measuring height, the proposed height would be well below the maximum.

Per regulations, the height, roof form and overall massing shall be substantially proportional to the chosen architectural style. In looking at examples of other Prairie style houses, the Staff finds the overall roof form, height and massing are substantially proportional with the style, including the low hipped roof, low linear (front to back) massing, and use of a projecting one-story wing.

Per the regulations, the first floor height shall be no less than two entrance risers that are no less than 7" in height. With the 3 or 4 front entrance step risers, the Staff finds the first floor height requirement has been met as well

Architectural Elements and Materials

Porches and Decks

Per the regulations, front porches on the front façade shall be required, be no less than 8 ft. deep, and either be 1/3 the width of the front façade or 12 ft., whichever is greater. The proposed first floor full width porch is 8 ft. in depth and 13 ft. in width. Staff finds the overall width and depth of the first floor front porch meets the regulations and is substantially proportional with the architectural style. Staff finds the overall design, size and arrangement of the columns, railing, stairs, trim and architectural details of the porch meet the regulations and are typical of the chosen architectural style.

The front porch stairs, which appear to be brick or masonry, will have closed risers and ends.

As noted above, there is a rear integral porch which the Staff finds meets the regulations.

Fenestration and Front Door

Per regulations, the size, style, shape and overall pattern of windows and doors shall be substantially proportional with the chosen architectural style. In looking at the elevations, general speaking the Staff does not have a concern regarding the overall size, style, shape or overall pattern of the fenestration. Though large groups of windows are unusual with other architectural styles, they are consistent with the chosen architectural styles. Further, the Staff finds that the asymmetrical pattern of windows on the side facades is also consistent with the chosen architectural style.

However, it is concerned about the three large groups of windows used in combination on the front façade. There are two groups with four units and one with five units. With the three large groups on the front façade (and the height of the window units themselves), the Staff is concerned that a window wall effect will be created, which would not be substantially proportional to the chosen architectural style. The Staff would recommend the amount of fenestration on the front façade be reduced.

The Staff finds the front door and porte cochere storage doors meet the District regulations.

Materials

The exterior materials will consist of: asphalt shingles, cementitious siding, and painted brick veneer. No other materials are specified on the plans. The Staff finds that generally speaking, the above mentioned materials are appropriate and meet the regulations. However, the Staff would recommend the siding have a smooth finish. The Staff would further recommend that all of the materials for all exterior features be indicated on the plans and all such materials meet the regulations.

The foundation is covered with the painted brick veneer that continues down from the rest of the house. The regulations require the foundation to have a distinctive material, which the current design does not provide. The Staff would recommend the foundation material constitute a distinct building design element, contrast with the primary façade siding material, and otherwise meet the regulations.

Variance (CA3-16-238):

Staff Recommendation: Based upon the following:

- (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.

Staff recommends approval of an Type III Certificate of Appropriateness (CA3-16-238) for variance to allow a reduction in the front yard setback from 30 feet (required) to 15 feet (proposed), and to allow a reduction in the side yard setbacks from 7 feet (required) to 3 feet (proposed) at **952 (aka 0) Austin Ave.** - Property is zoned R-5/Inman Park Historic District (Subarea 1).

Design Review (CA3-16-237):

Staff Recommendation: Based upon the following:

- 1) Except as noted above, the proposal meets the District regulations, per Section 16-18E.001 through 18E.012.

Staff recommends approval of an application for Type III Certificate of Appropriateness (CA3-16-237) for a new single family residential structure at **952 (aka 0) Austin Ave.** Property is zoned R-5/Inman Park Historic District (Subarea 1), with the following conditions:

1. The public sidewalk and planting strip shall meet the regulations, per Section 16-18E.012(3)(c) and (d);
2. The mechanical equipment shall be shown on the site plan and such equipment shall meet the regulations, per Section 16-18E.012(3)(o);
3. The siding shall have a smooth finish, per Section 16-18E.012(3)(p);
4. All of the materials for all exterior features shall be indicated on the plans and all such materials shall meet the regulations, per Section 16-18E.012(3)(p);
5. The foundation material shall constitute a distinct building design element, shall contrast with the primary façade siding material, and shall otherwise meet the regulations, per Section 16-18E.012(3)(p)(9);
6. The Staff shall review, and if appropriate approval the final plans, specifications, and supporting materials.



CITY OF ATLANTA

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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT June 22, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-130) for alterations and additions at **1048 Oglethorpe Avenue**-Property is zoned R-4A/West End Historic District/Beltline.

Applicant: Alice Johnson Design
1403 Emory Road NE

Facts: According to the West End Inventory, the existing house was built before 1910 and is considered contributing.

At the April 27th meeting, this application was deferred to allow the Applicant time to apply for a variance to be heard by the Board of Zoning Adjustment (BZA). At the May 25th meeting, the Commission reviewed and commented on (RC-16-172) on application (V-16-101) for a variance to allow a reduction in the west side yard setback from 7' (required) to 5' (proposed). At the June 9th BZA hearing the request for a variance was approved.

Analysis: The following code sections apply to this application:

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

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

(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) Type I certificates of appropriateness for ordinary repairs and maintenance are not required in this district. This exemption in no way obviates the requirements for certificates of appropriateness for all minor alterations (type II), major alterations (type III) and demolitions (type IV, except partial demolitions) as set forth in chapter 20 of this part 16.

(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:*
 - (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.
 - (g) No structure shall exceed that height established by the compatibility rule.
- (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.
 - (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.

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.

(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.

Site

The survey submitted by the Applicant indicates the existing single family dwelling fronts 50' on Oglethorpe Avenue and 201.34' on its longest side. The City record indicates the depth of the property is 195' instead of 201.34'. Staff suggests the Applicant contact the Office of Buildings to find out whether they will require the lot discrepancy to be resolved before a permit is issued.

Per underlying zoning, the side yard shall be no less than 7'. As indicated in the facts section, a variance was approved to reduce the west side yard setback from 7' to 5'. As such, Staff has no concerns regarding the west side yard setback. Staff finds the east side yard setback meets the requirements. Per underlying zoning, the rear yard shall be no less than 15'. The rear yard setback is more than 15' and therefore meets the requirements.

Per underlying zoning, the maximum floor area ratio (FAR) allowed is .50. The proposed FAR is .43 and therefore meets the requirements. Per underlying zoning, the maximum lot coverage allowed is 55%. The proposed lot coverage is 38% and therefore meets the requirements.

The proposed survey indicates an existing wood shed will be demolished to allow the proposed addition. Staff finds the proposed demolition does not require a Type IV application and will not have a negative impact on the existing historic house. Staff has no concerns regarding the proposed demolition.

Alterations and Additions

As this is an interior lot and based on the survey and pictures submitted by the Applicant, Staff finds most of the proposed alterations and additions will be difficult to see from the street. Staff will only make comments on the front and side facades.

Alterations

The Applicant is proposing to replace the existing rear porch with a new screened porch and covered deck. Staff finds the overall design and materials for the new rear porch and covered deck are

appropriate and compatible with the existing house. Staff has no concerns regarding the new rear porch and covered deck.

The Applicant is proposing to install a new decorative wood railing and decorative brackets. Staff finds the decorative brackets are appropriate to the Folk Victorian style and similar brackets exist on other contributing houses on the block face. Staff initially had a concern regarding the railing as there are no similar railings on the block face. Per regulations, porch elements can be consistent with the architectural style. In looking at examples of porch railings in architectural guides, Staff found examples of the railing proposed on Folk Victorian houses. As such, Staff has no concerns regarding the proposed railing.

Addition

The Applicant is proposing a single story laundry and mudroom addition that will also serve as a connection to the proposed two story addition. Staff finds the proposed additions are highly appropriate as the single story addition allows for a clear delineation between the existing historic house and the new two story addition. Staff finds the additions allow for additional living space and parking without having a negative impact on the existing historic house. Staff finds the overall design, massing, materials and fenestration of the additions are consistent and compatible with the existing house and meet the requirements. Staff has no concerns regarding the proposed additions.

Staff Recommendation: Based upon the following:

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

Staff recommends approval of an Application for a Type III Certificate of Appropriateness (CA3-16-130) for alterations and additions at **1048 Oglethorpe Avenue**-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 27, 2016

REVISED

May 25, 2016

(Revised text shown in italic.)

June 22, 2016

(Revised text shown in Arial.)

Agenda Item: Application for Type III Certificates of Appropriateness (CA3-16-127) for a new single family house at **523 Irwin Street** - Property is zoned Martin Luther King, Jr. Landmark District (Subarea 2)/Beltline.

Applicant: Jacquelynn Edmonds
675 Ponce de Leon Avenue, Suite 8500

Facts: This is currently a vacant lot on the south side of Irwin Street, one lot west of Howell Street. The Applicant is proposing a one-story house with a full width front porch and rear deck. No driveway is proposed, but a rain garden is proposed in the rear corner of the lot.

On April 27th, the Commission deferred this application to allow time for the Applicant to respond to the concerns and comments of the Staff. On May 17th the Applicant submitted revised plans and it is these revised plans that are addressed in this revised Staff Report.

On May 25th the Commission deferred this application to allow time for the Applicant to respond to the concerns and comments of the Staff. On June 10th the Applicant submitted revised plans and it is these revised plans that are addressed in this revised Staff Report.

Analysis: The following code sections apply to this application:

Sec. 16-20C.004. General regulations

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

1. General criteria. The Commission shall apply the standards set forth below only when the standards set forth elsewhere in Chapter 20C do not specifically address the application in whole or in part:
 - a. A property shall be used for its historic purpose or be placed in a new use authorized in Section 16-20C.005 using minimal change to the defining characteristics of the building and its site and environment.
 - b. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
 - c. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

- d. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
 - e. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
 - f. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
 - g. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
 - h. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
 - i. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
 - j. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
2. The compatibility rule.
- a. Block definitions. The following words and terms, when used in this chapter, shall have the meanings ascribed to them in this section:
 - i. Block. An area of land located within a continuous perimeter of public streets. An individual block shall begin at the back edge of curb of the adjacent street. Interstate 75/85, when no intervening street exists, shall be permitted to count as an adjacent street for purposes of meeting this definition, beginning at the edge of the adjacent 75/85 right-of-way.
 - ii. Block face. One side of a block, located between two consecutive street intersections.
 - b. The intent of these regulations is to ensure that alterations to existing structures and new construction are compatible with the massing, size, scale, and architectural features of each Subarea and of the immediately adjacent environment of a particular block or block face. To further that intent and simultaneously retain flexibility, the regulations provide a "compatibility rule" which is: The element in question, such as roof form or architectural trim, shall match that which predominates:
 - i. On contributing buildings of like use along the same block face in Subareas 1 and 2.
 - c. Where quantifiable, such as building height or floor height, the element shall be no smaller than the smallest or larger than the largest such dimension of the contributing building(s) along the same block face in Subareas 1 and 2 and on individual blocks in Subareas 3 and 4.
 - d. Those elements to which the compatibility rule applies are specified in these regulations by reference to "compatibility rule."
 - e. Building height shall be measured on the front elevation from the average point of grade on the front elevation to the highest point of the roof or façade, whichever is higher.
 - f. For new construction of single-family or two-family dwellings, the final average finished grade of the lot shall be no higher than the highest grade level existing prior to such construction or related land disturbance at any point along the front yard property line adjacent to the public right-of-way. The intent and purpose of this grade provision is to prevent manipulation of grade levels in order to construct a taller dwelling than would otherwise be authorized.
 - g. Whenever individual block faces in Subareas 1 and 2 or individual blocks in Subareas 3 and 4 are void of contributing structures, the contributing structures located on the opposing block face shall be utilized for purposes of adhering to compatibility rule provisions. If the opposing block face is void of contributing structures, the contributing structures on the nearest block face along the same street frontage shall be utilized.
3. Certificates of Appropriateness.
- a. General Provisions.
 - i. The procedures for determining the correct type of Certificate of Appropriateness shall be those specified in Section 16-20.008, except as otherwise provided herein.
 - ii. No certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - c. Type III Certificates of Appropriateness. The following Type III Certificates of Appropriateness shall be reviewed by the Commission and shall be required for:
 - i. All new principal structures;
 - v. Variances, special exceptions and administrative appeals.
8. Variances, special exceptions and administrative appeals.
- a. Variance applications and applications for special exceptions and administrative appeals from these regulations shall be heard by the Commission. The Commission shall have the authority to grant or deny variances from the provisions of this Chapter pursuant to the procedures, standards, and criteria specified in Section 16-26.001 through Section 16-26.006. The Commission shall have the authority to grant or deny applications for special exceptions from the

provisions of this Chapter pursuant to the procedures, standards and criteria specified in Section 16-25.001 through Section 16.25.005. The Commission shall have the authority to grant or deny applications for administrative appeal pursuant to the standards in Section 16-30.010 (a) through (d).

- b. Appeals from final decisions of the Commission regarding variances, special exceptions and administrative appeals shall be as provided for in Section 16-20.010.
- 9. Prohibited variances. Notwithstanding any provision in this chapter or part to the contrary, no variance from this chapter's maximum building height requirements shall be permitted or authorized by the Commission, Commission Staff or any other Board, official or entity.
- 10. Time period of historical significance. Where referenced in this chapter, the time period of historical significance for the district shall be the lifetime of Martin Luther King, Jr. (1929-1968).

Sec. 16-20C.005. Permitted Principal Uses and Structures.

- 1. Permitted Principal Uses and Structures: The following permitted uses and restrictions apply to all Subareas within this District, except Subarea 5:
 - a. The permitted principal uses and special permit uses set forth in Table 1: Martin Luther King Jr. Landmark District Table of Uses shall be permitted only as listed within each Subarea within said table of uses and only in the manner so listed.
 - b. Permitted principal uses. A building or premises shall be used only for the principal uses indicated with a "P" in Table 1: Martin Luther King Jr. Landmark District Table of Uses, subject to further restrictions where noted.

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

- 2. The following additional Permitted Principal Use and Structures provisions shall apply to Subareas 1 and 2.
 - a. Previously-existing uses. Prohibited uses shall be permissible when granted a Certificate of Appropriateness by the Commission upon its finding that such use can be shown by archived evidence or sworn affidavit(s) to either previously or currently exist on the proposed site and that such use will be of an intensity and type that is no greater than that which previously or currently existed and otherwise meets the District regulations.
 - e. Active uses. Ground floor, sidewalk-level uses are further regulated in this district for the purposes of creating vibrant and pedestrian-oriented sidewalks and streets. Active uses, where provided, shall be serviced by plumbing, heating, and electricity and are limited to the residential uses and non-residential uses designated in Table 1: Martin Luther King Jr. Landmark District Table of Uses, except that the following non-residential uses shall not be considered as active uses:
 - i. Drive-in and drive-through facilities.
 - ii. Parking and driveways.
 - iii. Accessory non-residential storage areas.

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

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

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

- 1. The following Sidewalks, Yards and Open Spaces provisions shall apply to Subareas 1 through 4.
 - a. Sidewalks.
 - i. Public sidewalks shall be located along all public streets and shall consist of two (2) zones: an amenity zone and a walk zone.

- ii. The amenity zone shall be located immediately adjacent to the curb with a consistent cross-slope not to exceed two (2) percent. Width shall be measured from back (building side) of curb to the walk zone. This zone is reserved for the placement of street trees and street furniture including utility and light poles, public art, waste receptacles, fire hydrants, traffic signs, traffic control boxes, newspaper boxes, transit shelters and similar elements in a manner that does not obstruct pedestrian access or motorist visibility. Such elements, where installed, shall be of a type specified by the director in accordance with uniform design standards for placement of such objects in the public right-of-way.
- iii. The walk zone shall be located immediately contiguous to the amenity zone and shall be a continuous hardscape, with a consistent cross-slope not exceeding two (2) percent. No fixed elements, including pole mounted signage, traffic control boxes or other utility structures, shall be placed above ground in the walk zone for a minimum height of eight (8) feet.
- iv. New sidewalks and their corresponding zones shall be the same width as the sidewalk on abutting properties. If no sidewalk exists on abutting properties, the new sidewalk shall match sidewalk widths on the block. If no sidewalk exists on the block, the new amenity zone shall be a minimum of two (2) feet wide and the new walk zone shall be a minimum of five (5) feet wide.
- v. Street trees shall be planted a maximum of 30 feet on-center within the amenity zone and shall be spaced equal distance between street lights.
- vi. Any existing decorative hardscape treatment of sidewalks, including amenity zone or walk zone areas, shall be retained as part of any new development or replaced with materials that match in size, shape and color.
- vii. Decorative pedestrian lights, where installed, shall be placed a maximum of 60 feet on center and spaced equidistant between required trees. Where installed, said lights shall be located within the amenity zone. Said lights shall be as approved by the Director. New developments shall match the light and tree spacing on blocks where existing Atlanta Type lights are installed.
- viii. Changes or additions of planters, trash containers, street lighting, and similar elements, shall require a Certificate of Appropriateness by the Commission.
- ix. Upon redevelopment of a parcel reasonable efforts shall be made to place utilities underground or to the rear of structures to allow for unobstructed use of sidewalks.
- b. Yards. Notwithstanding the setback requirements of these Subareas, previously existing contributing structures may be reconstructed to their original footprints and setbacks upon a submittal of finding that such structural dimensions have been shown by archived evidence or sworn affidavit(s) to have previously existed on the proposed site, and as subsequently approved by the Commission.
- c. Required Open Space.
 - i. Open Space shall be required only for multi-family uses. All other uses shall have no Open Space requirements.
- 2. The following additional Yards provisions shall apply to Subareas 1 and 2.
 - b. Subarea 2.
 - i. Except as provided below, all front, side and rear yard setbacks shall be established through utilization of the compatibility rule. All new construction shall maintain a minimum of 10 feet for rear yard setbacks where the compatibility rule would permit a smaller rear yard setback, except as otherwise provided for accessory structures.
 - ii. Within the portion of Subarea 2 lying along the southeastern side of Auburn Avenue east of Randolph Street, and along the eastern side of Randolph Street south of Auburn Avenue, the following development controls shall apply:
 - (1) Side yard: Three (3) feet.
 - (2) Front yard: Seven (7) feet.
 - (3) Rear yard: 25 feet.
 - iii. Within the portion of Subarea 2 lying along the southern side of Irwin Street and the eastern side of Boulevard, the following development controls shall apply:
 - (1) Side yard: Three (3) feet.
 - (2) Front yard: 12 feet.
 - (3) Rear yard: Six (6) feet.

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

- 1. The following Design Standards provisions shall apply to Subareas 1 through 4.
 - a. Building Compatibility.
 - i. All elements of new construction shall be utilized in a meaningful, coherent manner, rather than a mere aggregation of random historic elements.
 - ii. The compatibility rule shall apply to a principal structure's general façade organization, proportion, scale, roof form, pitch and materials, door and window placement, and other architectural details including but not limited to brackets, decorative trim, corner boards, bottom boards, fascia boards, columns, steps and attic vents.
 - iii. Fiberglass roofs shall be prohibited.

- b. Fenestration.
 - i. The compatibility rule shall apply to the following aspects of fenestration:
 - (1) The style and material of the individual window or door.
 - (2) The size and shape of individual window and door openings.
 - (3) The overall pattern of fenestration as it relates to the building façade.
 - (4) The use of wood or aluminum for exterior framing, casing, and trim for windows and doors, and the use of wood, aluminum, brick, or stone for bulkheads.
 - ii. Painted glass and reflective glass, or other similarly treated fenestration, are not permitted.
 - iii. Except as otherwise provided in 16-20C.008(2), if muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
 - c. Landscaping.
 - i. A landscape plan may be required by the Commission to mitigate the environmental and visual impacts of construction on adjoining properties. The Commission may require that plant materials in a landscape plan reflect the character of the district.
 - ii. Tree preservation and replacement. The provisions of the City of Atlanta Tree Ordinance, Atlanta City Code Sec. 158-26 et seq., shall apply to this district.
 - d. Loading Areas, Loading Dock Entrances, and Building Mechanical and Accessory Features for All Non-Residential Uses.
 - iii. Building mechanical and accessory features shall not be permitted between the principal building and any public street.
 - iv. Building mechanical and accessory features shall be located to the rear of the principal building and shall be in the location least visible from the public street. Screening with appropriate materials shall be required if the equipment is visible from any public street.
 - v. When located on rooftops, building mechanical and accessory features visible from the public street shall be incorporated in the design of the building and screened with materials compatible with the principal façade material of the building.
2. The following Design Standards provisions shall apply to Subareas 1 through 2.
- a. Windows and Doors.
 - i. Simulated divided light windows or plain sash windows shall be authorized as replacement materials when replacement is warranted, and materials for new construction within these subareas.
 - ii. Windows shall be predominantly vertical in proportion, shall not be constructed in combination of more than two (2) units, and shall be double-hung.
 - iii. Front doors facing and parallel to the street shall be provided.
 - iv. Front doors shall be solid wood panel or single-pane fixed glass and shall be composed of no more than 50 percent glass.
 - b. Front Yard Porches.
 - i. Front yard porches shall be provided.
 - ii. Front yard porches shall contain balustrades, columns, floor dimensions, height, roof pitch and overhangs as regulated by the compatibility rule.
 - iii. Decorative metal, resin, fiberglass and plastic columns are prohibited.
 - iv. Front yard porches are permitted to be enclosed with recessed screen wire when the primary characteristics of the porch are maintained.
 - v. Front yard porch steps shall be wood, brick or concrete. Metal steps are prohibited.
 - vi. A paved walkway from the front yard porch to the adjacent public sidewalk shall be required.
 - c. Siding and Foundations.
 - ii. Siding shall exhibit a horizontal, clapboard profile. Siding shall have no less than a four (4) inch reveal and no more than a six (6) inch reveal.
 - iii. Foundations shall be permitted to utilize brick, stone, smooth stucco, and smooth finish concrete as foundation-facing materials.
 - iv. When provided, chimneys shall be faced in brick and shall originate at grade.

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

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

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

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

Site

According to the site plan submitted, this interior lot fronts 50.50 ft. on Irwin Street and has a depth of 99.6 to 100.0 ft. In comparing the proposed site plan with the City’s plat map, the Staff finds that the site plan is very similar to the City’s plat map with only a small potential discrepancy with the depth of the lot (i.e. the length of the east side property line). The Staff suggests the Applicant contact the Office of Buildings to determine whether resolution of this small lot discrepancy is required to get a building permit.

Per the District regulations, the front yard setback is 12 ft. The proposed setback (as measured to the front porch) is 10.5 ft., which does not meet the District regulations. The Staff would recommend the front yard setback as measured to the front porch be 12 ft. at its closest point.

The revised site plan includes the same front yard setback. The Staff would retain its previous recommendation.

The front setback measured to the front porch is 12.1 ft. The Staff would retain its previous recommendation.

Per the District regulations, the side yard setback is 3 ft. The proposed side yard setbacks are more than 7 ft., which meets the District regulations.

Per the District regulations, the rear yard setback is 6 ft. The proposed rear yard setback is substantially more than 6 ft., which meets the District regulations.

Per regulations, the maximum lot coverage allowed is based on the compatibility rule. The Applicant did not provide any lot coverage calculations for the block face to establish the range. The Staff would recommend the proposed lot coverage meet the compatibility rule.

The revised plans include lot coverage percentages for the other houses on the block face. However, it is not clear if those calculations (and the calculation for the subject lot) include the footprint of all features that might exist on the property, including the house, walks, patios, decks, etc. For example, the calculations for 511 A and B note the structure is about 50% of the lot size and the lot coverage is 50% of the of the lot size even though there are walkways and porches that are not shown on the plat. The Staff would retain its previous recommendation.

The revised submission includes a note indicating that all site features were included in the lot coverage calculation.

Per regulations, a walkway from the front entryway to the sidewalk is required. The proposed site plan indicates a 6 ft. sidewalk from the existing site stairs to the public sidewalk. The Staff recommends the site plan indicate the material of the required walkway and that it meet the District regulations. It is possible the existing public sidewalk may be damaged during construction. The Staff recommends that if the public sidewalk is damaged or destroyed during construction, the public sidewalk be repaired or replaced as required by the regulations.

The revised site plan includes notes addressing both of these concerns.

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

There are no notations on the revised site plan. The Staff would retain its previous recommendation.

The narrative in the revised submission includes a note indicating that the mechanical equipment will be located at the rear of the house. A similar note is included on the floor plan sheet.

Massing and Building Height

The proposed one-story house is defined by a rectangular massing (with an extension on the rear corner of the house), a 6 in 12 combination roof (gable in front and hipped in back), and a full width porch. The Staff would note that the roof form and pitch are subject to the compatibility rule. The overall height and massing appears to be somewhat similar to the other houses on the south side of Irwin Street, but those houses are generally thinner than the proposed house, resulting in a steeper roof pitch. The Staff is also concerned about the combination roof form, which does not exist on the block face. The Staff would recommend that the roof form and pitch meet the compatibility rule.

The revised plans do not include any information about the compatibility of the roof form or pitch. The Staff would retain its previous recommendation.

The revised submission includes notes regarding the roof pitch of the contributing houses on the block face indicating that there are four houses with a 9:12 roof pitch and 2 houses with a 5:12 roof pitch. The Staff finds that one of the houses listed with a 5:12 roof pitch (#515) would appear to have much steeper roof pitch. Regardless, the predominant roof pitch is 9:12. As such the proposed roof pitch of 5:12 does not meet the District regulations. The Staff would recommend the roof pitch be 9:12.

The roof form has been revised to be a traditional front to back gable, which meets the District regulations.

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

The revised plans do not include any information about the compatibility of the first floor height though do include a note requesting the first floor height be verified to match the adjacent property. This note is not sufficient to meet the District regulations. The first floor height of the house next door needs to be measured, noted on the plans, and the design of the subject house revised accordingly as needed. The Staff would retain its previous recommendation.

The revised submission includes notes regarding the elevation of the first floor of #521 Irwin Street and that the proposed house will have the same first floor elevation. The Staff would note that the absolute elevation is not the height of the first floor above the surrounding grade. Matching the elevation of the first floor would not take into account any difference in grade between the two houses and could make the first floor height of the subject house higher than #521 relative to their surrounding grades. The Staff would recommend the Applicant document that the height of the first floor of above the surrounding grade meet the compatibility rule.

Per the District regulations, the height is limited to 32 ft. The proposed height is well below that maximum.

Overall Design

Per the District regulations the general façade arrangement, proportion and materials are all based on the compatibility rule. In looking at the contributing houses on the block face, the Staff finds the proportions of the house meet the requirements. The Staff finds the general façade arrangement does not meet the requirements. Specifically, the predominant façade arrangement is to have the main entry on the right side of the front elevation. The proposed design has the front door almost in the center of the front façade with two sets of single windows on each side. The Staff recommends the front door be located on the right side of the front elevation.

The front door has been relocated to the right side of the façade.

Fenestration

Per the District regulations, the compatibility rule applies to the fenestration pattern. In comparing the proposed fenestration to the contributing houses on the block face, the Staff finds the overall fenestration pattern is generally consistent and compatible with the contributing houses on the block face. The header of the windows and doors are at the same height and the windows are single (vs. double or paired), double hung, have actual sills and no lower apron, and are full size. The only exception to this is one window on the left elevation which is proportionally reduced in size for a bathroom.

The Staff is concerned about the lack of fenestration on the rear portions of the side elevations. On the right side, over half of the length of the wall has no windows, while on the left about 1/3 of the length of the wall has no windows. The Staff would recommend that additional full size windows that meet the District regulations be added to the left and right side elevations.

Single windows have been added to the side elevations, but the Staff still has concerns about the fenestration patterns. On the right side, the window has been added in the very back corner of the façade still leaving a large expanse of blank wall. On the left side, a window has been added to the front portion

of the elevation, but at a slightly lower header height as the other double hung window on the elevation. Further, a set of three almost square windows has been added at the rear of the elevation. The added fenestration does not remedy the lack of compatibility of the fenestration on the side elevations. The Staff would recommend the fenestration on the side elevations meeting the District regulations.

In the revised submission, the Applicant provided photographs of the contributing houses on the block face showing that they have large expanses of blank wall on their side elevations. Further the one window that was previously added now has the same header as the other windows on the house. However, the photographs provided by the Applicant do not show that they have a group of three, square windows. The Staff would recommend the three square windows be removed from the left side elevation or replaced with a smaller, double window with the same proportions as the full size double hung windows on the house.

It is not clear whether the window trim meets the requirements. The Staff would recommend the Applicant document that the window trim meets the requirements.

The revised plans include a note that the window trim will be the same size as the adjacent house.

The material of the windows is indicated as wood, which meets the District regulations.

Porch

In general, Staff finds the proposed porch and its architectural elements are similar to the houses on the block face, with basic square columns, railing, and pickets, and shallow (4:12) hipped roof. While the overall porch configuration is appropriate, the Staff has concerns regarding the proportions of the columns and the pitch of the roof. The columns appear much too thin for the size and scale of the front porch (which is wider than other house son the block face because the house is wider). The proposed roof would appear steeper than the most steeply pitch front porch roof on the block face. The Staff recommends the front porch columns are increased in size to be appropriately proportioned for the size and scale of the front porch. Further, the Staff recommends the plans indicate the railings will have a two-part top and bottom rail with balustrades that butt joint the top and bottom rail. The Staff also recommends the pitch of the front porch roof meet the District regulations.

The revised plans indicate the use of 10 in x 10 in. painted pressure treated columns. While the size of the columns is now appropriate, the Staff is concerned about the use of 10 in. square pressure treated lumber, which the Staff finds that even when painted will still have the appearance of raw wood, often associated with deck construction. The Staff has similar concerns about the use of pressure treated wood for the front porch railing. The Staff would recommend the front porch columns and railing consist of finish wood with a design, size, and proportions that meet the District regulations.

The revised submission includes a note that the front porch columns will be wrapped in finish wood, but that is not reflected on the actual plans. The front railing and front porch stair railing still consist of pressure treated wood. The Staff would retain its previous recommendation.

The plans included in the revised submission now indicate a 2:12 front porch roof, one of the two equally predominant front porch roof pitches on the block face.

Further, the porch depth is based on the compatibility rule. The Applicant did not provide any calculations for the porch depths on the block face. The Staff recommends the front porch depth meet the requirements.

No information was provided about the front porch depth. The Staff would retain its previous recommendation.

The front porch depth has been changed to 6 ft., to be within the range of front porch depths on the block face.

Further, the Staff is concerned that the front porch will not have a continuous wall foundation, as is the case with the other contributing houses on the block face. The Staff would recommend the front porch have a continuous foundation wall with materials and design that meets the District regulations.

Materials

The materials on the plans are indicated as wood windows, wood front door, wood front porch stairs, cementitious siding, composition shingles, a stucco main foundation and a brick “pier” porch foundation. The Staff has concerns about several of the materials. The front door can’t have more than 50% glass, the porch foundation needs to be continuous to be similar to other front porch foundations on the block face, the front porch stairs need to be masonry, and the cementitious siding needs to be indicated as stone. The Staff recommends all material details are indicated on the plans and meet the requirements.

In the revised plans, the front door is still more than 50% glass, the front porch foundation is still brick piers, the front porch stairs are still wood, and the cementitious siding is not noted as smooth. The Staff would retain its previous recommendation.

The front porch stairs are concrete and the front door is 50% glass, but the other concerns regarding the siding and front porch foundation remain. The Staff would retain its previous recommendation.

Staff Recommendations: Based upon the following:

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

Staff recommends approval of the Application for Type III Certificates of Appropriateness (CA3-16-127) for a new single family house at **523 Irwin Street** - Property is zoned Martin Luther King, Jr. Landmark District (Subarea 2)/Beltline, with the following conditions:

1. The front yard setback as measured to the front porch shall be 12 ft. at its closest point, per Section 16-20C.007(2)(b)(iii);
2. The roof pitch shall be 9:12, per Section 16-20C.008(1)(a);
3. The height of the first floor of above the surrounding grade shall meet the compatibility rule, per Section 16-20C.008(1)(a);
4. The three square windows shall be removed from the left side elevation or shall be replaced with a smaller, double window with the same proportions as the full size double hung windows on the house, per Section 16-20C.008(1)(b)(i);
5. *The front porch columns and railing shall consist of finish wood with a design, size, and proportions that meet the District regulations, per Section 16-20C.008(2)(b)(ii);*
6. The front porch shall have a continuous foundation wall with materials and design that meets the District regulations, per Section 16-10C.008(2)(c);
7. All material details shall be indicated on the plans and shall meet the requirements, per Section 16-20C.008(1)(a); and
8. The Staff shall review, and if appropriate, approve the final plans and supporting documentation.



CITY OF ATLANTA

KASIM REED
MAYOR

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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT May 11, 2016 *Updated June 22, 2016*

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 has submitted the requested photographic documentation. In looking at the pictures, Staff is reasonably satisfied that the drawings accurately depict the existing conditions. However, no documentation of the existing porch columns has been provided. As the design of the proposed columns is purportedly based on the existing columns, Staff recommends the Applicant provide pictures of the existing porch columns. Further Staff recommends that the proposed porch columns either match the design of the existing porch columns or meet the District regulations.

In looking at the updated plans, Staff has concerns that the front façade windows and door shown on the proposed elevations are not the existing windows. Staff recommends the Applicant provide photographic documentation on the existing front façade windows and door. Additionally, Staff recommends the front porch windows and door be retained or repaired in-kind.

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.

The pictures provided by the Applicant show the principal roof as having a significant inward slant. From the drawings provided, the applicant proposes repairing the existing ridge line and gable ends of the roof as opposed to replacing the entire roof structure. As such, Staff has no concerns with the proposed alteration.

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.

The existing chimney is not pictured in either the existing or proposed elevations. Staff retains its previous recommendation and further recommends that the chimney be shown on the existing and proposed elevations.

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.

The updated plans show all new windows as being 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.

The Applicant has removed the double grouped window from the updated drawings. The second story gable on the south side façade now contains only two windows which are consistent with the fenestration pattern on the existing structure. The plans also show the majority of the existing windows being retained on the south side façade.

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.

The updated plans provided by the Applicant show the existing south side façade windows being retained.

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 Applicant has provided an updated site plan showing the proposed FAR and lot coverage of the proposed structure. The R-4A regulations allow for a maximum floor area of 50% of the net lot area. The proposed structure has a floor area which totals 33% of the net lot area and therefore meets this requirement. The R-4A regulations allow for a maximum lot coverage of 55% of the net lot area. The proposed structure has a lot coverage which totals 30% of the net lot area and therefore meets this requirement.

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 updated plans show the addition as having a lower ridgeline than the existing principal roof. The previous design which included new side facades has been revised to show a pitched roof with a side dormer on the south façade. The pitch of the proposed roof matches the pitch of the existing front and rear roofs. The dormer will have a hipped roof similar to the roof found on the front facing gable. Staff finds that the massing of the proposed addition is appropriate.

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.

The false eave line has been removed from the design.

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

The updated drawings show the foundation material as brick, matching the foundation material of the existing structure.

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. Any repairs on the front porch shall be done in-kind with regards to material, style, and size, per Sec. 16-20.009(5);
2. ***The Applicant shall provide photographic documentation on the existing front façade windows and door, per Sec. 16-20G.006(3)(c);***
3. ***The front porch windows and door be retained or repaired in-kind, per Sec. 16-20G.006(3)(c);***
4. The existing chimney shall be retained and any necessary repairs shall be done in-kind, per Sec. 16-20.009(5);
5. ***The chimney shall be shown on the existing and proposed elevations,*** per Sec. 16-20.009(5);
6. Staff shall review and if appropriate, approve the final plans and documentation.



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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

May 25, 2016

REVISED

June 8, 2016

(Revised text shown in italic.)

June 22, 2016

(Revised text shown in Arial.)

Agenda Item: Application for Type II Certificate of Appropriateness (CA3-16-139) for alterations and revisions to plans at **177 Berean Avenue** - Property is zoned Cabbagetown Landmark District (Subarea 3)/Beltline.

Applicant: Richard Danner
99 Druid Circle

Facts: The Commission approved a single-family house on a vacant lot in 2004 (LD-04-252), with revisions approved by the Staff in 2005 (LD-05-085). The proposed house has a shot gun form, with a stepped-up height in the rear third or so of the house length. There is a small parking area to the side of the house (made of ribbons strips), with a small patio at the end of the driveway. The architecture and ornamentation is based on two shotguns on the block face.

In 2014 and again in 2015, the Staff reviewed and approved further revisions from that 2004 / 2005 plan. Certificates of appropriateness do not expire and given the Landmark District regulations had not changed since 2004/2005 in a way that would have affected the project, the project was able to go forward under the 2004/2005 approval authority. It this time, the Applicant is proposing a further revision to the plans which the Staff finds is substantial enough to warrant a review by the Commission.

The Applicant is proposing to change the run of the front porch stairs. As previously approved the stair went directly from the middle of the front porch to the back of the public sidewalk. In the revised design, the stairs leave the front porch from the left side through a new, projecting landing and then continue down across the front of the front porch to a small landing at grade with one step down to the public sidewalk.

What is before the Commission at this time is the revision to the front porch stairs. All other aspects of the project have previously been approved by the Commission or by the Staff.

On June 2, 2016 the Applicant submitted a revised proposal that is almost the same as what was previously approved by the Commission, with the exception of the length of the run of the stairs and the proposed stairs are now wood.

On June 13, 2016, the Applicant submitted revised materials (i.e. a full set of plans with additional notes) that are addressed in this revised Staff Report.

Analysis: The following code sections apply to this application:

Sec. 16-20A.005. Certificates of appropriateness.

Certificates of appropriateness within this district shall be required as follows:

- (1) When required:
 - (b) To erect a new structure or to make an addition to any structure within the district;

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

The following regulations shall apply to more than one subarea in the Cabbagetown Landmark District, which includes all five (5) subareas. Certificates of Appropriateness required above shall be obtained from the commission or the director, as applicable, in accordance with the following regulations:

- (1) Minimum standards. These regulations constitute the minimum standards that shall be followed and shall be applied by the commission and director.
- (2) The commission shall apply the standards in section 16-20.009 only if the standards set forth elsewhere in this Chapter 20A do not specifically address the application.
- (6) The compatibility rule.
 - i. In general, the intent of the regulations and guidelines is to ensure that alterations to existing structures and new construction are compatible with the design, proportions, scale, massing, and general character of the contributing buildings in the immediately adjacent environment of the block face, the entire block, a particular subarea (including appropriate reference to subarea style) or the district as a whole. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The element in question (roof form, architectural trim, etc.) shall match that which predominates on the contributing buildings of the same architectural style and like use on that block face or, where quantifiable (i.e., buildings height and width as measured at front facade, floor height, lot dimensions, etc.), no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same architectural style and like use in that block face."
 - ii. For the purposes of the compatibility rule, height and width shall be measured at the front façade.
 - iii. In any instance where one contributing building of the same architectural style and like use on a block face is higher or wider by more than 10% than any other contributing building of like use on a block face, such structure shall be eliminated in the application of the compatibility rule.
 - iv. Those elements to which the rule applies are noted in the regulations by a reference to the "compatibility rule."
- (9) Minimum lot requirements. There shall be front, rear, and side yard setbacks. The distance of said setbacks shall be determined by the compatibility rule.
- (13) Design standards and criteria for new principal buildings. The following regulations shall apply to new construction of principal buildings.
 - a) General criteria:
 1. All new construction shall be one of the house styles of a contributing building that appears on the block face of the street on which the new construction shall occur.
 2. The general façade organization and proportions shall be subject to the compatibility rule.
 3. All of the following building elements shall be appropriate to the selected house style, regarding design, size, dimension, scale, material, location on the building, orientation, pitch, reveal and amount of projection from the façade:
 - g. porches, including supports, columns, balustrades, steps, and roofs; and
 4. Sidewalks, front yards, porches, and front doors facing and parallel to the street shall be provided.
 - b) Facades:
 5. Exterior architectural details, such as brackets, decorative trim, corner boards, bottom boards, fascia boards, porch railing, columns, steps and doors, and attic vents, shall be shown on the submitted plans, and shall be subject to the compatibility rule.
 - e) Porches:
 1. Front porches shall contain balustrades, columns, and have other characteristics, including floor dimension, height, roof pitch, overhang, and column size that meet the compatibility rule.
 2. Decorative metal, resin, fiberglass and plastic columns are not permitted.
 3. Porches may be enclosed with recessed screen wire if the main characteristics of the porch are maintained.
 4. Front porch steps shall be made of wood, brick, or concrete. Metal steps are not permitted.

f) Site development, sidewalks and curbs:

4. A paved walkway from the front public sidewalk to the front entry of the principal building shall be provided.

| Sec. 16-20A.009. Shotgun and cottage housing (subarea 3).

In addition to the general regulations required in section 16-20A.006, the following regulations shall apply to any new development or the conversion of any existing structures to permitted uses within the shotgun and cottage housing subarea. These regulations are intended to set forth basic standards of architectural design and construction that are consistent with these original house styles found in the Cabbagetown Landmark District. It is the intent of these regulations to foster residential design that incorporates the historic architectural elements and materials that are specific to the district in a meaningful, coherent manner. The following regulations are intended to achieve basic compatibility with these original architectural styles, rather than designs that are a mere aggregation of random historic elements.

- (6) Minimum lot requirements. In addition to the setback requirements in Section 16-20A.006(9), in no case shall any portion of a building be closer to a public sidewalk than any portion of any contributing building of like use on the block face.

Compatibility Rule Analysis and Front Yard Setback

This block of Berean Avenue runs north-south between Tennelle and Picket Streets. For purposes of the compatibility rule, contributing buildings of the same form and style on the same block face are used in determining the architectural style, architectural elements, building proportions, and building setbacks among other components of the design. This particular block face contains 13 contributing houses, two of which are shotguns (#139 and #141) and one is a double shotgun (#187-189). It is these 3 houses that are to be used as points of comparison.

As the revised front porch design would include a new landing / stair run that would project beyond the main front porch of the house, that new component of the design would need to meet the front yard setback requirements as determined by the compatibility rule. The compatibility rule requires that the front setback of the revised design be within the range of front yard setbacks (measured the same way) of the three contributing shotgun houses on the block face. No information was provided by the Applicant regarding this issue.

The Staff would recommend the Applicant document that the revised design meets the front yard setback requirements as determined by the compatibility rule.

The revised stair runs to almost the back of the public sidewalk. The Staff would retain its previous recommendation regarding the front yard setback.

No information was included in the revised materials addressing the front setback issue. The Staff would retain its previous recommendation regarding the front yard setback.

Design Considerations

The District regulations require that in beyond meeting the setback requirements, “no portion of a building be closer to a public sidewalk than any portion of any contributing building of like use on the block face.” No information was provided by the Applicant addressing this issue. The Staff would recommend the Applicant document that the no portion of the revised design is closer to a public sidewalk than any portion of any contributing building of like use on the block face.

The revised stair runs to almost the back of the public sidewalk. The Staff would retain its previous recommendation regarding the proximity of the stairs to the public sidewalk.

No information was included in the revised materials addressing the proximity of the stairs to the public sidewalk. The Staff would retain its previous recommendation regarding the proximity of the stairs to the public sidewalk.

The Staff is also concerned that the new front porch stair configuration does not meet the District regulations as 2 of the 3 contributing houses used for the compatibility rule comparison (which applies to the configuration of front porches and front porch stairs) have stairs directly from the front porch to the public sidewalk (running perpendicularly to the public sidewalk). Only the double shotgun house has stairs that run parallel to the public sidewalk. The Staff would recommend the front porch stair design be reconfigured to be very similar to the predominant front porch stair configuration of the two shotgun houses on the block face per the compatibility rule.

The overall front porch stair design is similar to other front porch stair configurations and designs of the two shotguns on the block in that it is now perpendicular to the public sidewalk. The Staff would note that the two other shotguns are on lots with less of a plateau / rise and thus have only a couple of steps to get down off of their front porches.

The Staff would lastly note that if any of the concerns noted above cannot be adequately addressed by the Applicant through documentation or design changes, the Applicant would have to seek a variance from the District regulation they cannot meet.

The inability to comply with these requirements would still necessitate applying for a variance.

Other Comments

The Staff would add that the drawings submitted by the Applicant were somewhat difficult to read given how they were transmitted. Further, it appears that the treads and risers on the new proposed stair run are hand drawn and potentially not evenly spaced such that the stairs might not be able to be built as depicted in the graphics. Given the small tolerances for these stairs and these apparent graphic issues, the Staff would recommend the Applicant provide complete and accurate elevations showing the revised stair design.

Complete and accurate drawings were submitted in the revised materials.

Wood front porch stairs are permitted by the District regulations.

Lastly, the Staff is concerned that given the original elevations did not show the plateau that exists on the lot, the overall height of the house (25 ft.) and the height of the front porch floor off of the grade (2.5 ft.) could be different from what was shown on the previously approved plans. The Staff would recommend the Applicant document that the overall height of the house and the height of the front porch floor above the surrounding grade are the same as the previously approved plans.

The revised materials include a comparison to #139 and #141 Berean Avenue (both of which are noted on the plans as 21 ft. tall) and have front porch floors 2.5 ft. above the surrounding grade. The subject house is also noted as 21 ft. tall with a front porch floor 2.5 ft. above the surrounding grade, but the graphic actually shows that the subject house is overall taller than the comparison houses. (The 25 ft. height previously noted by the Staff could have been an error in reading the previous plans.) Further, it is not clear if the plans submitted are the plans previously approved by the Staff in 2005, which the Applicant should still have in their project files. The Staff would retain its previous recommendation.

Staff Recommendation: Based upon the following:

- (a) It is not clear if the proposal meets the regulations per Section 16-20A.006 and 16-20A.009, with a few exceptions noted above.

Staff recommends approval of the application for Type II Certificate of Appropriateness (CA3-16-139) for alterations and revisions to plans at **177 Berean Avenue** - Property is zoned Cabbagetown Landmark District (Subarea 3)/Beltline, with the following conditions:

1. The Applicant shall document that the revised design meets the front yard setback requirements as determined by the compatibility rule, per Section 16-20A.006(9);
2. The Applicant shall document that no portion of the revised design is closer to a public sidewalk than any portion of any contributing building of like use on the block face, per Section 16-20A.00(6);
3. *The Applicant shall document that the overall height of the house and the height of the front porch floor above the surrounding grade are the same as the previously approved plans; and*
4. The Staff shall review and if appropriate approve the final plans and supporting materials.



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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT June 22, 2016

Agenda Item: Application for a Type III Certificates of Appropriateness (CA3-16-196) for a variance to allow a reduction in the side yard setback from 100 feet (required) to 10 feet (proposed) and to allow an increase in the height of an accessory structure from a maximum of 20 feet (required) to 23 feet (proposed); and (CA3-16-212) for alterations and a new accessory structure at **1493 Fairview Rd.** Property is zoned Druid Hills Landmark District.

Applicant: Chris Hamilton
1095 Zonolite Rd.

Facts: According to the architectural survey in 2002, this dwelling built in 1920 is contributing.

In 2010 the Commission reviewed two applications for Type II Certificates of Appropriateness (CA2-10-145) for a window replacement which was approved and (CA2-10-233) for the removal of a rear deck and the installation of a new rear stair and landing which was approved with conditions.

In 2014 the Commission reviewed an application for a Type II Certificate of Appropriateness (CA2-14-403) for alterations and site work which was approved with conditions.

In 2015 the Commission reviewed an application for Type II Certificate of Appropriateness (CA2-15-027) for alterations which was approved without conditions.

Analysis: The following code sections apply to this application:

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

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

20.006 of the Code of Ordinances, be required for any of the following actions within each of the following categories:

- (3) Landmark buildings and sites:
 - (b) To change the exterior appearance of any structure within any Landmark District;

Per Section 16-20B.003 of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to the entire district which includes both (1) the Ponce de Leon Corridor; (2) Fairview Road; and (3) Springdale/Oakdale/Lullwater.. Any proposed development shall require a certificate of appropriateness from the urban design commission and shall conform to the following regulations:

- (5) *Minimum architectural controls:* Any construction in the Druid Hills 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.

Exterior architectural changes shall follow the standards set forth by the secretary of the interior. The secretary of the interior's standards for historic preservation projects are designed to assist individual property owners formulate plans for the development and continued use of historic properties. Separate guidelines are given for each of seven (7) treatments. (Refer to the Secretary of the Interior's Standards of Historic Preservation Projects.)

The Secretary of the Interior's Standards for the Treatment of Historic Properties, 1995, Standards for Rehabilitation

REHABILITATION IS DEFINED AS the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.

1. A property will 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.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will 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 elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

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

Variance

The Applicant has requested a deferral of the variance request to the July 13, 2016 Commission meeting.

Accessory structure

The Applicant has withdrawn their request for an accessory structure from the current application and will be applying for a new Type III Certificate of Appropriateness at a later date.

Alterations

The Applicant is proposing to install new doors on the rear of the structure. One individual door will be installed on the left hand side of the rear façade, and three new French doors will be installed on the right side of the rear façade in place of a currently existing non-historic French door. Staff finds that the design of the proposed doors is compatible with the fenestration on the existing structure, and has no concerns with the alterations proposed.

CA3-16-196

Staff Recommendation: Based upon the following:

- a) The Applicant has requested a deferral of the variance request to the July 13, 2016 Commission meeting.

Staff recommends deferral of the Application for a Type III Certificates of Appropriateness (CA3-16-196) for a variance to allow a reduction in the side yard setback from 100 feet (required) to 10 feet (proposed) and to allow an increase in the height of an accessory structure from a maximum of 20 feet (required) to 23 feet (proposed), to the July 13, 2016 Commission meeting at the Applicant's request.

CA3-16-212

Staff Recommendation: Based upon the following:

- a) The Applicant has withdrawn their request for a new accessory structure and will be reapplying for review at a later date.
- b) The plans meet the regulations with the exceptions noted above, per Sec. 16-20B.003

Staff recommends approval of the Application for a Type III Certificates of Appropriateness (CA3-16-212) for alterations and a new accessory structure with the following conditions:

1. The accessory structure shall be removed from the current application and may be resubmitted by the Applicant at a later date
2. Staff shall review and if appropriate, approve the final plans and documentation.



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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

June 22, 2016

Agenda Item: Applications for a Type III Certificates of Appropriateness (CA3-15-211) for a new single family house at **171 Savannah Avenue** - Property is zoned Cabbagetown Landmark District (Subarea 3)/Beltline.

Applicant: Suzanne Harriman
1315 Hardee Street

Facts: This is currently a vacant lot. At the June 8th meeting, this application was deferred at the applicant's request.

Analysis: The following code sections apply to this application:

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

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

(3) Landmark buildings and sites:

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

Sec. 16-20A.005. Certificates of appropriateness.

Certificates of appropriateness within this district shall be required as follows:

(1) *When required:*

(b) To erect a new structure or to make an addition to any structure within the district;

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

The following regulations shall apply to more than one subarea in the Cabbagetown Landmark District, which includes all five (5) subareas. Certificates of Appropriateness required above shall be obtained from the commission or the director, as applicable, in accordance with the following regulations:

- (1) *Minimum standards.* These regulations constitute the minimum standards that shall be followed and shall be applied by the commission and director.
- (2) *The commission shall apply the standards in section 16-20.009 only if the standards set forth elsewhere in this Chapter 20A do not specifically address the application.*
- (3) *Applications.* Materials necessary for complete review of an application shall be submitted with the application as set forth by the director. In addition, a scaled site plan showing all improvements, photographs of existing conditions and adjoining properties, and elevation drawings of all improvements shall be submitted for all Type III Certificate of Appropriateness applications. For new construction of a principal building, the application shall also include a scaled drawing showing all front yard setbacks, heights of, and widths of, and the distances between all existing buildings on the block face, along with those of the proposed structure.

- (4) *Additional notification.* The applicant shall be given contact information for interested Cabbagetown community organizations and shall be directed to provide the organization with a copy of the submitted application and attachments within three (3) days of submission to the commission.
- (5) *Cabbagetown design guidelines.* The commission shall adopt and maintain guidelines, referred to herein as the Cabbagetown Design Guidelines. These guidelines shall: further the intent of these regulations; further define elements of architectural style and applicability; provide important additional detailed information regarding the construction and renovation of historic buildings; and be used as a guide to ensure the compatibility of future development in the Cabbagetown Landmark District.
- (6) *The compatibility rule.*
- a) In general, the intent of the regulations and guidelines is to ensure that alterations to existing structures and new construction are compatible with the design, proportions, scale, massing, and general character of the contributing buildings in the immediately adjacent environment of the block face, the entire block, a particular subarea (including appropriate reference to subarea style) or the district as a whole. To permit flexibility, many regulations are made subject to the compatibility rule, which states: “The element in question (roof form, architectural trim, etc.) shall match that which predominates on the contributing buildings of the same architectural style and like use on that block face or, where quantifiable (i.e., buildings height and width as measured at front facade, floor height, lot dimensions, etc.), no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same architectural style and like use in that block face.”
 - b) For the purposes of the compatibility rule, height and width shall be measured at the front façade.
 - c) In any instance where one contributing building of the same architectural style and like use on a block face is higher or wider by more than 10% than any other contributing building of like use on a block face, such structure shall be eliminated in the application of the compatibility rule.
 - d) Those elements to which the rule applies are noted in the regulations by a reference to the “compatibility rule.”
- (7) *Variances.* Variance requests shall be heard by the commission which will have the authority to grant or deny variances from the provisions of this chapter when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, criteria and appeal provisions for decisions regarding such variances shall be the same as those specified in chapter 26 of this part 16.
- (9) *Minimum lot requirements.* There shall be front, rear, and side yard setbacks. The distance of said setbacks shall be determined by the compatibility rule.
- (13) *Design standards and criteria for new principal buildings.* The following regulations shall apply to new construction of principal buildings.
- a) *General criteria:*
 1. All new construction shall be one of the house styles of a contributing building that appears on the block face of the street on which the new construction shall occur.
 2. The general façade organization and proportions shall be subject to the compatibility rule.
 3. All of the following building elements shall be appropriate to the selected house style, regarding design, size, dimension, scale, material, location on the building, orientation, pitch, reveal and amount of projection from the façade:
 - a. roofs, chimneys, and roofing materials;
 - b. siding;
 - c. eaves, soffits, brackets, rafter tails, knee braces, cornice returns, and gable returns;
 - d. cornerboards, fascia boards, bottom boards, decorative trim, and attic vents;
 - e. doors and door transoms;
 - f. windows and window transoms;
 - g. porches, including supports, columns, balustrades, steps, and roofs; and
 - h. foundation walls, foundation piers, and water tables.

All the elements listed above shall be utilized in a meaningful, coherent manner, rather than a mere aggregation of random historic elements.
 4. Sidewalks, front yards, porches, and front doors facing and parallel to the street shall be provided.
 - b) *Facades:*
 1. Wood, smooth-surface cementitious siding or Masonite siding are permitted. Siding shall exhibit a horizontal, clapboard profile. Siding shall have no less than a four-inch reveal and no more than a six-inch reveal.
 2. The height of the first floor above street level shall meet the compatibility rule. The foundation shall be a minimum of fourteen (14) inches and a maximum of four (4) feet above the surface of the ground adjacent to the front façade. Brick, stone, smooth finish stucco, and smooth finish concrete are permitted as foundation facing materials.

3. Windows shall be predominantly vertical in proportion, shall not be constructed in combination of more than two (2) units, and shall be double-hung wood sash with true divided lights. Window organization and fenestration patterns shall meet the compatibility rule.
 4. Exterior doors visible from any public right of way shall be solid wood panel or single-pane fixed glass and shall be composed of no more than 50 percent glass.
 5. Exterior architectural details, such as brackets, decorative trim, corner boards, bottom boards, fascia boards, porch railing, columns, steps and doors, and attic vents, shall be shown on the submitted plans, and shall be subject to the compatibility rule.
- c) *Roofs:*
1. The shape and pitch of roofs, as well as ridge, dormer, overhang, and soffit construction shall meet the compatibility rule.
 2. Skylight and solar panels are not permitted on the front façade of any structure. “Bubble type” skylights are not permitted anywhere in the Cabbagetown Landmark District. The placement and design of flat profile skylights and/or solar panels, where permitted, shall minimize their ability to be seen from public right of way(s) and is subject to approval by the commission.
 3. When chimneys are included, chimneys shall be faced in brick, originate at grade and are subject to approval by the commission.
 4. Boxed gable returns are not permitted.
 5. Roofing material shall be asphalt shingles. Fiberglass roofs are not permitted. Flat-roofed structures or structures not visible from any public right of way may use any roof covering that conforms to standard architectural specifications.
- e) *Porches:*
- Front porches shall contain balustrades, columns, and have other characteristics, including floor dimension, height, roof pitch, overhang, and column size that meet the compatibility rule.
1. Decorative metal, resin, fiberglass and plastic columns are not permitted.
 2. Porches may be enclosed with recessed screen wire if the main characteristics of the porch are maintained.
 3. Front porch steps shall be made of wood, brick, or concrete.
- Metal steps are not permitted.
- f) *Site development, sidewalks and curbs:*
1. The sidewalk shall be the same width as the sidewalk on abutting properties. If no sidewalk exists on abutting properties, the new sidewalk shall match sidewalk widths on the block. If no sidewalk exists on the block, the new sidewalk shall be six feet wide.
 2. Sidewalks shall be brick on a concrete base and laid in a pattern to match existing on abutting properties or elsewhere in the district.
 3. Curbing shall be granite; poured concrete shall not be used.
 4. A paved walkway from the front public sidewalk to the front entry of the principal building shall be provided.
- (19) *Off-street and off-site parking.*
- a) All new construction, change in use, alterations, or additions that increase the number of dwelling units and/or increase the square footage of nonresidential or multifamily shall include off-street parking.
 - b) The number of required parking spaces is set out in each subarea.
 - c) Variances may be allowed from this requirement subject to the standard procedures and requirements for a variance found in these regulations.
 - d) Off-street parking may be located in a rear or side yard.
 - k) Use of shared driveways and/or alleys is encouraged.
 - l) The commission shall have the authority to vary section 28.006(10) relative to the requirement for an independent driveway connected to a public street.

Sec. 16-20A.009. Shotgun and cottage housing (subarea 3).

In addition to the general regulations required in section 16-20A.006, the following regulations shall apply to any new development or the conversion of any existing structures to permitted uses within the shotgun and cottage housing subarea. These regulations are intended to set forth basic standards of architectural design and construction that are consistent with these original house styles found in the Cabbagetown Landmark District. It is the intent of these regulations to foster residential design that incorporates the historic architectural elements and materials that are specific to the district in a meaningful, coherent manner. The following regulations are intended to achieve basic compatibility with these original architectural styles, rather than designs that are a mere aggregation of random historic elements.

- (1) *Shotgun Housing.* Shotgun housing is a style typified by simple structures whose width is no more than that of one (1) room extending from the front to rear of the structure or, in the case of a double shotgun, two rooms wide.

This housing type is usually closely spaced and is found most often along Savannah Street and Berean Avenue within this subarea.

- (2) Cottage Housing. Cottage housing is a mixed housing style that includes central aisle houses, L-plan cottages, Victorian cottages, worker's cottages, one and a half story duplexes, bungalows, and other residential structures, modest in scale, that are characterized by common setbacks, repetitive porch and facade features, and consistent structure massing.
- (3) *Permitted principal uses and structures.* A building or premises shall be used only for the following principal purposes:
 - a) Single-family detached dwellings.
 - b) Two-family dwellings existing at the time of the adoption of these regulations. Two-family dwellings, originally built as duplexes, shall be permitted even if the use has lapsed for more than a year.
 - c) Parks, playgrounds, and community buildings owned and operated by a government agency or Cabbagetown-based non-profit community organization.
- (6) *Minimum lot requirements.* In addition to the setback requirements in Section 16-20A.006(9), in no case shall any portion of a building be closer to a public sidewalk than any portion of any contributing building of like use on the block face.
- (7) *Maximum building height and width.* The compatibility rule shall apply.
- (8) *Floor area ratio.* The floor area ratio shall not exceed 0.50.
- (9) *Roofs.*
 - a) Roofing materials shall be asphalt shingles or batten seamed metal.
 - b) Metal shingles are permitted if they are appropriate to the house style.
- (12) *Porches.*
 - a) Decks shall be permitted on the side or rear of the house if not visible from the street.
 - b) Rear decks shall be no wider than the house.
 - c) Side and rear porches shall be permitted if appropriate to the house style.
- (13) *Fencing and walls.*
 - a) Walls are not permitted in a front yard, or a side yard adjacent to a public right of way.
 - b) Variances for the height of walls or fences may be granted by the commission.
 - c) Walls shall be constructed of wood.
- (14) *Driveways and surface parking areas.*
 - a) One parking space per dwelling unit shall be required for all new construction or changes in use.
 - b) Driveways shall not exceed ten (10) feet in width and shall have a curb cut no more than ten (10) feet, exclusive of flair.
 - a) At least one-third of any driveway or surface parking area shall be pervious.
 - b) Poured concrete paving for driveways shall consist of two ribbons for tire tracks separated by a planting strip.
 - c) Alternate paving materials may be approved upon review by the commission if such materials are pervious and do not detract from the historic character of the landmark district.

Setbacks and Site Plan

For purposes of the compatibility rule, contributing buildings of the same type on the same block face are used in determining the architectural style, architectural elements, building proportions, and building setbacks. The Applicant submitted twenty-one houses on the block face to use as points of comparisons. Of the twenty-one houses submitted, Staff finds ten are non-contributing and five are not cottages as proposed by the Applicant. Staff finds the only houses that can be used as points of comparison are 137, 139, 141, 143, 167 and 179 Savannah Street. Staff recommends the Applicant revise the compatibility chart to only include 137, 139, 141, 143, 167 and 179 Savannah Street.

The front, side and rear yard setbacks are based on the compatibility rule. The front yard setbacks on the block face range from 1.37' to 17.2'. The proposed front yard setback is 4'6" and therefore meets the requirements. The right side yard setbacks on the block face range from 0' to 11.5'. The proposed right side yard setback is 11'6" and therefore meets the requirement. The left side yard setbacks on the block face range from 0' to 7.6'. The proposed left side yard setback is 5'6" and therefore meets the requirement. The rear yard setbacks on the block face range from 11.18' to 34.64'. The proposed rear

yard setback is 25' and therefore meets the requirement. Staff recommends the Applicant clarify how all calculations were measured.

The maximum floor area ratio (FAR) allowed is .50. In looking at the floor plan, the maximum square footage allowed is 2076.5 sq. ft. The project is 2028 sq. ft. and therefore meets the requirements. Staff would note that lot coverage is not restricted in this subarea.

Per regulations, off-street parking is required. The site plan indicates an existing driveway and a two car parking pad. The parking pad is not clearly delineated and the driveway appears to engage the corner of the house. In general, the existing and proposed site conditions are unclear. Staff recommends the Applicant submit a clear and accurate site plan. Staff recommends the off-street parking requirement is met.

The sidewalk may be destroyed in the process of building the home. If the sidewalk is damaged beyond repair, Staff recommends the sidewalk be replaced per regulations such that the sidewalk shall be the same width as the sidewalk on the abutting properties. In addition, the sidewalk should be brick on a concrete base and laid in a pattern to match existing on abutting properties. Per regulations, a walkway from the front the porch to sidewalk is required. Staff recommends the site plan indicate an appropriate walkway as required by the regulations.

The site plan does not indicate any grading or change in the lot topography. As there were no pictures submitted of the existing vacant lot, it is not clear whether there are any significant changes to the topography. Staff recommends the Applicant clarify whether there are any significant changes to the topography of the lot.

Massing and Building Height

Per regulations, the architectural design of the new dwelling must be represented historically on the block face. The historic architectural forms/styles seen on the block face are Gabled Ells, Saddlebags, Shotguns, Central Hall Cottages, Georgian Cottages and Double Pens. The overall design and details of the proposed single-family dwelling are similar to the Georgian cottage at 179 Savannah Street.

Per regulations, the roof height is based on the compatibility rule. According to the chart submitted using only contributing cottages, the height range is 16'-24'. The contributing house indicated as 24' in height is the hipped Georgian cottage at 179 Savannah. The house adjacent to 179 Savannah at 185 Savannah Street is a non-contributing shotgun with a gabled roof and is indicated as 24'4". In looking at the two existing houses side by side, the house at 185 Savannah is significantly taller than the house at 179 Savannah. Staff is concerned that the height measurements are not accurate. Staff recommends the Applicant clarify how the height measurements were calculated. Staff recommends the Applicant submit documentation the proposed height meets the requirements.

Per regulations, the roof form is based on the compatibility rule. All of the houses have a gable roof with the exception of one. As the regulations require new houses to have roof with the predominate roof form, Staff finds the proposed hipped roof does not meet the requirement. Staff recommends the proposed new roof is a gable. Per regulations, the roof pitch is based on the compatibility rule. The predominate roof pitches on the block face are 8 in 12 and 10 in 12. The proposed roof pitch is 10 in 12 and therefore meets the requirements.

Per regulations, the house width is based on the compatibility rule. The widths on the block face range from 22' to 37'. The proposed house width is 33' and therefore meets the requirements. Per regulations, the first floor height is based on the compatibility rule and the foundation height shall be

no less than 14". The first floor heights as measured above the street range from 11' to 1'4". The proposed first floor height is 1'3" and the foundation height is 15". Staff finds the first floor height and foundation height meet the requirements.

Building Facades

In Landmark Districts, the Commission reviews all facades.

Windows and Doors

While the design of the front and rear door appear to be appropriate, the material details are not indicated on the elevations. Staff recommends the elevations indicate appropriate materials for the front and rear door.

Per regulations, the design of windows is based on the compatibility rule. Staff finds the predominate window design is 1 over 1 double hung windows. Staff recommends the proposed windows are 1 over 1, double hung and wood with appropriate headers, sills and trim.

Building Materials

The following materials are proposed: cementitious siding with a 6" reveal, wood windows, concrete block foundation and architectural shingles. Staff recommends the façade material is indicated as smooth cementitious siding. Staff recommends the foundation material is indicated as brick, stone, smooth finish stucco or smooth finish concrete. Staff recommends all material details are indicated on the plans and meet the requirements.

Porch

While the proposed porch is consistent with the one hipped roof cottage on the block face, it is not consistent with the other cottages on the block face. Staff recommends the porch is redesigned to be consistent and compatible with the other contributing gabled roof cottages on the block face.

General Comments

The Applicant is proposing a house that will be similar to the existing contributing house at 179 Savannah Street. While the point of comparison is a contributing house it is not representative of the predominate roof, porch and massing elements on the block face. Staff would note that the vast majority of the houses are either Shotguns or Saddlebags. Given the information we have at this time, Staff finds the proposed house needs to be redesigned or the Applicant will need to submit a variance request.

Staff Recommendation: Based upon the following:

- (a) The plans meet the regulations per Section 16-20A.006 and 16-20A.009, with the exception of the notes above;

Staff recommends deferral of an Application for a Type III Certificate of Appropriateness (CA3-15-211) for a new single family house at **171 Savannah Avenue** - Property is zoned Cabbagetown Landmark District (Subarea 3)/Beltline, to allow the Applicant time to address the following concerns of Staff:

1. The Applicant shall revise the compatibility chart to only include 137, 139, 141, 143, 167 and 179 Savannah Street, per Section 16-20A.006(6);
2. The Applicant shall clarify how all calculations were measured;
3. The Applicant shall submit a clear and accurate site plan;
4. The off-street parking requirement shall be met, per Section 16-20A.009(14);

5. If the sidewalk is damaged, it shall be replaced per regulations such that the sidewalk shall be the same width as the sidewalk on the abutting properties. In addition, the sidewalk should be brick on a concrete base and laid in a pattern to match existing on abutting properties, per Section 16-20A.006(13)(f);
6. The site plan shall indicate an appropriate walkway as required by the regulations, per Section 16-20A.006(13)(f)(4);
7. The Applicant shall clarify whether there are any significant changes to the topography of the lot;
8. The Applicant shall clarify how the height measurements were calculated;
9. The Applicant shall submit documentation the proposed height meets the requirements, per Section 16-20A.009(7);
10. The proposed new roof shall be a gable, per Section 16-20A.006(13)(c);
11. The elevations shall indicate appropriate materials for the front and rear door, per Section 16-20A.006(13)(a)(3);
12. The proposed windows shall 1 over 1, double hung and wood with appropriate headers, sills and trim, per Section 16-20A.006(13)(b)(3);
13. Staff recommends the façade material is indicated as smooth cementitious siding. per Section 16-20A.006(13)(b)(1);
14. The foundation material shall be indicated as brick, stone, smooth finish stucco or smooth finish concrete, per Section 16-20A.006(13)(b)(2);
15. All material details shall be indicated on the plans and meet the requirements, per Section 16-20A.006(13)(a) and (b);
16. The porch shall be redesigned to be consistent and compatible with the other contributing gabled roof cottages on the block face, per Section 16-20A.006(13)(a)(3)(g); and
17. Appropriate copies of all updated plans and documentation shall be submitted to our office no later than eight days before the deferred meeting.



CITY OF ATLANTA

KASIM REED
MAYOR

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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

June 22, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-239) for a new single family residential structure at **224 A Haralson Avenue** – Inman Park Historic District / PD-H.

Applicant: Cooper Pierce
400 Plaster Avenue

Facts: The proposed developed will occur on a unusually shaped piece of property that is essentially landlocked between Dekalb Avenue, Haralson Street/Alta Avenue, and Degrass Avenue, except for a thin connection to Haralson Avenue. The property is bordered by existing single family and duplex houses on Haralson, Alta and Degrass Avenues and an existing townhouse development along Dekalb Avenue. The property is relatively flat, although at its northern tip the property drops off severely towards Alta Avenue.

The proposed project includes six single-family houses that are single loaded on a new road. Four of the houses are on rectilinear lots, while the two most northern houses are located on somewhat triangular lots, due to the overall shape of the property and the cul-de-sac road design. Across the street from the houses will be green space and the access road to Haralson Avenue.

A rezoning from the R-5 (Single-family/duplex) zoning category to the PD-H (Planned Development-Housing) zoning category was approved some years ago. More recently, the conditions of that rezoning were revised (Z-15-034) to reflect the current development proposal and to create the new conditions that required adherence to the new site plan and a buffer along the western property line. Prior to submission of the current application, the Staff approved site work in conformance with the PD-H conditions and the District regulations, that included the road, sidewalk, planting strip, curb cuts, and the retaining walls that were not on the individual properties.

Given the PD-H designation and the attached conditions, the Commission review will consist of the design and materials of the specific site plan elements on each individual lot (but not those found in the “common” area), as well as the typical architectural and material issues associated with the houses. In particular, the number of units, lot configuration, road configuration, streetscape components (planting strip / sidewalk), location of green space, and set backs have been set out in the PD-H rezoning and are not the subject to review or variation by the Commission.

As the Commission will note, there are no structures on what will be a newly created “block face”. As such, the Applicant had to pick another block to use as a comparison block face, given the need for

such a reference in the District regulations. In their submission the Applicant noted that the house will be “comparable to surrounding homes in the immediate area” and given the material included in the documentation, it appears the Applicant has selected the western block face of Degress Avenue as their point of comparison for the purposes of the compatibility rule.

The proposed, 1.5 story, side gabled house would be located on Lot #2 in the development.

A companion application has been submitted for the adjacent lot (Lot #1) within the development.

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.
 - 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
2. Certificates of Appropriateness.
 - a. Notwithstanding any other provision herein, no Certificate of Appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - d. Type III Certificates of Appropriateness shall be required for:
 - i. All new principal structures.
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.

6. Tree Preservation and Replacement.

The provisions of the City of Atlanta Tree Ordinance, Atlanta City Code Section 158-26, shall apply to this District.

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

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

1. Design Standards and other criteria for construction of and for additions to one- and two-family residential structures.
 - 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 facades, 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. In no case shall the height of a structure exceed 35 feet. (See Section 16-28.022 for excluded portions of structure.)
 - h. Height of the first floor of the front façade above grade shall be subject to the Compatibility Rule. The first floor of the principal structure shall be on foundations and shall be elevated above grade at the front façade a minimum of two entrance risers each of which shall be not less than 7 inches in height. Slab-on-grade construction is not permitted.
 - 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 8 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 10 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.
 - 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.
3. Off-street parking and driveways. In addition to the provisions of section 16-28.008(7), which shall apply and are incorporated herein, the following parking requirements shall apply to all permitted uses:
 - a. Off-street parking shall not be permitted between the principal structure and any public street.
 - b. Parking shall not be permitted on walkways that are located between the street and the façade of the principal structure.
 - c. The use of alleys for access to such parking is both permitted and encouraged. No variance is required for driveways coming off of an alley provided however that such driveways shall not extend past any façade which faces a public street.
 - d. Driveways shall not exceed a width of ten feet not including the flare at the street. Two-way driveways, where required for an allowed commercial or multi-family use, shall not exceed 24 feet not including the flare at the street.
4. Principal uses and structures:
 - a. Properties that have an underlying zoning designation of R-5 shall be used only for the following principal purposes subject to the following provisions:
 - i. Single-family detached dwelling.
 - ii. Two-family dwelling, subject to the limitations and requirements set forth herein.
 - iii. In no case shall there be more than one principal building and one principal use on a lot.
 - iv. A lot shall not be used for more than two dwelling units.
 - v. Floor area ratio shall not exceed 0.50.
5. Limits on two-family development. In order to preserve the character of single-family pattern of development and to preserve the historic pattern of development in which accessory buildings are visually subordinate to principal residential buildings, the following regulations shall apply:
 - a. Principal buildings that are designed as two-family dwellings shall conform to the historic pattern in which the two dwelling units are attached and are either side by side or one unit is located above the ground floor unit. The compatibility rule shall apply to the configuration of the duplex structure.
 - b. Where an accessory building is used as a detached single-family dwelling, the following limits shall apply:
 - i. The accessory dwelling unit shall not exceed 1,200 square feet or 40 percent of the area of the principal building, whichever is less.
 - ii. For the purposes of subsection 6.g.v below, which limits the total allowable area of the accessory building to 30 percent of the principal building, the square footage of the accessory dwelling unit shall not be included when calculating the total area of the accessory building.
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:
 - i. Except in the case of home occupation, no accessory use shall be of a commercial nature.
 - ii. No accessory structure shall be constructed until construction of the principal structure has actually begun, and no accessory structure shall be used or occupied until the principal structure is completed and in use.
 - 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.
- vi. Accessory structures shall not exceed 25 feet in height or the height of the principal structure, whichever is less, and shall not contain a total floor area greater than 30 percent of the floor area of the principal structure.

Setbacks and Site Features

As noted above, the setbacks for the development have been established by the PD-H rezoning. Taking into account that front porches can project into the front setback, the proposed house meets the setback requirements. Taking into account the specific setback noted for garages in the PD-H (3 ft.), the proposed garages meet the setbacks as well.

A walkway from the street to the front porch of the house has been provided, but no material is noted. The Staff would recommend the walkway to the front porch be concrete.

No fences, walls, or retaining walls are shown on the site plan for this particular lot.

The location of mechanical equipment is not shown on the site plan. All mechanical equipment must be located to the side or rear of the principal structure and appropriately screened. The Staff would recommend that the location and screening of all mechanical equipment be shown on the site plan and meet the District regulations.

The off-street parking is located to the rear of the house in a detached garage accessed with a ribbon strip driveway that is 10 ft. wide. No material is specified on the plans for the driveways. The Staff would recommend the driveway material is concrete.

One of the conditions in the PD-H rezoning deals with the site - the buffer along the western property line behind the house. No information is included on the site plan about the buffer. The Staff would recommend that the Applicant develop a specific landscape design for the buffer along the western property line.

The Staff would add that this landscape design requirement does not eliminate the need to adhere to the City's Tree Ordinance and coordinate with the City Arborist.

Overall Building Design and Massing

In comparing the subject application to the companion application for the adjacent lot, the house design has not been substantially repeated between the two houses. Although they both have a rectilinear shape, they have different porches, porch columns, roof shapes, fenestration, and dormer / gable configurations, as well as a mix of materials and other individual design elements.

The FAR of the proposed house is less than 50% of the lot area.

The generally rectilinear, deeper-than-wide, one-and-a-half story massing of the house is compatible with the houses on Degree Avenue. Although it appears that the height of the proposed house could meet the compatibility rule, no information has been submitted to document this conformance. The height of the proposed house must be within the range of heights established by the contributing houses on the western side of Degree Avenue. The Staff would recommend that the Applicant document that the height of the proposed house meets the compatibility rule.

The height of the first floor of the house is at least two risers off the ground. Although it appears that the number of risers and subsequent height of the first floor is also within the range established by the contributing houses on Degree Avenue, no information has been submitted to document this

conformance. The Staff would recommend that the Applicant document that the number of front porch stair risers and height of the first floor of the proposed house meets the compatibility rule.

There are a variety of roof forms and shapes on the houses on Degree Avenue; however the vast majority (10 of 13) are basic hipped roofs, with various dormers, gables, and other projections on them. The roof form and pitch of the house is subject to the compatibility rule, which requires the roof form be that which predominates on the block face. As the majority of the contributing houses on the western face of Degree Avenue have hipped roofs, the proposed gable roof does not meet the compatibility rule.

The Staff would recommend that the roof form and roof pitch of the proposed house meet the compatibility rule.

All front facades, front porches, front steps, and front doors face and are parallel to the street. This is the built pattern among the contributing houses along the western block face of Degree Avenue as well.

The house has a front porch that is at least 8 ft. deep, and is at least one-half the width of the front façade. The front porch extends less than 10 ft. into the front setback.

A deck is proposed at the back of the house and its design meets the District regulations.

The proposed garage is less than the maximum height, and less than the allowable square footage, and located in the rear yard. However, no calculation was provided as to the percentage of the rear yard the accessory structure occupies. The Staff would recommend the Applicant document compliance with the accessory structure / rear yard percentage requirement.

Architectural Elements

With a few exceptions, all of the duplexes contain architectural elements that are compatible with the contributing houses on the western block face of Degree Avenue, including porch columns and railings, eaves and brackets, window groupings, trim, window patterns, etc.

The house has a chimney that is visible from the street, clad in brick and originates at grade.

The house has front porch stairs that are masonry (poured in place concrete) with brick cheeks walls.

Except for smaller, accent windows, all of the windows are vertical in proportion. However, the plans do not specify that the light pattern will be created with simulated divided lights with the muntins permanently affixed to the exterior of the sash. The Staff would recommend the windows have simulated divided lights with the muntins permanently affixed to the exterior of the sash.

No skylights are proposed on the house.

The only concern the Staff has about the architectural elements is the porch columns. Most of the porch columns on the contributing houses on the western block face Degree Avenue are simple, wood box columns, with a few examples of box or tapered columns on low brick piers. The front porch columns on the proposed house consist of two, slightly tapered columns on a brick pier base. These types of porch columns do not exist on the comparison houses on Degree Avenue. The Staff would recommend that the design for the porch columns meet the compatibility rule.

Materials

The materials of the house will consist of: cementitious 4" siding; brick foundations and chimneys; cementitious and wood trim, and cementitious board-on-batten in the gables/dormers. No roof material is specified. Almost all of the houses on the western block face of Degress Avenue have wood siding, wood trim, brick/stone foundations and chimneys, and asphalt shingle roofs. The Staff is not aware of any board-on-batten sheathing on this block face. The Staff would recommend that the cementitious siding have a smooth finish; no board-on-batten detailing is used; all exterior trim, banding, and accent features are wood; and the roofing is asphalt shingles to meet the compatibility rule. Further, the Staff would recommend that all exterior doors be wood to be compatible with the original doors on the contributing houses on the western block face of Degress Avenue.

Staff Recommendation: Based upon the following:

- 1) The compatibility rule has not been properly documented as it relates to the roof form and some design elements, per Section 16-20L.005(1)(d);
- 2) The arrangement of the building components meets the regulations, per Section 16-20L.005 and 16-20L.006, except as noted above;
- 3) The massing, roof form, and porch configuration meet the regulations, per Section 16-20L.005 and 16-20L.006, except as noted above; and
- 4) The architectural elements and materials meet the regulations, per Section 16-20L.006, except as noted above.

Staff recommends deferral of the application for a Type III Certificate of Appropriateness (CA3-16-239) for a new single family residential structure at **224 A Haralson Avenue** – Inman Park Historic District / PD-H, to allow time for the Applicant to address the following issues:

1. The walkway to the front porch shall be concrete, per Section 16-20L.006(1)(q);
2. The location and screening of all mechanical equipment shall be shown on the site plan and shall meet the District regulations, per Section 16-20L.006(1)(o);
3. The driveway material shall be concrete, per Section 16-20L.006(1)(q);
4. The Applicant shall develop a specific landscape design for the buffer along the western property line, per Z-16-034;
5. The Applicant shall document that the height of the proposed house meets the compatibility rule, per Section 16-20L.006(1)(g);
6. The Applicant shall document that the number of front porch stair risers and height of the first floor of the proposed house meets the compatibility rule, per Section 16-20L.006(1)(h);
7. The roof form and roof pitch of the proposed house shall meet the compatibility rule, per Section 16-20L.006(1)(f);
8. The Applicant shall document compliance with the accessory structure / rear yard percentage requirement, per Section 16-20L.006(5)(f);
9. The windows shall have simulated divided lights with the muntins permanently affixed to the exterior of the sash, per Section 16-20L.006(1)(n)(i);
10. The design for the porch columns shall meet the compatibility rule, per Section 16-20L.006(1)(i);
11. The cementitious siding have a smooth finish; no board-on-batten detailing shall be used; all exterior trim, banding, and accent features shall be wood; and the roofing shall be asphalt shingles to meet the compatibility rule, per Section 16-20L.006(1)(q);
12. All exterior doors shall be wood to be compatible with the original doors on the contributing houses on the western block face of Degress Avenue, per Section 16-20L.006(1)(q);
13. The Applicant shall submit revised plans (including the required number of copies) at least eight (8) days prior to the Commission meeting to which this application is deferred.



CITY OF ATLANTA

KASIM REED
MAYOR

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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

June 22, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-240) for a new single family residential structure at **224 B Haralson Avenue** – Inman Park Historic District / PD-H.

Applicant: Cooper Pierce
400 Plaster Avenue

Facts: The proposed developed will occur on a unusually shaped piece of property that is essentially landlocked between Dekalb Avenue, Haralson Street/Alta Avenue, and Degrass Avenue, except for a thin connection to Haralson Avenue. The property is bordered by existing single family and duplex houses on Haralson, Alta and Degrass Avenues and an existing townhouse development along Dekalb Avenue. The property is relatively flat, although at its northern tip the property drops off severely towards Alta Avenue.

The proposed project includes six single-family houses that are single loaded on a new road. Four of the houses are on rectilinear lots, while the two most northern houses are located on somewhat triangular lots, due to the overall shape of the property and the cul-de-sac road design. Across the street from the houses will be green space and the access road to Haralson Avenue.

A rezoning from the R-5 (Single-family/duplex) zoning category to the PD-H (Planned Development-Housing) zoning category was approved some years ago. More recently, the conditions of that rezoning were revised (Z-15-034) to reflect the current development proposal and to create the new conditions that required adherence to the new site plan and a buffer along the western property line. Prior to submission of the current application, the Staff approved site work in conformance with the PD-H conditions and the District regulations, that included the road, sidewalk, planting strip, curb cuts, and the retaining walls that were not on the individual properties.

Given the PD-H designation and the attached conditions, the Commission review will consist of the design and materials of the specific site plan elements on each individual lot (but not those found in the “common” area), as well as the typical architectural and material issues associated with the houses. In particular, the number of units, lot configuration, road configuration, streetscape components (planting strip / sidewalk), location of green space, and set backs have been set out in the PD-H rezoning and are not the subject to review or variation by the Commission.

As the Commission will note, there are no structures on what will be a newly created “block face”. As such, the Applicant had to pick another block to use as a comparison block face, given the need for

such a reference in the District regulations. In their submission the Applicant noted that the house will be “comparable to surrounding homes in the immediate area” and given the material included in the documentation, it appears the Applicant has selected the western block face of Degress Avenue as their point of comparison for the purposes of the compatibility rule.

The proposed, 1.5 story, side gabled house would be located on Lot #1 in the development.

A companion application has been submitted for the adjacent lot (Lot #2) within the development.

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.
 - 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
2. Certificates of Appropriateness.
 - a. Notwithstanding any other provision herein, no Certificate of Appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - d. Type III Certificates of Appropriateness shall be required for:
 - i. All new principal structures.
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.

6. Tree Preservation and Replacement.

The provisions of the City of Atlanta Tree Ordinance, Atlanta City Code Section 158-26, shall apply to this District.

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

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

1. Design Standards and other criteria for construction of and for additions to one- and two-family residential structures.
 - 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 facades, 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. In no case shall the height of a structure exceed 35 feet. (See Section 16-28.022 for excluded portions of structure.)
 - h. Height of the first floor of the front façade above grade shall be subject to the Compatibility Rule. The first floor of the principal structure shall be on foundations and shall be elevated above grade at the front façade a minimum of two entrance risers each of which shall be not less than 7 inches in height. Slab-on-grade construction is not permitted.
 - 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 8 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 10 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.
 - 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.
3. Off-street parking and driveways. In addition to the provisions of section 16-28.008(7), which shall apply and are incorporated herein, the following parking requirements shall apply to all permitted uses:
 - a. Off-street parking shall not be permitted between the principal structure and any public street.
 - b. Parking shall not be permitted on walkways that are located between the street and the façade of the principal structure.
 - c. The use of alleys for access to such parking is both permitted and encouraged. No variance is required for driveways coming off of an alley provided however that such driveways shall not extend past any façade which faces a public street.
 - d. Driveways shall not exceed a width of ten feet not including the flare at the street. Two-way driveways, where required for an allowed commercial or multi-family use, shall not exceed 24 feet not including the flare at the street.
4. Principal uses and structures:
 - a. Properties that have an underlying zoning designation of R-5 shall be used only for the following principal purposes subject to the following provisions:
 - i. Single-family detached dwelling.
 - ii. Two-family dwelling, subject to the limitations and requirements set forth herein.
 - iii. In no case shall there be more than one principal building and one principal use on a lot.
 - iv. A lot shall not be used for more than two dwelling units.
 - v. Floor area ratio shall not exceed 0.50.
5. Limits on two-family development. In order to preserve the character of single-family pattern of development and to preserve the historic pattern of development in which accessory buildings are visually subordinate to principal residential buildings, the following regulations shall apply:
 - a. Principal buildings that are designed as two-family dwellings shall conform to the historic pattern in which the two dwelling units are attached and are either side by side or one unit is located above the ground floor unit. The compatibility rule shall apply to the configuration of the duplex structure.
 - b. Where an accessory building is used as a detached single-family dwelling, the following limits shall apply:
 - i. The accessory dwelling unit shall not exceed 1,200 square feet or 40 percent of the area of the principal building, whichever is less.
 - ii. For the purposes of subsection 6.g.v below, which limits the total allowable area of the accessory building to 30 percent of the principal building, the square footage of the accessory dwelling unit shall not be included when calculating the total area of the accessory building.
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:
 - i. Except in the case of home occupation, no accessory use shall be of a commercial nature.
 - ii. No accessory structure shall be constructed until construction of the principal structure has actually begun, and no accessory structure shall be used or occupied until the principal structure is completed and in use.
 - 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.
- vi. Accessory structures shall not exceed 25 feet in height or the height of the principal structure, whichever is less, and shall not contain a total floor area greater than 30 percent of the floor area of the principal structure.

Setbacks and Site Features

As noted above, the setbacks for the development have been established by the PD-H rezoning. Taking into account that front porches can project into the front setback, the proposed house meets the setback requirements. Taking into account the specific setback noted for garages in the PD-H (3 ft.), the proposed garages meet the setbacks as well.

A walkway from the street to the front porch of the house has been provided, but no material is noted. The Staff would recommend the walkway to the front porch be concrete.

No fences, walls, or retaining walls are shown on the site plan for this particular lot.

The location of mechanical equipment is not shown on the site plan. All mechanical equipment must be located to the side or rear of the principal structure and appropriately screened. The Staff would recommend that the location and screening of all mechanical equipment be shown on the site plan and meet the District regulations.

The off-street parking is located to the rear of the house in a detached garage accessed with a ribbon strip driveway that is 10 ft. wide. No material is specified on the plans for the driveways. The Staff would recommend the driveway material is concrete.

One of the conditions in the PD-H rezoning deals with the site - the buffer along the western property line behind the house. No information is included on the site plan about the buffer. The Staff would recommend that the Applicant develop a specific landscape design for the buffer along the western property line.

The Staff would add that this landscape design requirement does not eliminate the need to adhere to the City's Tree Ordinance and coordinate with the City Arborist.

Overall Building Design and Massing

In comparing the subject application to the companion application for the adjacent lot, the house design has not been substantially repeated between the two houses. Although they both have a rectilinear shape, they have different porches, porch columns, roof shapes, fenestration, and dormer / gable configurations, as well as a mix of materials and other individual design elements.

The FAR of the proposed house is less than 50% of the lot area.

The generally rectilinear, deeper-than-wide, one-and-a-half story massing of the house is compatible with the houses on Degree Avenue. Although it appears that the height of the proposed house could meet the compatibility rule, no information has been submitted to document this conformance. The height of the proposed house must be within the range of heights established by the contributing houses on the western side of Degree Avenue. The Staff would recommend that the Applicant document that the height of the proposed house meets the compatibility rule.

The height of the first floor of the house is at least two risers off the ground. Although it appears that the number of risers and subsequent height of the first floor is also within the range established by the contributing houses on Degree Avenue, no information has been submitted to document this

conformance. The Staff would recommend that the Applicant document that the number of front porch stair risers and height of the first floor of the proposed house meets the compatibility rule.

There are a variety of roof forms and shapes on the houses on Degree Avenue; however the vast majority (10 of 13) are basic hipped roofs, with various dormers, gables, and other projections on them. The roof form and pitch of the house is subject to the compatibility rule, which requires the roof form be that which predominates on the block face. As the majority of the contributing houses on the western face of Degree Avenue have hipped roofs, the proposed gable roof does not meet the compatibility rule.

The Staff would recommend that the roof form and roof pitch of the proposed house meet the compatibility rule.

All front facades, front porches, front steps, and front doors face and are parallel to the street. This is the built pattern among the contributing houses along the western block face of Degree Avenue as well.

The house has a front porch that is at least 8 ft. deep, but not quite one-half the width of the front façade. The front porch extends less than 10 ft. into the front setback. The Staff would recommend the front porch width be at least equal to one-half the width of the house.

A screened porch is proposed at the back of the house and its design meets the District regulations.

The proposed garage is less than the maximum height, and less than the allowable square footage, and located in the rear yard. However, no calculation was provided as to the percentage of the rear yard the accessory structure occupies. The Staff would recommend the Applicant document compliance with the accessory structure / rear yard percentage requirement.

Architectural Elements

With a few exceptions, all of the duplexes contain architectural elements that are compatible with the contributing houses on the western block face of Degree Avenue, including porch columns and railings, eaves and brackets, window groupings, trim, window patterns, etc.

The house has a chimney that is visible from the street, clad in brick and originates at grade.

The house has front porch stairs that are masonry (poured in place concrete).

Except for smaller, accent windows, almost all of the windows are vertical in proportion. Included in the design is a picture window with transom above that while taken together are just barely vertical in proportion, the picture window itself is not. The Staff would recommend all of the windows on the house are vertical in proportion. Further, the plans do not specify that the light pattern will be created with simulated divided lights with the muntins permanently affixed to the exterior of the sash. The Staff would recommend the windows have simulated divided lights with the muntins permanently affixed to the exterior of the sash.

No skylights are proposed on the house.

Materials

The materials of the house will consist of: cementitious 4" siding; brick foundations and chimneys; cementitious and wood trim, and cementitious board-on-batten in the gables/dormers. No roof material is

specified. Almost all of the houses on the western block face of Degress Avenue have wood siding, wood trim, brick/stone foundations and chimneys, and asphalt shingle roofs. The Staff is not aware of any board-on-batten sheathing on this block face. The Staff would recommend that the cementitious siding have a smooth finish; no board-on-batten detailing is used; all exterior trim, banding, and accent features are wood; and the roofing is asphalt shingles to meet the compatibility rule. Further, the Staff would recommend that all exterior doors be wood to be compatible with the original doors on the contributing houses on the western block face of Degress Avenue.

Staff Recommendation: Based upon the following:

- 1) The compatibility rule has not been properly documented as it relates to the roof form and some design elements, per Section 16-20L.005(1)(d);
- 2) The arrangement of the building components meets the regulations, per Section 16-20L.005 and 16-20L.006, except as noted above;
- 3) The massing, roof form, and porch configuration meet the regulations, per Section 16-20L.005 and 16-20L.006, except as noted above; and
- 4) The architectural elements and materials meet the regulations, per Section 16-20L.006, except as noted above.

Staff recommends deferral of the application for a Type III Certificate of Appropriateness (CA3-16-240) for a new single family residential structure at **224 B Haralson Avenue** – Inman Park Historic District / PD-H, to allow time for the Applicant to address the following issues:

1. The walkway to the front porch shall be concrete, per Section 16-20L.006(1)(q);
2. The location and screening of all mechanical equipment shall be shown on the site plan and shall meet the District regulations, per Section 16-20L.006(1)(o);
3. The driveway material shall be concrete, per Section 16-20L.006(1)(q);
4. The Applicant shall develop a specific landscape design for the buffer along the western property line, per Z-16-034;
5. The Applicant shall document that the height of the proposed house meets the compatibility rule, per Section 16-20L.006(1)(g);
6. The Applicant shall document that the number of front porch stair risers and height of the first floor of the proposed house meets the compatibility rule, per Section 16-20L.006(1)(h);
7. The roof form and roof pitch of the proposed house shall meet the compatibility rule, per Section 16-20L.006(1)(f);
8. The front porch width be at least equal to one-half the width of the house, per Section 16-20L.006(1)(i);
9. The Applicant shall document compliance with the accessory structure / rear yard percentage requirement, per Section 16-20L.006(5)(f);
10. All of the windows on the house shall be vertical in proportion, per Section 16-20L.006(1)(n)(i);
11. The windows shall have simulated divided lights with the muttons permanently affixed to the exterior of the sash, per Section 16-20L.006(1)(n)(i);
12. The cementitious siding have a smooth finish; no board-on-batten detailing shall be used; all exterior trim, banding, and accent features shall be wood; and the roofing shall be asphalt shingles to meet the compatibility rule, per Section 16-20L.006(1)(q);
13. All exterior doors shall be wood to be compatible with the original doors on the contributing houses on the western block face of Degress Avenue, per Section 16-20L.006(1)(q);
14. The Applicant shall submit revised plans (including the required number of copies) at least eight (8) days prior to the Commission meeting to which this application is deferred.



CITY OF ATLANTA

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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

June 22, 2016

Agenda Item: Review and Comment (RC-16-245) on site work at **800 Cherokee Avenue (Zoo Atlanta)**.

Applicant: Alan Wieczynski
15 Simpson Street

Facts: On May 25, 2016, the Commission reviewed and commented on (RC-16-182) on an update to the 2008 Zoo Master Plan. This current application is for a specific project.

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 structure 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.

In order to accommodate a future Zoo Atlanta expansion, the Applicant is proposing to demolish an existing pedestrian path and build a new path in a different location. The existing pedestrian path is in a portion of Grant Park that will be part of the Zoo expansion. Staff finds the demolition and relocation of the pedestrian path is appropriate and required. The path is appropriately designed, uses salvaged pavers and the adjacent area will be vegetated with the installation of numerous trees. New granite walls and columns will be installed that are consistent and compatible with the existing walls and columns in the park.

As part of the Zoo expansion, the area where the path is currently located will require grading, utility relocation, installation of retaining walls and the installation of a perimeter fence. Staff finds the proposed site work and installations are appropriate and required. In looking at the package, the design of the proposed fence and its visibility from the pedestrian path is not clear. Staff finds it is important that those using the pedestrian path are not negatively impacted by a fence that is inappropriately designed or appears too massive. Staff suggests the Applicant clarify the design of the proposed fence and how visible it will be from the pedestrian path. It looking at the plans, it is not clear exactly where the proposed project is located in the context of the entire site. Staff suggests the Applicant provide additional context, such as the nearest street, to help orient the project.

Staff Recommendation: Staff recommends Commission deliver its comments at the meeting.



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TIM KEANE
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Director, Office of Planning

STAFF REPORT June 22, 2016

Application: Review and Comment (RC-16-248) for new construction and site work at **900 Lois St. (Bellwood Quarry Site)** - Property is zoned I-2 / Beltline

Applicant: PC Russell
193 Tilley Dr., South Burlington, VA

Facts: The Bellwood Quarry facility is located in northwest Atlanta off Huff Road and Howell Mill Road. The work will consist of new building and a storm water detention facility. Associated with these facilities will be reconfigured and new access drives, and a small parking area. Preliminary site work and temporary buildings were reviewed and commented on by the Commission in November, 2015 in preparation for these buildings. It is the Staff's understanding that this is a secure portion of the facility and not generally open to the public. The narrative from November, 2015 noted that this location would not be visible to the general public.

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.

Though noted in November, 2015 that this portion of the facility would not be visible to the general public, the Staff finds that this prominent building should be designed with the potential for visibility in mind. The Staff finds that this is important given that the exact configuration and use of the overall property (which would include some type of public park) is not finalized.

In this case, the Staff appreciates the use of cast stone panels and architectural details to create a traditional looking utility building that could have been constructed in the first half of the last century. The use of large expanses of glass on the ends of the building provides an appropriate contrast to the case stone and creates a good backdrop for the prominent City seals. The building's shape (central mass with lower, flanking wings) breaks down what could otherwise be a bulky, uninteresting massing.

At the same time, the Staff does have some concerns about the design of the building. First, given the traditional (almost classical) design aesthetic, the Staff finds that the "quoins" at the corners of the building are out of proportion to the overall wall and building size. Second, the Staff is concerned about the large expanse of metal louvers on the lower flanking wings which could create an overly industrial look to a building that has successfully avoided that aesthetic otherwise. Though it appears that these louvers are associated with mechanical rooms and support functions, the Staff might suggest that an opaque panel system be used to more closely emulate the window systems used elsewhere on the building.

The proposal does not include specific information about the storm water detention facility but does include a rendering showing it as a naturally landscaped element of the property.

It is not clear to the Staff what the square shape to the east of the building is, though it does have an access drive that ends on its north side.

In general, the Staff finds that the building takes advantage of the opportunity for infrastructure to be more than just functional, but rather a design statement to be appreciated and remembered, and that overall it is a positive contribution to the City's built environment.

Staff Recommendation: The Staff recommends that the Commission confirm the delivery of its comments at the meeting regarding an application for Review and Comment (RC-16-248) for new construction and site work at **900 Lois Street**. Property is zoned I-2 / Beltline.



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TIM KEANE
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CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT June 22, 2016

Application: Review and Comment (RC-16-249) for new construction and site work at **650 Bishop St.** Property is zoned I-2 / Beltline

Applicant: PC Russell
193 Tilley Dr., South Burlington, Va

Facts: The Hemphill facility is located off Huff Road and Howell Mill Road. The work will consist of four new structures in a grassed area between the existing holding ponds and Huff Road: an electrical building, a workshop, a crane facility with a curved roof, and an uncovered pipe related structure. Associated with the new construction will be reconfigured drives, several small parking areas, and walkways that are around and between the structures. Preliminary site work was reviewed and commented on by the Commission in November, 2015 in preparation for these buildings. It is the Staff's understanding that this is a secure portion of the facility and not generally open to the public.

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.

As noted in November, 2015 this portion of the facility and thus these structures will be visible from outside the facility given their proximity to Huff Road and that they sit on a small rise in the topography. As such, the Staff finds that at least the three structures with a significant vertical presence (the electrical building, workshop, and crane facility with a curved roof) should be designed with that visibility in mind but still taking into account their very utilitarian function.

Regarding the electrical building and workshop, the Staff would recommend that the exterior insulated finishing system have an appearance and texture that creates a clean and crisp visual presence. The Staff is concerned that similar products are designed to try to have the building recede into the landscape with muted, “rustic” and “natural” finishes. In this case, these two buildings will be clearly visible, have a prominent location on the facility, and will not be able to be “hidden” through a finishing system. As such, they should be designed to be seen and hopefully appreciated for their aesthetics in addition to their critical function.

Regarding the crane facility, the Staff is concerned that the tension fabric roof will appear somewhat temporary, though it is the Staff’s understanding that all of these structures are permanent. The potential temporary visual appearance could make it seem like the design of this prominent building was an afterthought.

Given their location and visual presence, all three of these structures create an opportunity for infrastructure to be more than just functional, but rather a design statement to be appreciated and remembered.

Staff Recommendation: The Staff recommends that the Commission confirm the delivery of its comments at the meeting regarding an application for Review and Comment (RC-16-249) for new construction and site work at **650 Bishop St.** Property is zoned I-2 / Beltline.