



CITY OF ATLANTA

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TIM KEANE
Commissioner
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Director, Office of Planning

STAFF REPORT July 13, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-264) for variance to allow an independent driveway which is not connected to a public street; and (CA3-16-265) for a new single family structure at **300 Woodward Ave.** Property is zoned R-5/Grant Park Historic District (Subarea 1)

Applicant: Adam Stillman
350 Sinclair Ave.

Facts: According to the District photographic inventory, this lot is currently vacant. On the block face in question, no contributing structures exist. As such, no compatibility comparisons can be made from structures on this block face.

Analysis: The following code sections apply to this application:

Sec. 16-07.008. - Minimum yard requirements.

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

- (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, except for zero-lot-line development where no side yard is required along the internal lot line.
- (3) Rear yard: There shall be a rear yard of not less than seven feet except for zero-lot-line units where the internal side or rear lot line may be reduced to zero feet.
- (5) Maximum floor area within this district:
 - b. For a single-family detached dwelling on a lot which does not meet the minimum lot area requirement described in section 16-07.007(2):
 1. The maximum floor area allowed shall not exceed the lesser of either: (i) 3,750 square feet of floor area; or (ii) a maximum floor area ratio of 0.65 of the net lot area unless otherwise permitted as stated in subpart 2 below;
- (6) Maximum lot coverage: Maximum lot coverage within this district shall not exceed 55 percent of the net lot area.
- (7) Location of structures in two-family dwellings: Any structure of lesser floor area in any two-family dwelling unit shall be located no nearer to any street frontage than the structure of greater floor area. Any dwelling structure with a street-fronting elevation shall provide a pedestrian entrance on that elevation.

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

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

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

- (2) Certificates of Appropriateness.
 - (C) Type III Certificates of Appropriateness shall be required for:
 - 1. All new principal structures;
 - 2. All major alterations and additions to existing structure, with respect to any façade that faces a public street.
- (7) Paved surfaces: The original layout, patterns and paving materials of sidewalks, curbs and streets shall be retained.

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

- (1) Development Controls.
 - (A) Front Yards: Front yard setbacks shall either: i) conform to the setback of the previously existing contributing building of like use; or ii) shall be no closer to the street than the closest and no farther from the street than the farthest contributing structure of like use on that side of the block.
 - (B) Side Yards: Side yards shall either: i) conform to the setback of the previously existing contributing building of like use; ii) conform to the setback of the existing building; iii) conform to any existing pattern of unequal side yard setbacks previously established by a majority of the contributing buildings of like use on that side of the block; or iv) be of a width of not less than seven feet.
 - (C) Rear Yard: Rear yard setback shall be seven feet.
 - (D) Off-street parking and driveway requirements:
 - 1. Off-street parking shall not be permitted in the front yard or half-depth front yard.
 - 2. The commission shall have the authority to vary section 28.006(10) relative to the requirement for an independent driveway connected to a public street.
 - 3. If constructed, independent driveways within the front yard or half-depth front yard shall be a maximum of ten feet wide and shall have a maximum curb cut of ten feet, exclusive of the flare.
- (2) Architectural Standards.
 - (A) Statement of Intent. The purpose of these regulations is to set forth basic, minimum standards of architectural design and construction that are compatible with and complementary to the existing historic residences within the neighborhood, as the cumulative historic diversity of the built environment is a defining characteristic of this neighborhood. It is not the intent of these regulations to limit the design of new housing to replication of styles of existing structures, but to foster residential design that, with regard to massing, size, scale, materials, and architectural elements, enhances the architectural quality of the neighborhood and simultaneously encourages creativity. Additionally, these regulations are intended to integrate the physical characteristics of new construction into the existing neighborhood in a meaningful way so as to restore and promote the public health, safety, and welfare of this neighborhood.
The following residential architectural styles currently predominate in the neighborhood and contribute to its unique historic character; they are included here for reference only: American Four Square, Craftsman, English Vernacular Revival, Folk Victorian, Queen Anne, and Shotgun.
 - (B) Design Standards and Criteria for New Principal Structures.
 - 1. Identified design elements of size, scale, massing and materials of new construction shall be substantially consistent with said identified design elements found in contributing structures of like use in the district as listed in subsection 16-20K.007(15)(c.).
 - 2. A paved walkway from the front sidewalk to the front entry of the principal structure shall be provided.
 - 3. Front porches on the principal structure shall be required and shall be a minimum of one-third the width of the front façade and a minimum of seven feet in depth. Side porches shall be a minimum of four feet in depth. Porches may be enclosed by screen wire only, provided all the main features of a porch are maintained in place and the screening materials can be removed at a future date with minimal damage to said features.
 - 4. All front façades and front porches of the principal structure shall face and be parallel to the lot frontage. Wrap around front porches are permitted.
 - 5. Roof form above the front façade of the principal structure shall be gabled and/or hipped. Roof pitch shall be a minimum of 6 in 12. Roof pitch above porches shall not be restricted.
 - 6. The height of the principal structure shall not exceed 35 feet. (See section 16-28.022 for excluded portions of structures.)
 - 7. The first floor of the principal structure shall be on foundations and elevated above the grade a minimum of two entrance step risers each of which shall be no less than six inches in height. All front steps shall have closed risers and closed ends. Access ramps shall be permitted.
 - 8. Garages entrances are prohibited on the front façade. Single car-width garage entrances are permitted on the half depth front yard façade of the structure. Double car-width garage entrances are permitted at the rear of the structure.
 - 9. Decks, Balconies and Upper Level Terraces:
 - a. Decks shall be permitted only when located to the rear of the principal structure.
 - b. Decks shall be permitted at any level.
 - c. Balconies and upper level terraces shall be permitted.
 - 10. Any portion of a chimney that is located on any façade that faces a public street shall originate at grade.

11. Any façades that face a public street shall consist of fenestration that is either: 1) substantially consistent with fenestration on contributing structures of like use in the district, or 2) shall be no less than 15 percent and no greater than 40 percent of the total surface wall area. Windows may be individual or grouped. No individual window unit shall exceed 28 square feet. Within each individual window unit, no individual window sash, either fixed or operable, shall exceed 16 square feet.
 12. When practical, skylights should be located where least visible from the public street. If skylights are visible from the public street, the glass shall be tinted to match the surrounding roof area. Protruding "bubble" skylights are prohibited.
 13. Accessory structures, such as carriage houses, smoke houses, tenant and alley houses, private garages, carports, electric vehicle charging stations equipped with Level 1 and/or Level 2 EVSE, and mechanical equipment shall be located to the side and/or rear of the principal structure within the buildable area of the lot and shall not project beyond the front of the principal structure. If mechanical equipment is visible from a public street, screening with appropriate plant or fence materials is required.
 14. Fences and walls, adjacent to a public street upon completion, shall be subject to the provisions of section 16-28.005(5) and the following limitations:
 - a. Fences not exceeding four feet in height may be erected in a front yard. Other than retaining walls, walls shall not be erected in a front yard or a half-depth front yard.
 - b. Fences and walls not exceeding six feet in height may be erected in the side or rear yards.
 - c. In a half-depth front yard, when a fence exceeds four feet in height, the standard zoning requirements for a variance are in effect. Where no sidewalk exists, the fence shall be set back three feet from a public street. Portions of retaining walls facing a public street and located in a required front yard or half-depth front yard shall be faced with brick, stone or masonry wall covered with a parge coat of stucco, such as Portland stucco cement.
 - d. The finish side or front side of one-sided fences shall face the public street.
 15. On those façades of any structure that face a public street, the following regulations on building materials shall apply. Alternate materials may be submitted for review by the commission.
 - a. Paving materials for walks and drives: Black asphalt is prohibited.
 - b. Visible foundation materials: Foundations shall constitute a distinct building design element and shall contrast with the front façade siding material. Brick, stone, concrete, stucco, and architectural concrete masonry units (C.M.U.) shall be permitted. Standard, unfinished concrete block and stacked stone is prohibited.
 - c. Siding/veneer: Horizontal lap siding, vinyl siding, aluminum siding, shingles, brick, hard stucco, and stone shall be permitted. Stacked stone is prohibited.
 - d. Roofing: Asphalt shingles, wood shingles, metal shingles, slate, and pre-finished metal panels shall be permitted.
 - e. Chimneys: Brick, stone, or architectural concrete masonry units (C.M.U.) shall be permitted. Siding is prohibited.
 - f. Fences: Brick, stone, wire mesh, architectural C.M.U., or vertical pickets made of ornamental metal, wood or simulated wood shall be permitted in the front yard and half depth front yard.
- (E) Site development, sidewalks and curbs:
1. The sidewalk shall be the same width as the sidewalk on abutting properties. If no sidewalk exists on abutting properties the new sidewalk shall match sidewalk widths on the block. If no sidewalk exists on the block, the new sidewalk shall be six feet wide.
 2. Repairs or replacement of existing brick sidewalks shall be constructed of brick on a concrete base and laid in a pattern to match the existing pattern on abutting properties or elsewhere in the district.
 3. Repairs or replacement of concrete sidewalks adjacent to existing brick sidewalks on the same linear block, or in blocks where brick sidewalks are installed, shall be constructed of brick on a concrete base and laid in a pattern to match the existing pattern on abutting properties or elsewhere in the district.
 4. Sidewalks crossing driveways shall be brick on a concrete base and laid in a pattern to match the existing sidewalk on abutting properties or elsewhere in the district. Driveway aprons shall not interfere with the visual field of the pedestrian path.
 5. Curbing shall be granite; poured concrete shall not be used. Curbing shall be at least six inches in height from street level.
 6. Historic materials such as brick, granite, and cobblestones shall be reused where possible.
 7. All American with Disabilities Act (ADA) Detectable Warning Devices installed in this district shall be a red brick color.

Variance:

The Applicant is requesting a variance to allow an independent driveway which is not directly connected to the public street. In their justification the Applicant cites the location of an alley

along the rear of the property. While there is no requirement for off street parking on this property, the Grant Park Historic District regulations encourage the use of alleyways for off street parking if such a configuration is possible. As such, Staff has no concerns with the variance request.

New Construction:

Site Plan

Per the regulations, the Applicant has provided information regarding the setbacks of the previously existing contributing structure of like use on the lot. This structure had a front yard setback of 22.66 feet, an east side yard setback of 4.33 feet, and a west side yard setback of 4 feet. The proposed structure will conform to these regulations. As such, Staff finds that the setback regulations have been met.

The subject property is a nonconforming lot with regards to its size and frontage. As such the R-5 regulations allow for a floor area ratio of 65% of the net lot area. The net lot area of the subject property is 6546.48 sf. meaning that any principal structure built on the site has a maximum allowable floor area of 4255.21 sf. The proposed structure has a floor area of 2306 sf. which meets the R-5 floor area requirements. The R-5 lot coverage requirements allow for no more than 55% of impervious surface or 3600 sf. The proposed structure has a lot coverage of 2501 sf. which meets the R-5 lot coverage requirements.

As required, the site plans indicate a walkway leading from the front entrance to the sidewalk. The plans indicate an existing concrete sidewalk and retaining wall along the Woodward Avenue frontage. Staff recommends that any repairs to portions of the sidewalk and retaining wall damaged during construction meet the District regulations.

A rear drive is proposed leading from the alley on the west side of the property to a proposed accessory structure. Given Staff's support of the variance request, Staff has no concerns with the proposed driveway.

The Applicant is proposing new mechanical equipment placed to the rear of the principal structure. Staff has no concerns with the proposed mechanical equipment.

Massing and Building Height

The proposed two story house is defined by a 6 in 12 pitched roof, a 9 in 12 gable, and a 3/4 width front porch. Per regulations, the maximum height allowed is 35'. The Grant Park Historic District regulations do not specify how the height should be measured. As such, Staff finds the standard City measurement should be used. In looking at the front façade, Staff finds the height requirement has been met.

Building Facades

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

Windows and Doors

A single front door is parallel and facing Georgia Avenue as required. From the drawings the front door will have a glass panel the entire length of the door.

The Applicant is proposing to install 2 over 2, double hung windows on the front facade. Staff finds the design of the proposed windows to be appropriate. The Grant Park Historic District regulations require the fenestration on street facing facades to either be compatible with the fenestration pattern of contributing structures of like use in the District, or to be no less than 15% and no more than 40% of the wall surface. The wall surface of the front façade is approximately 575 sf. The fenestration on the front façade is approximately 150 sf. or 26% of the front façade wall surface. As such, Staff finds the fenestration requirement has been met.

Building Materials

The proposed materials include horizontal cementitious lap siding, architectural shingles for the roof, a brick porch foundation, a stucco coated foundation for the main structure, wood steps on the front porch, wood columns, wood windows, wood, doors and wood railing on the front porch.

Porch

Per regulations, the minimum allowed depth for the front porch is 7 feet. Staff finds that the proposed porch at its deepest point is 8 feet and therefore meets this requirement. The porch features boxed columns and railings that are compatible with porches on structures with similar architectural features in the District. Staff finds the overall decorative details of the proposed front porch are consistent and compatible with the house style.

Accessory Structure

The Applicant is proposing an accessory structure to the rear of the principal structure and within the buildable area of the lot as defined by the R-5 and Grant Park Historic District zoning regulations. Staff has no concerns with the proposed accessory structure.

CA3-16-264:

Staff Recommendation: Based upon the following:

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

Staff recommends approval of the Application for Type III Certificate of Appropriateness (CA3-16-264) for variance to allow an independent driveway which is not connected to a public street. Property is zoned R-5 / Grant Park Historic District (Subarea 1).

CA3-16-265:

Staff Recommendation: Based upon the following:

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

Staff recommends approval of the approval of the Application for Type III Certificate of Appropriateness (CA3-16-265) for a new single family structure at **300 Woodward Ave.** Property is zoned R-5/Grant Park Historic District (Subarea 1) with the following conditions:

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



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July 13, 2016

Agenda Item: Application for a Review and Comment (RC-16-266) for the Hurt park master plan at **23 Courtland St.** Property is zoned SPI-1 (Subarea 1)/ Martin Luther King, Jr. Landmark District.

Applicant: Steve Provost
2625 Cumberland Parkway

Facts: Hurt Park is located across from Georgia State University and is bounded by Gilmer Street, Courtland Street and Edgewood Avenue. While the original application was for a master plan, Staff will make comments regarding a site work and upgrade project. The master plan for the park will be reviewed at the July 27th meeting.

Analysis: The following code sections apply to this application:

Per section 6-4043 of the Atlanta City Code, as amended:

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

Per Section 16-20.009. Same; further standards.

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

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

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

In looking at the project description, the Applicant is proposing a fountain upgrade, site electrical upgrade, landscape improvements, additional hardscape for a performing area, grading and improvement to the turf area. While a detailed site plan of the proposed conditions was submitted, there is no site plan of the existing conditions and no pictures to provide context. Staff suggests the Applicant submit pictures of the existing conditions to provide context for the project.

The Applicant is proposing a fountain upgrade. While Staff has no general concerns regarding improvements to a fountain, it is not clear what the project entails. Staff suggests the Applicant clarify the details of the proposed fountain improvements. The Applicant is proposing improvements to the landscape. While Staff is generally supportive of landscape improvements, the details are not clear. Staff suggests the Applicant clarify the details of the proposed landscape improvements.

The Applicant is proposing electrical improvements. In looking at the site plan, there is a specific notation regarding the addition of an electrical source. Staff finds this is likely related to the proposed performance stage. While Staff has no general concerns regarding the proposed improvements, the details are not clear. Staff suggests the Applicant clarify the details of the proposed electrical improvements. The Applicant is proposing grading and improvements to the turf oval. It appears the proposed improvements are related to the new stage area but it is not clear. Staff suggests the Applicant clarify the details of the grading and improvements to the turf oval.

The Applicant is proposing a new performance stage area. Staff finds the proposed stage could potentially create a great amenity for the students and those visiting the park. As there are no elevations, it is not clear whether the stage is raised, what the materials are and what the design is. While Staff generally supports the installation of a stage, Staff suggests the Applicant clarify the details of the materials and design.

While Staff has questions regarding the details of the proposed improvements, Staff is generally supportive of the project and finds the improvements will enhance the park. Staff recommends the Commission deliver its comments at the meeting.



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STAFF REPORT July 13, 2016

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-16-275) for site work at **249 Peters St.** Property is zoned Castleberry Hill Landmark District (Subarea 1).

Applicant: Matt Cherry
818 Glendale Ter.

Facts: The photographic inventory lists this property as a vacant lot containing a surface parking lot.

Analysis:

The following code sections apply to this project:

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

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

1. *[Standards.]* In the district, the commission shall apply the standards referenced below only if the standards set forth elsewhere in this chapter 20N do not specifically address the application or any portion of the application:
 - (a) The historic character of a property shall be retained and preserved.
 - (b) 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 historic 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.
- (k) Contemporary design for new construction and for additions to existing properties shall not be discouraged when such new construction and additions do not destroy significant historical, architectural, or cultural material, and such construction or additions satisfy section 16-20N.007 or section 16-20N.008, as applicable.
- (l) The height of a structure shall be measured on the façade facing the public street and measurement shall be taken from the highest point of such grade to the top of the parapet wall.

7. *Tree preservation and replacement.* The provisions of the City of Atlanta Tree Ordinance, Atlanta City Code section 158-26, shall apply to this district.

Sec. 16-20N.008. - Specific regulations for Historic Core, Subarea 1.

In the Castleberry Hill Historic Core, Subarea 1, the commission shall apply the standards referenced in section 16-20N.006(1) only if the standards set forth in section 16-20N.007 do not specifically address the application or any portion thereof:

[1.] *Design standards and other criteria for construction of, additions to, or alterations of principal buildings:*

- (i) Sidewalk regulations.
 - i. Hexagonal sidewalk pavers shall be retained.
 - ii. Hexagonal sidewalk pavers or hexagonally stamped concrete shall be used for any new sidewalks or replacement sidewalks on the public streets.
 - iii. Any new or replacement curbing shall be granite.
 - iv. New sidewalks 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 a minimum of seven feet wide and a maximum of 15 feet wide.
 - v. Street furniture: Street furniture to include, but is not limited to: street lights, seating, newspaper vending boxes, trash receptacles, official city and neighborhood signage, trees and shrubs and flower pots.
 - vi. Outdoor seating: Seating areas should be specifically defined and located as to not obstruct pedestrian access or motorist visibility.
 - vii. Umbrellas: Must have a minimum clearance of seven feet above the sidewalk level and located as to not obstruct pedestrian access or motorist visibility.
 - viii. Newspaper vending boxes: Should be located as to not obstruct pedestrian access or motorist visibility.
 - ix. Tree planting: When installed, all newly planted trees shall be a minimum of four inch caliper measured 36 inches above ground, and a minimum of ten feet in height. Trees shall be drought tolerant, limbed up to a minimum seven-foot height, and shall have a maximum mature height of 40 feet. Trees shall have a minimum planting area of 25 square feet. All plantings, planting replacement, and planting removal must be approved by the city arborist. The planting area shall be planted with evergreen ground cover such as mondo grass or liriopie spicata.
 - x. Trash receptacles: Where installed, trash receptacles shall be a Victor Stanley Model S-42 or similar looking standard.
 - xi. Decorative pedestrian lights, where installed, shall be placed a maximum of 40 feet on center and spaced equal distance between any street trees along all streets. All said lights shall be Atlanta Type "C" as approved by the planning bureau.

The proposed project consists of adding a site/streetscape feature to the front of the existing surface parking lot on this property. The applicant is proposing to add new bicycle parking, a new bike fixit station, new planters, new wooden benches, new hardscapes, a new wooden deck, new landscaping to the currently existing hardscaped areas of the lot, and to add accent paint to

the existing sidewalk hexagonal pavers. In general, Staff finds the project to be an appropriate addition to the site which will encourage pedestrian activity and diminish the presence of surface parking in a dense urban area. However, the use of a physical treatment which would harm historic materials, such as paint on historic masonry or sidewalk pavers, is prohibited by the District regulations. As such, Staff recommends that the painting of currently unpainted sidewalk pavers be removed from the plans.

While not a part of the project currently under review, Staff noted what appears to be new signage painted on an adjacent building advertising several businesses in close proximity to the project area. Staff would note for the Applicant's benefit that this signage would require review and would be required to meet the regulations for signage in the District.

CA2-16-275:

Staff Recommendation: Based upon the following:

1) The plans meet the regulations with the exception of the elements noted above, per Sec. 16-20N.006 & Sec. 16-20N.008;

Staff recommends approval of the Application for a Type II Certificate of Appropriateness (CA2-16-275) for site work at **249 Peters St.** Property is zoned Castleberry Hill Landmark District (Subarea 1) with the following conditions:

1. The painting of currently unpainted sidewalk pavers be removed from the plans, per Sec. 16-20N.007(1)(g); and,
2. The Staff shall review and if appropriate, approve the final plans and documentation.



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Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-277) for an addition at **741 Edgewood Ave.** Property is zoned R-LC / Inman Park Historic District (Subarea 1) / Beltline.

Applicant: Lee Ann Gamble
935 Myrtle St.

Facts: The existing commercial building is located on the southwest corner of Edgewood Avenue and Waddell Street, and is considered contributing to the district.

In August of 2015 the Commission reviewed the application RC-15-312 on the Application for a Special Exception V-15-201 to allow a parking reduction from 23 spaces (required) to 0 spaces (proposed), and to allow a religious use on less than one acre at this address.

The Application before the Commission at this time is to allow for two dormer additions and the installation of skylights.

A separate Type II Staff Review application has been submitted for the new signage and alterations on the front façade.

Analysis: The following Code sections apply to this application:

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

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

1. General criteria.

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

plating in Subarea 1 is compatible with the historic plating 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.
 - d. Type III certificates of appropriateness shall be reviewed by the commission and shall be required for:
 - ii. Additions that are visible from a public street or park, unless such additions are specifically exempted from a certificate of appropriateness in the subarea regulations.

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

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

1. *Design standards and other criteria for construction of and for additions to one- and two-family residential structures.*
 - f. The compatibility rule shall apply to the form and pitch of the primary roof of the principal structure.
 - g. The compatibility rule shall apply to the height, scale, and massing of the principal structure, except as noted below. In no case shall the height of a structure exceed 35 feet. (See section 16-28.022 for excluded portions of structure.)
 - i. The height of additions shall not be subject to the compatibility rule, but shall be no higher than the existing structure.
 - ii. Notwithstanding the compatibility rule, any new roof ridge line shall be no higher than the highest roof ridge line of the existing structure.
 - n. The compatibility rule shall apply to the following aspects of fenestration, if visible from a public street or park upon completion:
 - i. The style of the individual window.
 - (1) Windows in the front façade shall be predominantly vertical in proportion.
 - (2) If muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
 - (3) Window and door casings widths and depths are subject to the compatibility rule.
 - ii. The size and shape of individual window openings.
 - iii. The overall pattern of fenestration as it relates to the building façade.
 - o. Mechanical equipment shall be located to the side and rear of the principal structure and where possible in the location least visible from a public street or park. Screening with appropriate plant material or fencing is required if the equipment is visible from a public street or park.
 - p. Wood lap siding, cementitious lap siding, brick, stone, external insulating finishing system ("EIFS"), and true stucco systems are permissible building materials for the façade of the principal structure. Corrugated metal, aluminum siding, and vinyl siding are not permitted.
 - q. The compatibility rule shall apply to building materials and design elements, if visible from a public street or park upon completion, and in addition to all other applicable regulations, as follows:
 - i. The dimensions of the exposed face of lap siding and wood shingles.
 - ii. The type of brick and pattern of brickwork.
 - iii. The type of stone and pattern of stonework.

- iv. The material and texture of stucco.
 - v. The size and type of doors.
 - (1) Exterior doors shall be wood panel or fixed glass panel in wood frame.
 - vi. The materials and pattern of roofing.
 - vii. Paving materials for walks and drives.
 - (1) Asphalt is not permitted.
 - viii. Visible foundation materials.
 - (1) Foundations shall constitute a distinct building design element and shall contrast with the primary façade siding material. Exposed concrete or CMU foundation walls are prohibited as a finished surface.
 - ix. Visible portions of chimneys.
 - (1) Chimneys shall be faced with masonry. Siding on chimneys is not permitted.
 - x. Skylights are permitted where not visible from a public street or park wherever possible. Protruding bubble skylights are prohibited.
2. *Setback requirements:*
- b. *New additions to existing structures:* The following setback requirements and maximum floor area ratio shall apply to all permitted uses of new additions to existing structures: Rear setbacks shall be subject to the compatibility rule. The compatibility rule shall not apply to the front and side setbacks of any addition to an existing structure, however the front and side yard setbacks of the addition shall not be less than the respective setback, at its closest point, of the existing structure.
 - g. Properties that have an underlying zoning designation of R-LC (Residential—Limited Commercial) district shall be used as is otherwise permitted pursuant to the provisions of chapter 9 of this part and shall comply with all applicable provisions of this chapter 20L.

The Applicant is proposing two dormer additions to the roof of the existing structure. In order to facilitate the new additions, an existing cupola/light shaft will be removed. Staff has no concerns with the removal of this feature. Neither of the two proposed dormers will be higher than the existing ridge line. Of the two dormer additions, Staff finds that only the dormer on the right side would be visible. Existing trees on this side of the structure will provide seasonal screening of this addition. Staff finds that the roof pitch and new façade created by this addition are compatible with the existing commercial/light industrial structure. The materials for the dormer and dormer roof are not specified. As the allowable materials for these features are based on the compatibility rule, Staff recommends the façade and roof materials of the proposed dormer addition match or otherwise be compatible with the related materials on the existing structure.

The Applicant is also proposing the addition of skylights on the existing roof of the structure. Due to the slope of the roof and the existence of parapet walls which will act to obscure the view of the roof, only the skylights along the right side of the structure will be visible. The District regulations allow for skylights to be located where not visible from a public street or park wherever possible. The Applicant has explained that the skylights along the right side of the structure are proposed to allow light into the new meditation spaces below. As the interior programming which necessitates these skylights would be difficult to change, Staff has no concerns with the placement of these skylights.

CA3-16-277:

Staff Recommendation: Based upon the following:

- 1) The plans meet the regulations with the exception of the elements noted above, per Section 16-20L.005 and Section 16-20L.006;

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-16-277) for an addition at **741 Edgewood Ave.** with the following conditions:

1. The façade and roof materials of the proposed dormer addition shall match or otherwise be compatible with the related materials on the existing structure, per Sec. 16-20L.006(q); and,
2. Staff shall review and if appropriate, approve the final plans and documentation.



CITY OF ATLANTA

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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

July 13, 2016

Agenda Item: Application for a Type II Certificates of Appropriateness (CA2-16-278) for revision of plans at **760 Kirkwood Ave.** Property is zoned Cabbagetown Landmark District (Subarea 3) / Beltline.

Applicant: Lang Custom Homes
352632 Mountain Industrial Boulevard #D

Facts: On November 25, 2013, the Commission approved an application for a Type III Certificates of Appropriateness (CA3-13-294) for a subdivision of one lot into three lots at 145 Pearl Street. The lot in question is one of the three lots created as a result of the approved subdivision.

On December 9, 2015, the Commission approved applications for Type III Certificates of Appropriateness (CA3 15 456) for a variance to increase the west side yard setback from 2.4 feet (required) to 3.1 feet (proposed), to decrease the first floor height from 7.4 feet (required) to 2 feet 5 inches (proposed), and to allow for a lack of an independent driveway connected to a public street, and (CA3 15 240) for a new single family home at **754 Kirkwood Ave.** Property is zoned Cabbagetown Landmark District (Subarea 3) / Beltline. Below are the conditions from the previously approved application:

1. The Applicant shall submit properly scaled plans;
2. The proposed front yard setback shall the requirements, per Section 16-20A.006(9);
3. The Applicant shall provide documentation the project meets the FAR requirement, per Section 16-20-20A.009(8);
4. The site plan shall indicate an appropriate driveway material, 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 material for the proposed walkway, per Section 16-20A.006(13)(f)(4);
7. The width of the house shall be no smaller than 39.9' and no larger than 40.1', per Section 16-20A.009(7);
8. The elevations shall indicate appropriate roof pitches for the main roof and the porch roof, per Section 16-20A.006(13)(c) and (e);

9. All windows shall be wood, per Section 16-20A.006(13)(b)(3);
10. All windows shall be double hung, per Section 16-20A.006(13)(b)(3);
11. All material details shall be indicated on the elevations and shall meet the requirements, per Section 16-20A.006(13)(a) and (b);
12. The façade material shall be indicated as smooth cementitious siding, per Section 16-20A.006(13)(b)(1); and
13. Staff shall review and if appropriate, approve the final plans.

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.”

(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.

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.
- (10) *Dormers.*
 - a) Dormers are not permitted on shotgun houses.
 - b) Dormers shall not be permitted on the front façade of cottage housing unless original to the structure.

- c) A single dormer may be permitted on one secondary elevation of cottage housing if it is placed to minimize its visibility from the public rights-of-way.

The current application is for a revision to previously approved plans. Staff will only comment on items that are different from the previous application. In looking at the elevations, below are the changes from the previously approved application:

- shed dormer on the west elevation.
- additional window on the rear elevation
- metal pan roofing material for the porch
- small window adjacent to the rear door
- lattice in-fill in between the brick piers on the south elevation
- the rear shed roof no longer engages the rear gable window

In general, Staff finds the proposed changes are appropriate and meet the requirements. Staff does have a few concerns. Per regulations, dormers shall be in the least visible location. As the proposed dormer is located towards the front of the house, Staff finds it will be highly visible. Staff recommends the dormer is moved as far away from the street as possible.

Per regulations, one of the roofing material options is batten seamed metal. It is not clear whether the proposed metal pan roofing is the same as batten seamed metal. Staff recommends the elevations indicate batten seamed metal for the porch roof. Staff has concerns with the use of lattice as an infill material in between the brick piers. Staff recommends the Applicant provide documentation the proposed lattice in-fill is appropriate to the architecture of the proposed house. Staff recommends all conditions and requirements from the previous applications (CA3-15-240 and CA3-15-456) apply to the revised project.

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 approval of an Application for a Type II Certificate of Appropriateness (CA2-16-278) for revision of plans at **754 Kirkwood Ave.** Property is zoned Cabbagetown Landmark District (Subarea 3) / Beltline.

1. The dormer shall be moved as far away from the street as possible, per Section 16-20A.009(10)(c);
2. The elevations shall indicate batten seamed metal for the porch roof, per Section 16-20A.009(9)(b);
3. The Applicant shall provide documentation the proposed lattice in-fill is appropriate to the architecture of the proposed house, per Section 16-20A.006(13)(3)(h);
4. All conditions and requirements from the previous applications (CA3-15-240 and CA3-15-456) shall apply to the revised project; and
5. Staff shall review and if appropriate, approve the final plans.



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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT April 27, 2016

Agenda Item: Application for a Review and Comment (RC-16-280) for site work at **10 Palisades Rd.** Property is zoned R-4 / Brookwood Hills Conservation District / Beltline.

Applicant: Brookwood Hills Community Club, Inc.
77 Wakefield Drive

Facts: The project areas will be located in the Palisades Road and Huntington Road entrances to the neighborhood in the public right of way.

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 proposed project is comprised of the installation of new median islands at the Palisades Road and Huntington Road entrances to the Brookwood Hills Neighborhood. The new medians will contain stone or masonry neighborhood markers. Based on the Applicant's project description as well as the submitted plans the new features will match the related features of the Brighton Road entrance. Staff has no concerns with the proposed work.

Staff Recommendation: The 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

July 13, 2016

Agenda Item: Application for a Type II Certificates of Appropriateness (CA2-16-281) for revision of plans at **760 Kirkwood Ave.** Property is zoned Cabbagetown Landmark District (Subarea 3) / Beltline.

Applicant: Lang Custom Homes
352632 Mountain Industrial Boulevard #D

Facts: On November 25, 2013, the Commission approved an application for a Type III Certificates of Appropriateness (CA3-13-294) for a subdivision of one lot into three lots at 145 Pearl Street. The lot in question is one of the three lots created as a result of the approved subdivision.

On December 9, 2015, the Commission approved applications for Type III Certificates of Appropriateness (CA3-15-457) for a variance to increase the west side yard setback from 2.4 feet (required) to 3.1 feet (proposed), to decrease the first floor height from 7.4 feet (required) to 2 feet 5 inches (proposed), and to allow for a lack of an independent driveway connected to a public street, and (CA3-15-242) for a new single family home at **760 Kirkwood Ave.** Property is zoned Cabbagetown Landmark District (Subarea 3) / Beltline. Below are the conditions from the previously approved application:

1. The Applicant shall submit properly scaled plans;
2. The proposed front yard setback shall the requirements, per Section 16-20A.006(9);
3. The Applicant shall provide documentation the project meets the FAR requirement, per Section 16-20-20A.009(8);
4. The site plan shall indicate an appropriate driveway material, 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 material for the proposed walkway, per Section 16-20A.006(13)(f)(4);
7. The width of the house shall be no smaller than 39.9' and no larger than 40.1', per Section 16-20A.009(7);
8. The elevations shall indicate appropriate roof pitches for the main roof and the porch roof, per Section 16-20A.006(13)(c) and (e);
9. All windows shall be wood, per Section 16-20A.006(13)(b)(3);

10. All windows shall be double hung, per Section 16-20A.006(13)(b)(3);
11. All material details shall be indicated on the elevations and shall meet the requirements, per Section 16-20A.006(13)(a) and (b);
12. The façade material shall be indicated as smooth cementitious siding, per Section 16-20A.006(13)(b)(1); and
13. Staff shall review and if appropriate, approve the final plans.

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.”

(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.

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.
- (10) *Dormers.*
 - a) Dormers are not permitted on shotgun houses.
 - b) Dormers shall not be permitted on the front façade of cottage housing unless original to the structure.

- c) A single dormer may be permitted on one secondary elevation of cottage housing if it is placed to minimize its visibility from the public rights-of-way.

The current application is for a revision to previously approved plans. Staff will only comment on items that are different from the previous application. In looking at the elevations, below are the changes from the previously approved application:

- shed dormer on the east elevation.
- additional window on the rear elevation
- metal pan roofing material for the porch
- small window adjacent to the rear door
- lattice in-fill in between the brick piers on the south elevation
- the rear shed roof no longer engages the rear gable window

In general, Staff finds the proposed changes are appropriate and meet the requirements. Staff does have a few concerns. Per regulations, dormers shall be in the least visible location. As the proposed dormer is located towards the front of the house, Staff finds it will be highly visible. Staff recommends the dormer is moved as far away from the street as possible.

Per regulations, one of the roofing material options is batten seamed metal. It is not clear whether the proposed metal pan roofing is the same as batten seamed metal. Staff recommends the elevations indicate batten seamed metal for the porch roof. Staff has concerns with the use of lattice as an infill material in between the brick piers. Staff recommends the Applicant provide documentation the proposed lattice in-fill is appropriate to the architecture of the proposed house. Staff recommends all conditions and requirements from the previous applications (CA3-15-242 and CA3-15-457) apply to the revised project.

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 approval of an Application for a Type II Certificate of Appropriateness (CA2-16-281) for revision of plans at **760 Kirkwood Ave.** Property is zoned Cabbagetown Landmark District (Subarea 3) / Beltline.

1. The dormer shall be moved as far away from the street as possible, per Section 16-20A.009(10)(c);
2. The elevations shall indicate batten seamed metal for the porch roof, per Section 16-20A.009(9)(b);
3. The Applicant shall provide documentation the proposed lattice in-fill is appropriate to the architecture of the proposed house, per Section 16-20A.006(13)(3)(h);
4. All conditions and requirements from the previous applications (CA3-15-242 and CA3-15-457) shall apply to the revised project; and
5. Staff shall review and if appropriate, approve the final plans.



CITY OF ATLANTA

KASIM REED
MAYOR

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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

July 13, 2016

Agenda Item: Application for a Type II Certificates of Appropriateness (CA2-16-282) for revision of plans at **760 Kirkwood Ave.** Property is zoned Cabbagetown Landmark District (Subarea 3) / Beltline.

Applicant: Lang Custom Homes
352632 Mountain Industrial Boulevard #D

Facts: On November 25, 2013, the Commission approved an application for a Type III Certificates of Appropriateness (CA3-13-294) for a subdivision of one lot into three lots at 145 Pearl Street. The lot in question is one of the three lots created as a result of the approved subdivision.

On December 9, 2015, the Commission approved applications for Type III Certificates of Appropriateness (CA3-15-458) for a variance to increase the west side yard setback from 2.4 feet (required) to 6.07 feet (proposed), to decrease the first floor height from 7.4 feet (required) to 2 feet 5 inches (proposed), and (CA3-15-243) for a new single family home. Below are the conditions from the previously approved application:

1. The Applicant shall submit properly scaled plans;
2. The proposed front yard setback shall the requirements, per Section 16-20A.006(9);
3. The Applicant shall provide documentation the project meets the FAR requirement, per Section 16-20-20A.009(8);
4. The site plan shall indicate an appropriate driveway material, 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 material for the proposed walkway, per Section 16-20A.006(13)(f)(4);
7. The width of the house shall be no smaller than 39.9' and no larger than 40.1', per Section 16-20A.009(7);
8. The elevations shall indicate appropriate roof pitches for the main roof and the porch roof, per Section 16-20A.006(13)(c) and (e);
9. All windows shall be wood, per Section 16-20A.006(13)(b)(3);
10. All windows shall be double hung, per Section 16-20A.006(13)(b)(3);
11. All material details shall be indicated on the elevations and shall meet the requirements, per Section 16-20A.006(13)(a) and (b);

12. The façade material shall be indicated as smooth cementitious siding, per Section 16-20A.006(13)(b)(1); and

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

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."

(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.

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.
- (10) *Dormers.*
 - a) Dormers are not permitted on shotgun houses.
 - b) Dormers shall not be permitted on the front façade of cottage housing unless original to the structure.
 - c) A single dormer may be permitted on one secondary elevation of cottage housing if it is placed to minimize its visibility from the public rights-of-way.

The current application is for a revision to previously approved plans. Staff will only comment on items that are different from the previous application. In looking at the elevations, below are the changes from the previously approved application:

- shed dormer on the east elevation.
- additional window on the rear elevation
- metal pan roofing material for the porch
- small window adjacent to the rear door
- lattice in-fill in between the brick piers on the south elevation
- the rear shed roof no longer engages the rear gable window

In general, Staff finds the proposed changes are appropriate and meet the requirements. Staff does have a few concerns. Per regulations, dormers shall be in the least visible location. As the proposed dormer faces Pearl Street, Staff finds the proposed dormer is in the most visible location. Staff recommends the dormer is located on the west elevation and is moved as far away from the street as possible.

Per regulations, one of the roofing material options is batten seamed metal. It is not clear whether the proposed metal pan roofing is the same as batten seamed metal. Staff recommends the elevations indicate batten seamed metal for the porch roof. Staff has concerns with the use of lattice as an infill material in between the brick piers. Staff recommends the Applicant provide documentation the proposed lattice in-fill is appropriate to the architecture of the proposed house. Staff recommends all conditions and requirements from the previous applications (CA3-15-243 and CA3-15-458) apply to the revised project.

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 approval of an Application for a Type II Certificate of Appropriateness (CA2-16-282) for revision of plans at **768 Kirkwood Ave.** Property is zoned Cabbagetown Landmark District (Subarea 3) / Beltline.

1. The dormer shall be located on the west elevation and moved as far away from the street as possible, per Section 16-20A.009(10)(c);
2. The elevations shall indicate batten seamed metal for the porch roof, per Section 16-20A.009(9)(b);
3. The Applicant shall provide documentation the proposed lattice in-fill is appropriate to the architecture of the proposed house, per Section 16-20A.006(13)(3)(h);
4. All conditions and requirements from the previous applications (CA3-15-243 and CA3-15-458) shall apply to the revised project; and
5. Staff shall review and if appropriate, approve the final plans.



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TIM KEANE
Commissioner
CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT July 13, 2016

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-16-286) for alterations at **693 Lawton St.** Property is zoned R-4A / West End Historic District / Beltline.

Applicant: Jerry Davis
255 E. Lanier Ave.

Facts:

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:
 - (b) *Type required:*
 - (v) The following Type II Certificates of Appropriateness shall be review by the commission and shall be required for any of the following to the extent they are visible from a public street:
 - a. Alterations to any façade of any principal structure; and
 - b. All site work, except as noted in Section 16-20G.005(b)(4).

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:

(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, 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.
 - (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.

The Applicant is proposing several alterations to the fenestration on this structure. At some point in the past, this single family structure was converted to a duplex. The current application is to facilitate the property returning to a single family use.

On the front façade of the structure, the Applicant is proposing to remove the non-historic entry door, and replace it with a window matching the style, shape, and size of the original windows on the façade as well as replacing an enclosed side porch door on the right side of the facade. Additionally, the Applicant is proposing to replace the non-historic door with a new door and matching side lights containing $\frac{3}{4}$ length lights. Staff has no general concerns with the proposed alterations and is in support of returning the structure to its original façade composition. However, Staff would note that the material of the proposed window is not noted on the plans. As such, Staff recommends the material of the proposed front façade window, entry door, side lights, and the right side porch door be wood. Additionally, the design of the side porch door is not appropriate. Staff recommends the design of the side porch door meet the District regulations.

On the left side façade the Applicant is proposing to relocate one window on the second story. No information regarding the historic nature of the existing window has been given, however from the pictures provided Staff finds that the window is likely original to the structure. The reconfiguration of windows on a side façade is allowed only in the event that such relocation is to accommodate a new kitchen or bathroom. As this is not the case with this window, Staff cannot support its relocation. As such, staff recommends that the existing window on the second story of the left side façade be retained in its original location.

The Applicant is also proposing to add a new window to the rear of the first story and a new window on the second story of the right side façade. Both of these windows will match the original windows on the structure in regards to scale, size, and proportion. Staff has no general concerns with the addition of windows on the side façade, but recommends the proposed windows be wood.

On the right side façade the Applicant is proposing to remove the non-historic ½ size window and replace it with a new window matching the style, shape, and size of the original windows on the structure. However, the proposed floor plans show a kitchen stove to be installed in this location on the interior which could indicate that the Applicant intends to use a ½ size or accent window in this location. Staff recommends the Applicant clarify their plans with regard to the design of the window proposed for alterations on the right side façade. Additionally, the materials of this proposed window are not noted on the plans. As such, Staff recommends the materials for the proposed window on the right side façade be wood.

CA3-16-276:

Staff Recommendation: Based upon the following:

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

Staff recommends approval of the Application for a Type II Certificate of Appropriateness (CA2-16-286) for alterations at **693 Lawton St.** with the following conditions:

1. The material of the proposed front façade window, entry door, and side lights shall be wood, per Sec.16-20G.006(3)(c);
2. The design of the side porch door shall meet the District regulations, per Sec.16-20G.006(3)(k);
3. The existing window on the second story of the left side façade shall be retained in its original location, per Sec.16-20G.006(3)(b);
4. The Applicant shall clarify their plans with regard to the design of the window proposed for alterations on the right side façade, per Sec.16-20G.006(3);
5. The materials for the proposed window on the right side façade shall be wood, per Sec.16-20G.006(3)(c); and,
6. Staff shall review and if appropriate, approve the final plans and documentation.



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TIM KEANE
Commissioner
CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT July 13, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-287) for an addition at **297 Ormond St.** Property is zoned R-5 / Grant Park Historic District (Subarea 1).

Applicant: Will Mott
297 Ormond Street, Se

Facts: According to the District photographic inventory, this existing single family structure is considered non-contributing.

Analysis: The following Code sections apply to this application:

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

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

(1) *General Criteria.*

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

(2) *Certificates of Appropriateness.*

(C) Type III Certificates of Appropriateness shall be required for:

- 2. All major alterations and additions to existing structure, with respect to any façade that faces a public street.

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

(1) *Development Controls.*

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

(2) *Architectural Standards.*

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

1. Identified design elements of size, scale, massing and materials of new construction shall be substantially consistent with said identified design elements found in contributing structures of like use in the district as listed in subsection 16-20K.007(15)(c.).
5. Roof form above the front façade of the principal structure shall be gabled and/or hipped. Roof pitch shall be a minimum of 6 in 12. Roof pitch above porches shall not be restricted.
7. The first floor of the principal structure shall be on foundations and elevated above the grade a minimum of two entrance step risers each of which shall be no less than six inches in height. All front steps shall have closed risers and closed ends. Access ramps shall be permitted.
9. Decks, Balconies and Upper Level Terraces:
 - a. Decks shall be permitted only when located to the rear of the principal structure.
 - b. Decks shall be permitted at any level.
 - c. Balconies and upper level terraces shall be permitted.
15. On those façades of any structure that face a public street, the following regulations on building materials shall apply. Alternate materials may be submitted for review by the commission.
 - a. Paving materials for walks and drives: Black asphalt is prohibited.
 - b. Visible foundation materials: Foundations shall constitute a distinct building design element and shall contrast with the front façade siding material. Brick, stone, concrete, stucco, and architectural concrete masonry units (C.M.U.) shall be permitted. Standard, unfinished concrete block and stacked stone is prohibited.
 - c. Siding/veneer: Horizontal lap siding, vinyl siding, aluminum siding, shingles, brick, hard stucco, and stone shall be permitted. Stacked stone is prohibited.
 - d. Roofing: Asphalt shingles, wood shingles, metal shingles, slate, and pre-finished metal panels shall be permitted.
 - e. Chimneys: Brick, stone, or architectural concrete masonry units (C.M.U.) shall be permitted. Siding is prohibited.
 - f. Fences: Brick, stone, wire mesh, architectural C.M.U., or vertical pickets made of ornamental metal, wood or simulated wood shall be permitted in the front yard and half depth front yard.

(C) *Design Standards and Criteria for Alterations and Additions to Non-contributing Structures.* Alterations to non-contributing structures, for which a Certificate of Appropriateness shall be required, shall be consistent with and reinforce the architectural character of the existing structure or shall comply with the applicable regulations for new construction set forth in subsection 16-20K.007(2)(B) above.

The Commission reviews the facades that face a public street. This is an interior lot, therefore Staff will only comment on the front façades of the proposed addition which includes a portion of a rear porch.

The Applicant is proposing a rear addition to the existing structure which will create two new street facing facades measuring two feet each to accommodate a master bedroom and covered porch addition. While the preferred method for adding to an existing structure is to have the addition inset from or flush with the side façade, this is not a requirement of the Grant Park Historic District regulations. However, Staff finds that the new addition is sufficiently differentiated from the existing structure so as to not detract from its architectural character.

Siteplan

The maximum FAR (floor area ratio) allowed for this lot is 0.50 of the net lot area. The subject property has a net lot area of 6,300 sf., meaning that a structure built on the lot would be allowed to have a maximum square footage of 3,150 sf.. The square footage of the proposed structure is 2,867 sf. which meets this requirement.

Of the side yard setback options, the regulations allow the side yard setbacks to no less than 7'. The proposed structure has an east side yard setback of 8' 1" and a south side yard setback of 9' 1". Staff finds that the proposed structure meets the side yard setback requirements

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

Building Materials

The Applicant has not specified the materials to be used for the horizontal lap siding, the porch columns, the porch railing, or the foundation. Staff recommends the plans note appropriate materials for the lap siding, rear porch columns, rear porch railing, and the foundation of the proposed addition.

CA3-16-287:

Staff Recommendation: Based upon the following:

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

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-16-287) for an addition at **297 Ormond St.** Property is zoned R-5 / Grant Park Historic District (Subarea 1) with the following conditions:

1. The plans shall note appropriate materials for the lap siding, rear porch columns, rear porch railing, and the foundation of the proposed addition, per Sec. 16-20K.007(15); and,
2. Staff shall review and if appropriate, approve the final plans and documentation.



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KASIM REED
MAYOR

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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT July 13, 2016

Agenda Item: Application for a Review and Comment (RC-16-289) for alterations, an addition, and site work at **90 Palisades Rd.** Property is zoned R-4 / Brookwood Hills Conservation District / Beltline.

Applicants: Garrett Coley
Pop Box 957421, Duluth

Facts: According to the photographic inventory this existing single family structure is considered non-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 several alterations to the existing structure and site.

In the front yard, the Applicant is proposing the installation of a walkway with site stairs. As no information regarding the proposed materials for these features has been provided, Staff suggests the Applicant clarify the materials proposed for the walkway and site stairs. Staff is concerned about the amount of paved surfaces this new walkway would create in the front yard of the property. Staff suggests the Applicant consider design alternatives which could allow for the adaption or use of existing hardscape in the front yard to meet the needs of the site.

On the front façade, the Applicant is proposing adding a new covered stoop to the front entryway. The stoop will consist of two 12”round columns and a pediment roof. This alteration will require the front steps to be removed and replaced with new steps which can support the new columns and will create a larger landing for the entryway. Staff finds that the proposed alteration reinforces the architecture of the existing structure and has no concerns with the proposed entry stoop.

The Applicant is also proposing a second story rear addition. The addition will be flush with the sides of the existing structure and will fit within the footprint of the existing rear bump out. Per Building Code, the existing rear chimney on the right side elevation will be raised to be 2 feet above any object within 10 feet. On the rear of the addition, a new balcony is proposed for the second story, and grouped French doors are proposed for both the first and second story. A roundel will be added to the rear gable matching the design but not the ornamentation of the related feature on the front façade. In general, Staff finds the design of the proposed addition to be compatible with the existing structure, but suggests the Applicant consider the use of expansion joints or similar treatments to allow the addition to be differentiated from the original portions of the structure. Additionally, Staff suggests the Applicant consider adding windows to the right and left side facades of the addition better replicate the fenestration pattern of the existing structure.

Lastly, the Applicant is proposing to enclose a car port to the rear of the lot and turn the structure into a detached garage. Staff has no concerns with the proposed alteration.

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 July 13, 2016

Agenda Item: Application for a Type II Certificates of Appropriateness (CA2-16-219) for alterations at **1111 St. Augustine Place** – Property is zoned R-4/Atkins Park Historic District.

Applicant: Ann Cain
1011 Sterling Point, Peachtree City

Facts: According to the Atkins Park Historic District Survey, this single family dwelling built in 1923 is considered non-contributing.

At the November 23, 2015 meeting, the Commission voted to deny an Application for a Type IV Certificate of Appropriateness (CA4ER-15-304) for a demolition due to an unreasonable economic return.

At the June 22, 2016 meeting, this application was deferred to allow the applicant time to submit appropriate plans and documentation regarding the proposal.

Analysis: The following code sections apply to this application:

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

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

Sec. 16-200.006. General Regulations.

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

- (1) Certificates of Appropriateness.
 - (A) Type III certificates of appropriateness shall be required for:
 - (i) All new principal structures.
 - (ii) All major alterations and additions to existing structures.
 - (iii) Subdivisions or aggregations of lots, and planned developments.
- (7) Compatibility Rule.
 - (A) In general, the intent of the regulations and guidelines is to ensure that alterations to existing structures and new construction are compatible with the design, proportions, scale, massing, materials, and general character of the contributing buildings in the immediately adjacent environment of the block face, the entire block, or the district as a whole. Synthetic materials may be used if visually indistinguishable from the original materials. To permit flexibility, many regulations are made subject to the compatibility rule, which states: “The element in

question (roof form, architectural trim, etc.) shall match that which predominates on the contributing buildings of the same block face or, where quantifiable (i.e., buildings height and width as measured at front 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 block face.”

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

Sec. 16-200.007. Specific Regulations.

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

- (1) *Development Controls for Principal Structures.*
 - (A) *Front Yards:* The front yard setback of principal structures shall meet the compatibility rule.
 - (B) *Side yards:* The side yard setbacks of principal structures shall meet the compatibility rule. All new construction and additions shall maintain a minimum of three (3) feet for side yards setbacks where the compatibility rule would permit otherwise.
 - (C) *Rear yard:* The rear yard setback of principal structures shall be a minimum of fifteen (15) feet.
- (2) *Architectural Standards for Principal Structures.*

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

 - (A) All new construction shall be one of the house styles of a contributing building that appears on the block face of the street on which the new construction shall occur.
 - (B) *Building Height and Width:* The compatibility rule shall apply to the height and width of the principal structure. In no case shall the height of a structure exceed 35 feet from grade.
 - (C) *Foundation:*
 - (i) The maximum height of the first floor above grade shall meet the compatibility rule. The foundation shall be a maximum of four feet above the surface of the ground adjacent to the front façade, measured at the front facade.
 - (ii) Slab on grade is not permitted.
 - (iii) When masonry, brick or stucco is used as the primary façade material, the foundation material shall be the same. Otherwise the foundation shall be brick or stucco.
 - (D) *Siding:* Siding shall be substantially consistent with siding materials found in contributing buildings on the block face and shall be consistent with the architectural style. Brick, brick veneer, stucco, shingles, or horizontal lapped wood or cementitious plank siding are permissible building materials for the facades.
 - (E) *Roofs:*
 - (i) The shape and pitch of roofs, as well as ridge, overhang, and soffit construction shall meet the compatibility rule and be consistent with the architectural style.
 - (ii) Clay tile, slate, composition asphalt shingles, and fiberglass shingles are permissible roofing materials.
 - (iii) Membrane or cold-rolled roofing is permitted only on flat roofs.
 - (iv) Corrugated roofing materials are not permitted.
 - (g) *Skylights and solar panels:* Skylights and solar panels are permitted on roofs of buildings provided they are not visible from any core residential street.
- (3) *Maximum Floor Area Ratio:* The floor area ratio shall not exceed 50 percent of the total lot area.
- (4) *Maximum Lot Coverage:* Lot coverage shall not exceed 50 percent of total lot area.

Sec. 16-200.008. - Design standards and criteria for alterations and additions to non-contributing structures.

Alterations and additions to non-contributing buildings shall comply with one of the following:

- (A) Alterations and additions shall be consistent with the architectural style of the existing building and the height or width of any alteration or addition shall not exceed the height or width of the existing building; or
- (B) Alterations and additions shall be representative of a single architectural style chosen from those represented by contributing buildings on the block face where the existing non-contributing building is located, shall comply, as applicable, with Architectural Standards for Principal Structures., [section 16-200.007](#)(2).

The Applicant is proposing to demolish an existing exterior stair, landing and railing. The Applicant is also proposing to remove two exterior doors and infill with stucco. The proposed changes are associated with the conversion of the building from a multi-family dwelling to a single family dwelling. As this is a non-contributing house, Staff finds the proposed partial demolition and alterations will not impact historic fabric. Staff finds the proposed alterations are appropriate and necessary for the conversion to a single family dwelling. Staff finds the partial demolition and alterations will be minimally visible from the street and will therefore have little impact on the streetscape. Staff has no concerns regarding the proposed partial demolition and alterations.

There is a notation on the plans indicating a proposed accessory structure. According to the Applicant, there is no accessory structure proposed. Staff recommends the notation regarding the proposed accessory structure is removed from the plans.

Staff Recommendations: Based upon the following:

The plans, with the exceptions noted above, meet the regulations per Section 16-200.007;

Staff recommends approval of the application for a Type II Certificate of Appropriateness (CA2-16-219) for alterations at **1111 St. Augustine Place** – Property is zoned R-4/Atkins Park Historic District, with the following condition:

1. The notation regarding a proposed accessory structure shall be removed from the plans.



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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

June 22, 2016

Updated

July 13, 2016

(updated information in italics)

Agenda Item: *Application for a Type III Certificate of Appropriateness (CA3-16-291) for a variance to allow parking within 20' of a lot line and a 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.

At the June 22nd meeting, this application was deferred to allow the Applicant time to apply for a variance and address the concerns of Staff.

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.

Variance Request

The Applicant is requesting a variance to allow parking within 20' of a lot line. The Applicant provided the following variance justification:

(1) What are the extraordinary and exceptional conditions pertaining to the particular piece of property in question (size, shape or topography)?

The property currently has 1,208 square feet (80 linear feet) of asphalt, off-street parking located within 20 feet of the lot line on the western side. We wish to remove the entire 1,208 square feet of existing asphalt within the 20 ft. lot line and replace it with 773 square feet of parking inside the 20 ft. lot line. The new parking area shall be made of concrete or asphalt, the property owner has not yet determined the material. See attached Parking Exhibit

The General Regulations of the Druid Hills Landmark District require a minimum of two off-street parking spaces. If the parking area were relocated outside of the 20 ft. line the only place to relocate the parking would be east of the existing driveway. Locating parking there would negatively affect the historic property by:

- ***Destroying a 31 inch Red Oak and a 18 inch Sweetgum***
- ***Destroying portions of two historic site walls***
- ***Obscuring the existing view of the backyard from the house with parked cars***
- ***Grading the new parking spaces would unnecessarily alter the site's existing topography***
- ***Altering the existing historic circulation system***
- ***Being visible from the public right of way, through the porte-cochere***

(2) How would the application of the Zoning Ordinance of the City of Atlanta to this particular piece of property create an unnecessary hardship?

Historic Features and trees within the regulatory buildable envelope would need to be destroyed if the parking area was relocated to the eastern side of the driveway. Existing circulation and topography would be altered if the parking area were relocated.

3) What conditions are peculiar to this particular piece of property?

The existing parking area and guest-house are both located within 20 feet of the lot line on the western side of the property are peculiar to this piece of property. The bamboo roots growing under and damaging the asphalt are peculiar to this piece of property.

The existing parking area located within 20 feet of the lot line has been damaged by invasive bamboo. Bamboo roots have grown horizontally under the asphalt towards the east side of the property. The roots have caused cracking and will eventually move towards and damage the driveway. The best way

to remove the bamboo is the remove the parking area and then remove the bamboos' root system. See attached photo pages.

(4) Submit facts to show that relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta.

The replaced and reconfigured parking area on the western side of the property would not cause substantial detriment to the public or City of Atlanta because the residents of the property have parked their cars in this location for many years and the western property line is heavily screened. The existing parking is a non-conforming pre-existing condition of some 40 years.

The current parking location is screened from the public right of way on South Ponce de Leon Avenue by the existing porte-cochere, trees and shrubs. Replacing the parking in the current location would remain screened from the street.

Staff Response

The existing parking is currently located within 20' of the property line. The Applicant is proposing to remove the existing parking in order to reduce the amount of asphalt and reconfigure the parking. According to the Applicant, two off-street parking is required. Staff would note the requirement for off-street parking pertains to new construction and does not apply to existing houses. While technically off-street parking is not required for existing houses, Staff is unaware of a property in the district that does not have off-street parking.

In looking at the site plan, Staff agrees that moving the parking outside of the 20' setback would cause a detriment to a significant tree, historic site features and the viewshed. As the existing parking is within 20' of the lot line and has existed for 40 years, Staff agrees that installing a smaller area of paving would not cause a significant detriment. Staff finds the reduction in the amount of paving is an improvement. Based on the information we have at this time, Staff does not have a concern regarding the proposed variance.

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.

As indicated in the variance section, Staff has no concerns regarding the proposed parking location.

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.

Staff retains its recommendation.

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.

Staff retains its recommendations.

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 retains its recommendations.

Staff Recommendation: Based upon the following:

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

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-16-291) for a variance to allow parking within 20' of a lot line and a 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.

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



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TIM KEANE
Commissioner
CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT July 13, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-247) for a new single family residential structure at **109 Waddell St.** Property is zoned R-5 / Inman Park Historic District (Subarea 1) / Beltline.

Applicant: William Carlson
770 Dixie Ave.

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

In February of 2016, Staff reviewed and approved application CA2S-16-049 for alterations and renovations to this single family structure. The proposed project was to consist of alterations to the non-historic front porch, repair and in-kind replacement of portions of siding and trim, in-kind re-roofing, removal of several non-original window openings, and repairs to several existing windows.

In March of 2016, the project received a Stop Work Order from the Office of Buildings Inspection Staff for partial demolition without a permit.

The current application is for the reconstruction of the previously existing single family residence.

Analysis: The following Code sections apply to this application:

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

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

1. General criteria.
 - b. In the Inman Park Historic District, the commission shall apply the standards referenced below only if the standards set forth elsewhere in this chapter 20L do not specifically address the application including multi-family residential, institutional, commercial, industrial and mixed use structures in Subarea 1:
 - i. A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

- ii. The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.
 - iii. Each property shall be recognized as a physical record of its time, place, and use. Changes shall not be undertaken that create a false sense of historical development, such as adding conjectural features or elements from other historic properties.
 - iv. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
 - v. Distinctive materials, features, finishes, and construction techniques, or examples of craftsmanship that characterize a property, shall be preserved.
 - vi. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and, where possible, materials.
 - vii. Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
 - viii. Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
 - ix. New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
 - x. New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
- 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.
- d. Type III certificates of appropriateness shall be reviewed by the commission and shall be required for:
 - i. All new principal structures.
 - e. Type IV certificates of appropriateness shall be required for demolition or moving of any contributing principal structure. A partial demolition of a contributing principal structure shall require a Type IV certificate of appropriateness only when said partial demolition will result in the loss of significant architectural features that destroys the structure's historic interpretability or importance.

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

In the Inman Park Core District, Subarea 1, the commission shall apply the standards referenced in section 16-201.005(1)(b) only if the standards set forth below in this chapter 20L do not specifically address the application:

1. *Design standards and other criteria for construction of and for additions to one- and two-family residential structures.*
 - a. No individual house design shall be substantially repeated on the same side of a street block.
 - b. An unpaved planting strip adjacent and parallel to the public street shall be provided. The compatibility rule shall apply to the dimensions and location of planting strips.
 - c. A sidewalk between the planting strip and the required front yard and parallel to the public street shall be provided. The compatibility rule shall apply to sidewalks. The sidewalk shall be the same width as the sidewalk on abutting properties or it shall be the width required by law, whichever is greater. If no sidewalk exists in the block, the new sidewalk shall not be less than six-feet wide. If no sidewalk paving material predominates in the block, the sidewalk shall be constructed of the historically accurate material for that block, either hexagonal pavers, concrete inlaid with hexagonal imprint, or brick.
 - d. A paved walkway from the front sidewalk to the front entry of the principal structure shall be provided.
 - e. All front façades, front porches, front steps, and front doors of the principal structure shall face and be parallel to the street, except in those blocks in which the historic pattern is such that houses are situated at an angle to the street, in which case the compatibility rule shall apply.
 - f. The compatibility rule shall apply to the form and pitch of the primary roof of the principal structure.
 - g. The compatibility rule shall apply to the height, scale, and massing of the principal structure, except as noted below. In no case shall the height of a structure exceed 35 feet. (See section 16-28.022 for excluded portions of structure.)
 - i. The height of additions shall not be subject to the compatibility rule, but shall be no higher than the existing structure.
 - ii. Notwithstanding the compatibility rule, any new roof ridge line shall be no higher than the highest roof ridge line of the existing structure.
 - h. Height of the first floor of the front façade above grade shall be subject to the compatibility rule. The first floor of the principal structure shall be on foundations and shall be elevated above grade at the front façade a minimum of two entrance risers each of which shall be not less than seven inches in height. Slab-on-grade construction is not permitted.
 - i. Front porches on principal structures shall be required. The compatibility rule shall apply to the design and size of said front porches, provided that such porches shall be a minimum of 12 feet wide or one-half of the width of the front façade, whichever is greater, and a minimum of eight feet deep. Front porches shall contain roofs, balustrades, columns, steps, and other features compatible with porches in the existing block. Front porches may extend up to ten feet into the required front yard. All front porch steps shall have closed risers and ends.
 - j. Decks are permitted only when located to the rear of the principal structure. Such decks shall be no wider than the width of the house and shall not project beyond the side façade of the existing house.
 - k. The use of chimneys with new principal structures is encouraged. When any portion of a chimney is visible from a public street or park as a façade element, the chimney shall originate at grade.
 - l. Fences and walls, excluding permitted retaining walls, visible from a public street or park upon completion, subject to the provisions of section 16-28.008(5) and the following limitations, may occupy required yards:
 - i. Fences not exceeding four feet in height may be erected in the front yard or half-depth front yard. Walls, excluding permitted retaining walls, are not permitted in the front yard or in other yards adjacent to public streets,
 - ii. Fences and walls not exceeding six feet in height may be erected in side or rear yards.
 - iii. Fences located in the required front yard adjacent to a street shall be constructed of brick, stone, metal vertical pickets or wood pickets. Chain link fencing is not permitted in front yards or in other yards adjacent to public streets.
 - 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.

The Applicant is proposing to rebuild the previously existing structure which was partially demolished. Per the District regulations, a partial demolition of a contributing structure does not require a Type IV Certificate of Appropriateness if the partial demolition results in the loss of significant architectural features that destroys the structure's historic interpretability or importance.

From the pictures and narrative provided by the Applicant, Staff finds that the demolition consisted of the removal and retention of the original windows and siding from the side and rear facades in order for the termite and water damage on the interior portions of the wall to be repaired. Once this work was completed, the windows and siding were replaced. As such, Staff finds that the partial demolition does not require a Type IV Certificate of Appropriateness as the demolition did not result in the loss of significant architectural features that destroys the structure's historic interpretability or importance.

The Applicant is proposing to rebuild the side and rear facades of the structure to their original state as it existed before the partial demolition was performed, with any variations from the original fenestration pattern and front porch having already been reviewed and approved by Staff via CA2S-16-049. As the foundation of the structure was not removed, the new structure will be allowed to conform to the footprint of the previously existing structure.

From the pictures provided, Staff finds that the roof structure has been replaced in its entirety. While the photographic documentation shows that the roof was replaced appropriately, Staff recommends the Applicant submit documentation showing that the slope and pitch of the replacement roof matches the slope and pitch of the previously existing roof.

From the pictures provided, Staff finds that several portions of the structure are not yet sided. Staff recommends the Applicant clarify if the original siding from the currently un-sided portions of the front, side and rear façades has been retained. If the original siding has been retained, Staff recommends the original siding be reused on the currently un-sided portions of the front, side, and rear façades. Lastly, Staff recommends any portions of siding which are unable to be re-used be replaced in-kind.

CA3-16-247:

Staff Recommendation: Based upon the following:

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

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-16-247) for a new single family residential structure at **109 Waddell St.** with the following conditions:

1. The Applicant shall submit documentation showing that the slope and pitch of the replacement roof matches the slope and pitch of the previously existing roof, per Sec. 16-20L.005(1)(b)(ii);
2. The Applicant shall clarify if the original siding from the currently un-sided portions of the front, side, and rear facades has been retained, per Sec. 16-20L.005(1)(b)(ii);
3. If the original siding has been retained, the original siding shall be reused on the currently un-sided portions of the front, side, and rear façades, per Sec. 16-20L.005(1)(b)(ii);
4. Any portions of siding which are unable to be re-used be replaced in-kind, Per Sec. 16-20L.006(1)(q)(i); and,
5. Staff shall review and if appropriate, approve the final plans and documentation.



CITY OF ATLANTA

KASIM REED
MAYOR

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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT July 13, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-263) for a variance to allow parking in the front yard where otherwise prohibited at **1171 Oak St.** Property is zoned R-4A / West End Historic District / Beltline.

Applicant: Terrion Whitlock
1171 Oak St.

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

Prior to the submission of this application, the property received a Stop Work Order for expanding a previously existing parking pad in the front yard without a permit.

Analysis: The following code sections apply to this application:

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

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

- (1) *Certificates of Appropriateness:* Certificates of appropriateness within this district shall be required as follows:
 - (a) *When required:*
 - (i) To change the exterior appearance of any portion of a structure within the district, when said change can be seen from the public right-of-way;
 - (ii) To erect a new structure or to make an addition to any structure within the district, when said addition can be seen from public right-of-way; and
 - (iii) To demolish or move any contributing structure, in whole or in part, within the district.
 - (b) *Type required:*
 - (vi) The following Type III Certificates of Appropriateness shall be reviewed by the commission and shall be required for:
 - a. All new principal structures.
 - b. Additions that are visible from a public street or park.

- c. Revisions to previously approved plans that result in an increase in floor area ratio, lot coverage, height or a change in the building footprint.
 - c. Subdivisions and aggregations.
 - d. Variances.
- (3) *Variances*: The urban design commission shall have the power to hear, grant and deny variances from the provisions of this chapter (20G) when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, criteria, and appeal provisions for decisions regarding such variances shall be the same as those specified in chapter 26 of this part 46, which provisions are hereby incorporated herein.
- Sec. 16-20G.006. - Specific regulations.
- (12) *Paved Surfaces*:
- (a) The original layout, patterns and paving materials of sidewalks, driveways, alleyways, curbs and streets shall be retained. The design and material of new replacement paving materials shall be subject to the compatibility rule.
 - (b) The design and material of new paved surfaces areas, other than those specified in subsection (a) above, including driveways, walkways, and patios, or portions thereof, shall be subject to the compatibility rule.
 - (c) New driveways shall not exceed a width of ten feet not including the flare at the street.

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

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

The Applicant is proposing to remove portions of the previously installed driveway and to extend the driveway 15' past the front façade of the structure. The regulations require driveways to extend 20' past the front façade of the structure to be in compliance with the prohibition on parking in the front yard. In their justification letter, the Applicant states that the property had a pre-existing parking pad in the front yard. The parking pad exists in the earliest pictures of the property in the Photographic Inventory, and as such is a legally non-conforming feature. As the Applicant's proposed extension would not bring the Driveway into compliance with the regulations, a variance is therefore required.

In their justification, the Applicant notes the existence of an alleyway to the rear of the structure. The Applicant also notes that the use of this alleyway would require substantial effort in order to clear and re-pave the alley. However, Staff does not find that the necessity of clearing and re-paving of an alley creates a hardship for a compliant driveway to be built to off this alley. Staff would note that the placement of a driveway off the alley is encouraged by the District regulations, but would require a variance from the requirement that an independent driveway be connected to the public street. Further Staff would not that it is very unusual to have any parking pad in the front yard at all in the District. Only having space for one car is not a hardship when most properties have no off street parking.

Based on this analysis and the Applicant's justification, Staff finds that the variance criteria have not been met.

Staff Recommendation: Based upon the following:

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

CA3-16-263

Staff recommends denial of an Application for a Type III Certificate of Appropriateness (CA3-16-263) for a variance to allow parking in the front yard at **1171 Oak St.** 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 **July 13, 2016**

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-272) for a rooftop deck addition at **881 Memorial Drive** - Property is zoned MRC-3-C/ LBS/ Beltline.

Applicant: Christopher Rampton and Stephanie Ludwig
450 Piedmont Avenue NE, Suite 319

Facts: The Great Atlantic and Pacific Tea Company Building (A and P Lofts) was designated as a Landmark Building in 2007.

Analysis: The following code sections apply to this application:

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

- (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 Code 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:
- (1) *Landmark buildings and sites:*
 - (a) To change the exterior appearance of any Landmark Building or Site;

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.
- 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 to remove an existing deck and replace it with a new larger deck. Based on the information Staff has received, it appears the desk has already been constructed and is visible from the street.

Staff finds that rooftop deck additions are allowed as long as they are reasonably located and are appropriately designed. As this is a multi-tenant building, it is not clear whether the Applicant is allowed to build anywhere on the roof or whether there is a specific area of the roof that tenants are allowed to build. Staff recommends the Applicant submit documentation that indicates permission to build on the roof and the area of the roof they are allowed to build. The submission indicates the size of the deck but no roof plan was submitted to indicate exactly where the deck is located. Staff recommends the Applicant submit a roof plan that clearly indicates where the roof top deck will be located.

Staff finds that roof top decks should have a simple design with materials that would be typical of elements on a roof. Staff has concerns with the use of wood railings and the addition of the pergola. Staff finds the proposed materials and pergola are more appropriate for the rear of a single family dwelling. Staff recommends that pergola is removed from the design. Staff recommends the deck railings are metal.

Staff has received several comments and concerns regarding the potential damage the proposed deck may cause to the building. Staff is concerned as a negative impact on the roof could cause significant damage to the existing Landmark Building. Staff would note the Applicant will likely have to submit appropriate plans to the Office of Buildings regarding the structural soundness of the deck and an indication that the building can handle the additional load. Staff recommends the Applicant clarify whether there is any documentation or information regarding the impact the proposed deck will have on the existing roof.

SPI Review

In addition to being a Landmark, the existing building is in the Beltline overlay. It is possible that the Beltline review may necessitate changes to the project to meet the Beltline regulations. Staff recommends any changes necessitated by the Beltline review be approved by Staff.

Staff Recommendation: Based upon the following:

- (1) The proposed project meets the regulations with the exception of the comments above, per Section 16-20.009(7);

Staff recommends approval of an application for a Type III Certificate of Appropriateness (CA3-16-272) for a rooftop deck addition at **881 Memorial Drive** - Property is zoned MRC-3-C/ LBS/ Beltline, with the following conditions:

1. The Applicant shall submit documentation that indicates permission to build on the roof and the area of the roof they are allowed to build, per Section 16-20.009 (1) and (7);
2. The Applicant shall submit a roof plan that clearly indicates where the roof top deck will be located, per Section 16-20.009 (1) and (7);
3. The pergola shall be removed from the design, per Section 16-20.009 (1) and (7);
4. The deck railings shall be metal, per Section 16-20.009 (1) and (7);
5. The Applicant shall clarify whether there is any documentation or information regarding the impact the proposed deck will have on the existing roof, per Section 16-20.009 (1) and (7);
6. Any changes necessitated by the Beltline review shall be reviewed and if appropriate, approved by Staff; and
7. Staff shall review and if appropriate, approve the final plans.



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STAFF REPORT July 13, 2016

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-16-273) for alterations and chimney removal at **665 Lawton St.** Property is zoned R-4A / West End Historic District / Beltline.

Applicant: Sheree Hsu
2225 Dogwood Ln.

Facts: This existing brick structure is considered contributing to the District and is located on a corner lot. Prior to the submission of this application, the property received a Stop Work Order for the removal of a chimney and enclosing a door without a permit or UDC approval.

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:*
 - (v) The following Type II Certificates of Appropriateness shall be review by the commission and shall be required for any of the following to the extent they are visible from a public street:
 - a. Alterations to any façade of any principal structure; and
 - b. All site work, except as noted in Section 16-20G.005(b)(4).
- (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.
- (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.
- (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.

The Applicant is proposing three alterations: the removal of a chimney, the removal of a side door and the enclosure of the resulting opening with brick, and the removal of the concrete block steps associated with the door. A Sanborne Fire Insurance Map has been provided by the Applicant and shows the lot containing a smaller single family structure. As the currently existing structure is brick and does not appear to have been added to, Staff finds that the structure shown on the Sanborne Map was most likely removed at some point in the past and the currently existing structure was erected. From the inventory photographs, the door, chimney, and site stair all appear to be original to the currently existing structure.

The Applicant cites framing and foundation damage as the primary reason for requesting removal of the door and chimney, and has submitted pictures showing termite and water damage in areas of the structure related to these features. While Staff finds that the existence of water damage and a compromised foundation would be sufficient grounds for a repair or replacement of an original chimney or door, it would not justify the wholesale removal of these features. As the work on these features has already been completed, Staff recommends the side entry door be unenclosed and replaced with a new door which matches the original in style, materials, shape and size, with no more than a one-inch width or height difference from the original door size. Further, Staff recommends the chimney be replaced with a new chimney which matches the original materials, mortar, color, pattern, shape and size. Lastly, Staff recommends the side entry steps be retained and repaired in kind as necessary.

CA2-16-273:

Staff Recommendation: Based upon the following:

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

Staff recommends approval of the Application for a Type II Certificate of Appropriateness (CA2-16-273) for alterations and chimney removal at **665 Lawton St.** Property is zoned R-4A / West End Historic District / Beltline, with the following conditions:

1. The side entry door shall be unenclosed and replaced with a new door which matches the original in style, materials, shape and size, with no more than a one-inch width or height difference from the original door size, per Sec. 16-20G.006(3)(b) & Sec. 16-20G.006(3)(c);
2. The chimney shall be replaced with a new chimney which matches the original materials, mortar, color, pattern, shape and size, per Sec. 16-20G.006(a);
3. The side entry steps shall be retained and repaired in kind as necessary, per Sec. 16-20.009(5); and,
4. The Staff shall review and if appropriate, approve the final plans and documentation.



CITY OF ATLANTA

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MAYOR

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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT July 13, 2016

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-16-274) for a revision to plans previously approved by the Commission at **879 Lullwater Parkway** - Property is zoned Druid Hills Landmark District.

Applicant: Wesley Stone
118 Barry Street, Decatur

Facts: The house was built in 1950 is considered non-contributing to the Druid Hills Landmark District. This Ranch style house appears largely unaltered from its original appearance on the front and side facades. As such, while non-contributing to the District and not common in the District, it does represent a distinct and identifiable architectural form and massing, a distinct relationship to the site, and has different characteristics than most pre-World War II houses.

Earlier this year, the Commission approved via CA3-16-029 a significant renovation of and addition to the house, with the following conditions:

1. No grading or path edging shall be associated with the proposed mulch paths in the front yard, per Section 16-20B.003(1), 16-20B.003(4)(a) and (g);
2. The detached garage shall be significantly reduced in massing and height to be more compatible with the massing and height of the existing house, per Section 16-20B.003(1); and
3. The Staff shall review, and if appropriate approve, the final plans, specifications, and supporting documentation.

Before the Commission at this time is a substantive revision to the southern portion of the landscape and hardscape features in the rear yard. In the previous design, this portion of the rear yard had a more rectilinear design theme with only a small rectangular water feature closer to the house with no hardscape or landscape treatments away from the house up the slope. In the proposed design, there is a naturalistic set of circular pools working up the slope away from the house, while the patio closest to the house is slightly smaller with a round water feature.

Analysis: The following code sections apply to this application:

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

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

- (1) General Standards. In the Druid Hills Landmark District, the Commission shall apply the following general standards only if the standards set forth elsewhere in this chapter 20B do not specifically address the application:
 - (a) A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
 - (b) The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.
 - (c) Each property shall be recognized as a physical record of its time, place, and use. Changes shall not be undertaken that create a false sense of historical development, such as adding conjectural features or elements from other historic properties.
 - (d) Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
 - (e) Distinctive materials, features, finishes, and construction techniques, or examples of craftsmanship that characterize a property, shall be preserved.
 - (f) Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and, where possible, materials.
 - (g) Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
 - (h) Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
 - (i) New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
 - (j) New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
- (2) Certificates of Appropriateness.
 - (a) Except as otherwise provided herein, the procedures for determining the correct type of certificate of appropriateness shall be those specified in section 16-20.008 of the Zoning Ordinance.
 - (b) Notwithstanding any other provision herein, no certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - (c) No certificate of appropriateness shall be required for the removal of dead, dying, or hazardous tree as defined in the City of Atlanta Tree Ordinance or a tree with a diameter breast height of less than six (6) inches.
 - (g) Type III certificates of appropriateness shall be reviewed and decided by the Commission and shall be required for:
 - i. All new principal structures.
 - ii. All additions to existing principal structures and accessory buildings, including decks.
 - iii. All new accessory structures.
- (4) Minimum landscape requirements: The overall quality of the landscaped area visible from public right-of-ways should be preserved as an integral part of the historic character of the District. Any major alteration to the landscape or topography visible from the public right-of-way in the District shall maintain the general landscaping scale and character reflected in the original development of Druid Hills in order to preserve the historic landscape character of the District. Any major alteration to the landscape or topography visible from the public right-of-way shall:
 - (a) follow the standards set forth in 16-20B.003(1);
 - (b) be consistent and compatible with the overall landscape plan and design on the property and block;
 - (c) maintain the spatial organization of an open space in front of the house, asymmetrical plantings on the sides of the principal structure and a rear tree canopy;
 - (d) not excessively or unnecessarily alter the natural topography of the site, with the exception of grading necessary to protect and preserve the integrity of a structure;
 - (e) ensure that any new grades shall meet the existing topography in a smooth transition;
 - (f) retain any existing historic circulation systems, including driveways, walkways and paths;
 - (g) ensure that any new circulation systems and substantial reconstruction of existing circulation systems is consistent and compatible with the existing circulation systems on the property and block with respect to layout, scale,

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

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

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

- (1) Permitted principal uses and structures:
 - a. Single-family dwellings.
 - b. Parks, playgrounds and community buildings owned and operated by a governmental agency.
- (2) Permitted accessory uses and structures: Uses and structures which are customarily incidental and subordinate to permitted principal uses and structures, including but not limited to the following, subject to limitations and requirements set forth herein or elsewhere in this chapter:
 - a. Greenhouse, fallout shelter, garden shed, private garage, storage room.
 - b. Guest house, servants quarters, dwelling or lodging facilities for caretaker or watchman.
 - c. Swimming pool and accessory buildings, tennis courts and the like not less than 25 feet from side or rear lot line.
- (4) Lot coverage: Lot coverage for all structures, parking and driveways shall not exceed 35 percent of the lot area.
- (5) Minimum yard requirements:
 - a. Setbacks:
 - 7. East side of Lullwater Parkway, to city limit:
 - Front yard: 140 feet.
 - Side yards: 25 feet.
 - Rear yards: 100 feet.
- (6) Maximum height: No building shall exceed a height of 35 feet.

General Development Controls

The proposed lot coverage is indicated on the site plan and meets the District regulations.

The revised design includes a “plunge pool” (as well as other smaller water features), which the Staff considers to be type of swimming pool. Swimming pools have different setback requirements then for

other structures. The setback requirements for a swimming pool are 25 ft. from the side or rear lot lines. The proposed plunge pool meets those setback requirements.

The District regulations restrict building on slopes of greater than 25% for the house and no greater than 15% for other structures. The proposed, revised design of the rear yard only includes the in ground features, retaining walls, and site stairs and paths. As such, the Staff concludes that none of these features would be considered within the slope analysis.

Revised Design

Apart from the plunge pool and the other water features, the revised design essentially consists of naturalistic retaining walls made with boulders and site stairs within boulder created walkways.

While the Applicant has previously provided examples of retaining walls on properties on the block face and the walls will be made of stone / boulders, the Staff is concerned about the height retaining walls. Though it would appear that these walls will be relatively low, the Staff would recommend that documentation be provided that the height of the retaining walls meets the District regulations.

Given the topography of the site, the existing wooded nature of the rear yard, the existing ground covers (grass, mulch and ivy), the lack of view from the street to the rear of the house, and the informal nature of the landscaping on the property, the Staff finds that the proposed revised meets the District regulations related to landscaping.

Further, the Staff finds that having such naturalistic landscaping and hardscape treatments is compatible with the Ranch House style and form of the house / property. While generally thought of as an angular and rectilinear design aesthetic, Ranch Houses also reflect a connection to the outdoors and nature through their long low profiles, large glass patio doors and often transitional indoor/outdoor spaces.

The revised site plan does indicate the number, type and size of trees that will be removed and replaced. Further, the Staff does find the tree replacement design is generally consistent and compatible with the overall landscape plan and design on the property and block and would not unnecessarily alter the natural topography of the site. As required by the District regulations, all trees to be removed will be replaced with a new tree of various species that have at least a 2.5 in. caliper. Further, the tree plan shows that the tree placement will meet the District regulation given the existing wooded landscape of the front and rear yards (neither of which has “open space” around the house) and the City’s suite density and tree spacing requirements for “shade” and “understory” trees.

Staff Recommendation: Based upon the following:

- a) Except as noted above, the alterations, additions, and site work meet the District regulations, per Section 16-20B.

CA2-16-274

Staff recommends approval of the application for a Type II Certificate of Appropriateness (CA2-16-274) for a revision to plans previously approved by the Commission at **879 Lullwater Parkway** - Property is zoned Druid Hills Landmark District, with the following conditions:

1. Documentation shall be provided that the height of the retaining walls meets the District regulations, per Section 16-20B.003(7)(e); and
2. The Staff shall review, and if appropriate approve, the final plans, specifications, and supporting documentation.



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TIM KEANE
Commissioner
CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT July 13, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-276) for alterations and an addition at **1483 Fairview Rd.** Property is zoned Druid Hills Landmark District.

Applicant: Matthew Hoots
800 Miami Cir. #100

Facts: This existing single family structure was constructed in 1929 and is considered contributing to the District.

Analysis: The following Code sections apply to this application:

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

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

- (1) *General standards.* In the Druid Hills Landmark District, the Commission shall apply the following general standards only if the standards set forth elsewhere in this chapter 20B do not specifically address the application:
 - (a) A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
 - (b) The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.
 - (c) Each property shall be recognized as a physical record of its time, place, and use. Changes shall not be undertaken that create a false sense of historical development, such as adding conjectural features or elements from other historic properties.
 - (d) Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
 - (e) Distinctive materials, features, finishes, and construction techniques, or examples of craftsmanship that characterize a property, shall be preserved.
 - (f) Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and, where possible, materials.

- (g) Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
 - (h) Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
 - (i) New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
 - (j) New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
- (2) *Certificates of appropriateness.*
- (a) Except as otherwise provided herein, the procedures for determining the correct type of certificate of appropriateness shall be those specified in section 16-20.008 of the Zoning Ordinance.
 - (b) Notwithstanding any other provision herein, no certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - (g) Type III certificates of appropriateness shall be reviewed and decided by the commission and shall be required for:
 - (ii) All additions to existing principal structures and accessory buildings, including decks.
- (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.
- (6) *Minimum architectural controls:* Any new construction, additions, renovations or alterations in the District shall maintain the general architectural scale and character reflected in the original development of Druid Hills in order to preserve the historic character of the district and shall follow the standards set forth by section 16-20B.003(1).
- (7) *Fences, walls and retaining walls:* Subject to the provisions of section 16-28.008(5) and the following limitations:
- (a) Fences and walls are not permitted in the front yard, yards adjacent to public streets, or between any principal structure and a public street.
 - (b) Fences and walls not exceeding six feet in height may be erected in the side or rear yard.

- (c) Fences and walls shall be constructed of vertical iron pickets, brick, stucco, vertical wood pickets, or coated chain link.
- (d) The front facing portion of fences shall be no less than 40% open.
- (e) Retaining walls are allowed if existing on the block face. Such retaining walls shall be no taller than the existing retaining walls on the block face or the minimum height required to retain the adjacent grades. All retaining walls shall be faced with brick, stone or stucco.

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

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

(5) *Minimum yard requirements:*

a. Setbacks:

6. South side, Oakdale road to east end of Fairview Road, NE:

Front yard: 50 feet.

Side yards: 25 feet.

Rear yard: 100 feet.

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

The Applicant is proposing a third story addition to an existing non-historic two story addition to the side and rear of the structure. The proposed addition will have a hipped roof and will be visible from both the front and right side façades. Staff recommends the addition use a flat roof to minimize the visual impact of the addition on the front façade.

The design of the proposed addition will match the second story of the existing non-historic addition while still differentiating the new addition enough to allow for the changes to be interpreted correctly. However, the materials of the proposed addition and fenestration are not noted on the plans. Staff recommends the materials of the proposed addition and fenestration be noted on the plans and meet the District regulations.

The existing first floor of the non-historic addition is also proposed for alteration. The Applicant is proposing to remove the existing grouped casement windows on the rear and right side facades and replace them with two double hung windows on both facades. On the right side façade, a new door is proposed to be placed between the two new windows. As the existing features are not original to the structure, and as the proposed alterations reinforce the architecture of the original structure, Staff has no concerns with their replacement. However, Staff recommends the materials of the windows and door proposed for the first story of the right side and rear façades be noted on the plans and meet the District regulations.

On the elevations and floor plans detailing the alterations to the existing right side façade, Staff notes a discrepancy regarding the window directly in front of the existing chimney. This window is shown on the existing elevations as well as both the existing and proposed floor plans, but is not shown in the proposed elevations. As the window appears on the proposed floor plans, Staff finds that the omission of the window on the proposed elevation could be an error. As such, Staff recommends the Applicant clarify the plans regarding the window on the existing portion of the right side façade.

CA3-16-276:

Staff Recommendation: Based upon the following:

- 1) The plans meet the regulations with the exception of the elements noted above, per Section 16-20K.003 and section 16-20B.005;

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-16-276) for alterations and an addition at **1483 Fairview Rd.** with the following conditions:

1. The addition shall use a flat roof to minimize the visual impact of the addition on the front façade, per Sec. 16-20B.003(1)(b);
2. The materials of the proposed addition and fenestration shall be noted on the plans and meet the District regulations, per Sec. 16-20B.003(1)(i);
3. The materials of the windows and door proposed for the first story of the right side and rear façades shall be noted on the plans and meet the District regulations, per Sec. 16-20B.003(1)(i);
4. The Applicant shall clarify the plans regarding the window on the existing portion of the right side façade; and,
5. Staff shall review and if appropriate, approve the final plans and documentation.



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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

March 9, 2016

Updated

July 13, 2016

(updated information in italics)

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-15-070) for a new multifamily housing development at **465 Memorial Drive (aka 464-488 Woodward Avenue)**- Property is zoned SPI-22 (Subarea 4)/ Grant Park Historic District (Subarea 3).

Applicant: Ben Curran
3438 Peachtree Road, Suite 1425

Facts: This property consists of an entire block with frontage on Memorial Drive to the north, Woodward Avenue to the south, Loomis Avenue to the east and Wood Street to the west.

In looking at the City of Atlanta lot boundary map, the zoning map and the historic district map, Staff finds a portion of the property is located in SPI-22 and therefore is not within the purview of the Commission. Specifically, the Memorial Drive elevation and a portion of the Wood Street elevation and most of the Loomis Avenue elevation are not within the purview of the Commission.

At the March 9th meeting, this application was deferred to allow the Applicant to submit an application for a text amendment related to the allowable floor area ratio.

On May 11th, the Commission sent a letter of comments regarding Review and Comment (RC-16-162) on an ordinance to increase the maximum allowable floor area in Subarea III of the Grant Park Historic District.

On June 9th, an application (Z-16-24) for an ordinance to amend Chapter 20K of the 1982 City of Atlanta Zoning Ordinance, as amended, to change the allowable floor area ratio for multifamily residential uses in the Transitional Industrial Subarea III and for other purposes was approved with no conditions by the Zoning Review Board.

Analysis: The following code sections apply to this application:

Per Section 20.009 of the Atlanta Land Development Code, as amended:

- (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.

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

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

- (1) *General Criteria.*
 - a. Notwithstanding any other provision herein, no Certificate of Appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - b. Except as otherwise provided herein, the procedures for determining the appropriate type of certificate shall be those specified in section 16-20.008 of the zoning code.
- (2) *Certificates of Appropriateness.*
 - c. Type III Certificates of Appropriateness shall be required for:
 2. All major alterations and additions to existing structure, with respect to any façade that faces a public street.

Section 16-20K.008. Specific Regulations – Commercial Subarea II.

In addition to the general regulations set forth in section 16-20K.006, the following regulations shall apply to all properties located within Commercial Subarea II.

- (1) *The intent of the regulations for the Commercial Subarea II is as follows:*
 - a. To mitigate any negative effects that existing and proposed commercial properties may have on adjoining residential properties in the district.
 - b. To ensure harmony between existing and future uses of the properties in this subarea and the overall residential character of the district.
 - c. To discourage displacement of residents, to allow for a variety of housing opportunities that are compatible with and complementary to the architectural character of the neighborhood and to ensure the health, safety and welfare of the residents of the neighborhood.
- (3) *Multifamily Residential Uses.* For multifamily uses the following controls and requirements shall apply:
 - a. Development Controls:
 1. *Setbacks.* The front yard setback shall not be less than five (5) feet nor greater than fifteen (15) feet. Other setbacks shall be regulated by the applicable commercial district regulations.
 2. *Bulk Limitations.* Floor area ratio shall not exceed an amount equal to (.696) times net lot area.
 - b. Height:
 1. *Maximum building heights.* Buildings which are within one-hundred-fifty (150) feet of a single-family or a two-family residential district boundary shall have a maximum height of thirty-five (35) feet. Buildings that are between one hundred-fifty (150) feet and three hundred (300) feet from a single-family or a two-family residential district boundary shall have a maximum height of fifty-two (52) feet.
 2. *Transitional height planes.* Where this use adjoins a district in R-1 through RG classification without an intervening street, height within the subarea shall be limited as follows: No portion of any structure shall protrude through a height limiting plane beginning thirty-five (35) feet above the buildable area boundary nearest to the common residential district boundary and extending inward over the commercial subarea at an angle of forty-five (45) degrees.
 - c. Off-street parking requirements. Off-street parking shall not be permitted between the principal structure and any public street.
 - d. Architectural Standards. The standards outlined in section 16-20.009 shall apply as applicable.

The existing property is located in SPI-22 and Subarea 3 in the Grant Park Historic District. In looking at the requirements for both zoning categories, Staff finds the following topics are covered by the historic district regulations for the parts of the project that are within the purview of the Commission: architectural design, setbacks, height and floor area ratio. All other topics will be covered by the SPI-22 regulations and will be reviewed by other Office of Planning Staff. As there may be changes to the project required due to the SPI-22 review, Staff recommends any changes necessitated by the SPI-22 requirements are reviewed and if appropriate, approved by Staff.

Demolition

In looking at the existing site within the purview of the Commission, there is an existing single story non-contributing commercial building. The Applicant is proposing to demolish the existing structure in order to build a new multi-family building. As the existing building is non-contributing, Staff finds a Type IV Certificate of Appropriateness to allow demolition is not required. Staff has no concerns regarding the proposed demolition.

Signage

There is no signage currently proposed. As signage within the Grant Park Historic District requires review by the Commission, Staff recommends any signage within the Grant Park Historic District be submitted as a separate application.

Site

In comparing the survey submitted to the City of Atlanta lot boundary map, Staff finds the City has a different configuration than indicated on the survey. Specifically, the lot boundary map indicates the project location is made up of eight different lots. Staff suggests the Applicant work with the Office of Planning subdivision staff to resolve the lot discrepancies.

Per regulations, the setbacks must be no less than 5' and no more than 15'. In looking at the site plan submitted, Staff finds the setback requirements have been met. Per regulations, the maximum FAR (floor area ratio) allowed is .696 of the net lot area. In looking at the plans submitted, the proposed FAR is 1.26 and therefore does not meet the requirements. The FAR calculations indicated on the plans do not differentiate between the SPI-22 portion of the project and the Grant Park Historic District portion of the project. Staff recommends the portion of the project within the Grant Park Historic District zoning district have an FAR that is no more than .696. Staff recommends the Applicant submit FAR calculations specifically for the Grant Park Historic District portion of the project.

As indicated in the facts section, the allowed FAR is now 1.2 times the net lot area. In updated plans submitted by the Applicant, the FAR calculations are not indicated. Staff recommends the portion of the project within the Grant Park Historic District have an FAR that is no more than 1.2 times the net lot area.

Per regulations, the only off-street parking requirement is there is no parking allowed between the principal building and the street. As the proposed parking is internal to the project, Staff finds the off-street parking requirement has been met.

Massing and Design

In general, Staff finds the overall massing and design is consistent and compatible with a multi-family building in this part of the Grant Park Historic District. Staff finds it appropriate that the design does not mimic the architecture of the historic houses across the street. Staff finds the more simplistic

modern style creates a clear visual separation between the historic single family houses and the more commercial, higher density projects on Memorial Drive.

In updated elevations, some of the design elements have been slightly changed. Staff does not have concerns with the proposed changes and retains its original comments regarding the overall design.

Building Height

The Woodward Avenue block face across the street from the project consists mostly contributing single family houses that are one and two-stories. Per regulations, the maximum allowed height of the project is based on its proximity to the R-5 zoning district. As the R-5 zoning district is directly behind the Woodward Avenue portion of the project, Staff finds the portion of the project within 150' of the R-5 district can be 35' and the portion of the project between 150' and 300' from the R-5 district can be 52' in height.

In comparing the official zoning map to the site plan, Staff has concerns there may be a slight discrepancy between the official zoning map and the zoning lines indicated on the site plan. As the height and the purview of the project are directly related to the zoning district boundary lines, Staff finds it is important the zoning district boundary lines are accurate. Staff would note that having a survey of the zoning district boundary lines done would be the best solution. Staff recommends the Applicant provide documentation the zoning district boundary lines indicated on the site plan are accurate.

Staff retains its recommendation regarding documenting the zoning district boundary lines.

In comparing the site plan to the elevations, Staff finds there is a discrepancy between the zoning district boundary lines indicated on the site plan and the zoning district boundary lines indicated on the elevations. As mentioned in the previous paragraph, the location of the zoning district boundary line impacts the height and the purview of the project. Staff recommends the site plans and elevations are internally consistent. Staff recommends the proposed height meets the requirements based on accurate zoning district boundary lines.

In updated plans, the zoning district boundary lines are not indicated on the elevations. Staff recommends the elevations include notations regarding the zoning district boundary lines. Staff retains its original recommendation regarding the height.

Fenestration

Staff finds the overall fenestration is consistent and compatible with design of the building. While the windows are not typically seen on historic single family houses, the design of the windows is appropriate for a new multi-family development. While the general design of the windows are appropriate, the details are not clear. Staff recommends the proposed fenestration be appropriately inset from the façade, have an appropriate frame depth, have muntins that are substantial and are permanently affixed to the exterior of the glass and materials that are compatible with the design of the building.

In updated plans, the fenestration details are not indicated. Staff retains its recommendations regarding the fenestration.

Materials

The proposed project includes the following materials: cast stone caps, two types of brick, cementitious panels, cementitious horizontal lap siding, nichiha panels, stucco, metal canopies, metal

pickets and glass railings. Staff has concerns regarding the numerous building materials. While having different building materials can help to differentiate parts of the building and break up the facades, Staff finds too many materials creates a disjointed appearance. Staff recommends the amount of façade materials be reduced to avoid a disjointed appearance.

Staff retains its recommendations regarding the façade materials.

Staff Recommendations: Based upon the following:

The plans, with the exceptions noted above, meet the regulations per Section 16-20K.008;

Staff recommends approval of the Application for a Type II Certificate of Appropriateness (CA3-15-070) for a new multifamily housing development at **465 Memorial Drive (aka 464-488 Woodward Avenue)**- Property is zoned SPI-22 (Subarea 4)/ Grant Park Historic District (Subarea 3), with the following condition:

1. Any changes necessitated by the SPI-22 review process are reviewed and if appropriate, approved by Staff.
2. Any proposed signage within the Grant Park Historic District shall be submitted as a separate application.
3. Any portion of the project within the Grant Park Historic District zoning district shall have an FAR that does not exceed 1.2 times the net lot area, per Section 16-20K.008(3)(a)(2);
4. The Applicant shall submit FAR calculations specifically for the Grant Park Historic District portion of the project, per Section 16-20K.008(3)(a)(2);
5. The Applicant shall provide documentation the zoning district boundary lines indicated on the site plan are accurate;
6. The elevations shall include notations regarding the zoning district boundary lines;
7. The site plans and elevations shall be internally consistent;
8. The proposed height shall meet the requirements based on accurate zoning district boundary lines, per Section 16-20K.008(3)(b)(1);
9. The proposed fenestration shall be appropriately inset from the façade, have an appropriate frame depth, have muntins that are substantial and are permanently affixed to the exterior of the glass and materials that are compatible with the design of the building, per Section 16-20.009;
10. The amount of façade materials shall be reduced, per Section 16-20.009; and
11. Staff shall review and if appropriate, approve the final plans.



CITY OF ATLANTA

KASIM REED
MAYOR

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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

April 27, 2016

REVISED

June 8, 2016

(Revised text shown in italic.)

July 13, 2016

(Revised text shown in Arial.)

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-257) for a variance to reduce the off-street parking space requirement from 1 space (required) to 0 spaces (proposed) and (CA3-16-139) for a new single-family house at **151 Savannah Street** - Property is zoned Cabbagetown Landmark District (Subarea 3)/Beltline.

Applicant: Ben R. Darmer
1877 Ardmore Road

Facts: This vacant lot is located on the west side of Savannah Street and is vacant. The lot is essentially flat and even with the sidewalk with a slight downward slope at the rear of the lot. The Applicant is proposing to build a 1.5 story shotgun-style house.

On June 1, 2016, the Applicant submitted a revised proposal for the project which is taken into account in this revised Staff Report.

On June 14, 2016, the Applicant submitted a further revised proposed for the project, as well as variance request to reduce the required amount of on-site parking from 1 space to 0 spaces.

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.

- (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:

1. Front porches shall contain balustrades, columns, and have other characteristics, including floor dimension, height, roof pitch, overhang, and column size that meet the compatibility rule.
2. Decorative metal, resin, fiberglass and plastic columns are not permitted.
3. Porches may be enclosed with recessed screen wire if the main characteristics of the porch are maintained.
4. Front porch steps shall be made of wood, brick, or concrete. Metal steps are not permitted.

f) Site development, sidewalks and curbs:

1. The sidewalk shall be the same width as the sidewalk on abutting properties. If no sidewalk exists on abutting properties, the new sidewalk shall match sidewalk widths on the block. If no sidewalk exists on the block, the new sidewalk shall be six feet wide.
2. Sidewalks shall be brick on a concrete base and laid in a pattern to match existing on abutting properties or elsewhere in the district.
3. Curbing shall be granite; poured concrete shall not be used.
4. A paved walkway from the front public sidewalk to the front entry of the principal building shall be provided.

(17) Grading and landscaping.

- a) Grading shall 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.
- b) New grades shall meet existing topography in a smooth transition.
- c) Approval of an application for a certificate of appropriateness may be conditioned on the implementation of a landscape plan 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 Cabbagetown Landmark District.

(19) Off-street and off-site parking.

- a) All new construction, change in use, alterations, or additions that increase the number of dwelling units and/or increase the square footage of nonresidential or multifamily shall include off-street parking.
- b) The number of required parking spaces is set out in each subarea.
- c) Variances may be allowed from this requirement subject to the standard procedures and requirements for a variance found in these regulations.
- d) Off-street parking shall not be located or authorized between the principal building and the street.
- e) Off-street parking may be located in a rear or side yard.
- f) The driveway of a lot used for residential purposes shall extend at least 20 feet behind the front façade of the house.
- j) Mesh paver blocks (including the installation of durable ground cover plantings), poured concrete, concrete pavers, decorative stone or brick are permitted paving materials for driveways and surface parking. Asphalt is not permitted.
- k) Use of shared driveways and/or alleys is encouraged.
- l) The commission shall have the authority to vary section 28.006(10) relative to the requirement for an independent driveway connected to a public street.

Sec. 16-20A.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.
- (3) Permitted principal uses and structures. A building or premises shall be used only for the following principal purposes:
 - a) Single-family detached dwellings.
- (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.
- (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.

Variance (CA3-16-257)

The District regulations require that a new house include at least 1 off-street parking space that meets the District regulations, including not being in the front yard. The current design of the project includes 3 ft. side yard setbacks which themselves would not allow for a driveway to be located along either side of the house. In their response to the variance criteria the Applicant noted the site was narrow, a driveway would reduce the buildable area of the lot, the lot is in an older neighborhood with narrow lots, and that on-street parking is common in the neighborhood.

While the Staff agrees with some of the Applicant's response to the variance criteria, it would note that a lot width of about 25 ft. is not too unusual for a District lot, particularly one in the western portion of the District in the Savannah Street area. At the same time, the Staff finds that the width of the proposed house is appropriate for the lot size, there is no alleyway behind the property, and the Staff is not aware of any easement access to the back of the property. If the variance were denied and a driveway that meet the District regulations were constructed, the driveway could only be about 7.5 ft. wide, assuming the house's width were reduced to the minimum width allowed by the District regulations (14.4 ft. wide based on the compatibility rule) and the driveway was built next to the property line and the house itself. If more room were provided for a standard width driveway (9-10 ft. wide) a variance would be required from the District's minimum house width requirement.

In short, the Staff finds that in this case the options for the project are to either not have off-street parking or have a house width that doesn't meet the District regulations. Given the intent of the District regulations, the Staff finds that having a house that complies with as many of the District

house design regulations is preferable to having 1 off-street parking space. As such, the Staff recommends support for the variance request.

Compatibility Rule Analysis and Documentation

Savannah Street 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 9 contributing houses, six of which are shotguns: #147 (aka #149), #153, #157, #159, #163, and #165 Savannah Street. It is these 6 houses that are to be used as points of comparison. The Applicant provided a lengthy chart of comparison properties, however most of them are either not classified as Shotgun houses or are non-contributing to the District.

Also, it is not clear to the Staff how the measurements were taken and if they are accurate. Given that the building height is a key consideration to the proposal, the Staff would recommend the heights of the 6 comparison contributing houses are certified by a registered surveyor and that the Applicant provide pertinent measurements and provide a description of the techniques used for taking the measurements of the 6 comparison contributing houses.

The revised submission includes a graphic / chart that shows the house heights of the 6 comparison houses which were measured “from the top of the roof line to the lowest point adjacent to the existing house”. It is not clear if this occurred on the front façade of the existing houses (vs. the sides), as required by the District regulations. Typical that measurement is taken at the median grade. Given that some of the lots slope down on this side of Savannah Street, the Staff is concerned that this measurement technique would aggregate the heights of the building. Given the proposed house is measured at the front façade, this would allow for a taller house than what would otherwise be permitted. The Staff would recommend the Applicant confirm that the building height measurements were taken at the front façade.

The compatibility rule chart notes that all height measurements were taken at the front of the house.

Further, the Staff is concerned that the comparison elevation of #147 (aka #149) does not show the house accurately or proportionally. In looking at the District inventory sheet, the house at #147 (aka #149) is not as thin (height to width ratio) as shown on the comparison elevation. This comparison elevation drawing is not complete either. The District regulations require that for new construction proposals the application 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. The Staff would recommend the Applicant provide 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.

No revised comparison elevation was provided with the revised submission. The Staff would retain its previous recommendation.

Though the survey of the comparison houses has been included and updated with additional notes, no comparison elevation of the streetscape was provided with the revised submission. The Staff would retain its previous recommendation.

Lastly, the main level floor plan indicates an overhanging second floor in the northeast corner of the house, but that does not appear on the upper level floor plan. The Staff would recommend the floor plans are internally consistent.

The overhang and/or the discrepancy between the floor plans has been eliminated.

Setbacks and Site Plan

According to the site plan submitted, this interior lot fronts just over 25 ft. on the west side of Savannah Street and has a depth of 78 – 80 ft. In looking at the City cadastral map, the site plan appears to be consistent with City's maps.

Notwithstanding the concerns over the compatibility rule comparisons and documentation noted above, the front, side and rear yard setbacks are based on the compatibility rule. Based on the information provided to date, the front yard setbacks on the block face range from 3 ft. to 5 ft. The proposed front yard setback is 5 ft. and therefore would meet the District regulations. Based on the information provided to date, the rear yard setbacks on the block face range from 12 ft. 6 in. to 25 ft. The proposed rear yard setback is 12 ft. 9 in. as measured to the closest point of the rear stair and therefore would meet the District regulations. The compatibility rule chart in the submission does not differentiate between the north and south side yard setbacks, so the Staff can't confirm if the proposed side yard setback meet the District regulations. The Staff would recommend the compatibility rule chart specify which side yard setbacks are for which sides of the houses.

The revised submission did not include any clarifications to the compatibility rule chart. The Staff would retain its previous recommendation.

The compatibility rule chart includes all of the house related measurements and differentiates between the south and north side yard setbacks. The front yard setback is unchanged from the previous submission and meets the District regulations. The rear yard setback is slightly smaller and as such is just outside the range of the rear yard setbacks. The side yard setbacks are 3 ft. and are within the respective ranges for the south and north sides. The Staff would recommend the rear yard setback be adjusted to meet the District regulations.

The maximum floor area ratio (FAR) allowed is .50. The plans do not indicate a FAR. The Staff is concerned that the proposed house significantly exceeds the allowable FAR. The Staff estimates the lot is about 1,976 sq. ft. (not the 13,560 sq. ft. indicated on the survey). The Staff further estimates that the interior square footage of the house is about 1,836 sq. ft. or about a .92 FAR. The Staff recommends that the house be substantially re-designed to meet the FAR limitations on the property.

The house has been redesigned by essentially eliminating a normal second floor from the house. In the revised proposal, the back half of what would be the second floor is now a semi-enclosed, "covered porch", and attic space. No new FAR calculations were included. The Staff finds the revised second level unusual (design concerns will be noted below) and given there is a fixed stair to that level the attic space could be counted within the FAR calculation given the apparent head height within the space. The Staff would recommend an FAR calculation be provided and that calculation reflect the City's standard criteria for what is or is not included in residential FAR.

The revised site plan includes an FAR calculation documenting a FAR of .46 which is less than the .50 allowed by the District regulations.

The Staff would note that lot coverage is not restricted in this subarea.

Per the District regulations, one off-street parking space is required. While the site plan indicates one off street parking space, there is not a design shown for it or the required curb cut. Further, the off-street parking space must extend 20 ft. beyond the front façade of the house. In this case, it is only about 10 ft. beyond the front façade of the house. Even taking away the "planter" it can only be about

14.5 ft. past the front of the house. Lastly, the parking space is not allowed to be between the principal building and the street. The Staff would recommend the project include an off-street parking space that meets all of the District regulations.

The off-street parking has been removed from the proposal and the Applicant within their design narrative requested a variance from this requirement. However, no variance application, variance criteria response, or fee was submitted in support of that statement. The Staff would recommend that a complete and accurate variance application be provided for the off-street parking reduction request or a District compliant off-street parking space be provided.

As noted above, a variance application has been submitted and per the Staff's recommendation of approval, the off-street parking requirement would be met.

It is likely that the sidewalk will be destroyed in the process of building the home. In addition, the sidewalk should be brick on a concrete base and laid in a pattern to match existing on abutting properties. The Staff recommends that the sidewalk be replaced per the District regulations, including size, location, design, and materials. The regulations require a paved walkway (poured concrete or brick pavers) from the front sidewalk to the front entry of the house. There is no walkway indicated on the site plans. The Staff recommends a walkway from the front porch to the public sidewalk that meets all of the District regulations is indicated on the site plan.

The revised submission does not address any of these concerns. The Staff would retain all of its previous recommendations.

The revised submission includes a note regarding the new public sidewalk, but it does not meet the District regulations regarding the use of brick for the finish material. The Staff would retain its previous recommendation.

The revised submission includes a brick paver walk to the public sidewalk.

The site plan does not indicate any grading or change in the lot topography. In looking at the elevations, the slight change in the existing grade is shown.

Massing and Building Height

Per regulations, the architectural style of the new house must be represented on a comparable house on the block face. As noted above, the forms/styles seen on the block face that are points of comparison are Shotguns. While two of the Shotguns have small projections at the rear of their side elevations (likely an enclosed porch) and two of the Shotguns have larger side projections (one of which is a more contemporary alteration), none of them have an offset that extends to a second story and is covered under the main roof. The projections listed above are small, incidental components of the massing. The comparable Shotguns have a linear massing with a side projection. The proposed house has a two story massing that takes the projection fully into the second story.

The Staff finds that the massing and form of the proposed house is not similar with the comparable houses. The Staff would recommend the massing of the proposed house be significantly re-designed to be very similar to the comparable houses on the block face.

In the revised submission, the massing has been simplified to create a single, rectangular box with a simple front-to-back gable roof. While the overall shape of the house is now similar to the other shotguns on the block face, the internal vertical proportions are still not compatible. In the other shotguns on the block face, the massing of the roof takes up a substantial part of the overall massing of the house. On the revised design, the roof massing is significantly less giving the design a stretched o

vertically elongated proportion. The Staff finds that the massing and form of the proposed house is not similar with the comparable houses. The Staff would retain its previous recommendation.

In the most recent submission, the overall massing of the house has been revised mainly through the use of the properly sloped roof pitch (see below) which lowers the eave line and thus increased the portion of the overall height that the roof form occupies. Though it still has concerns about the visual relationship between the proposed house and the comparable houses (thus the need for the scaled streetscape drawing), it appears that the proposed massing is compatible with the comparison houses on the block. Further, the Staff would note that the proposed house width (19 ft.) is within the range of house widths on the comparison houses.

Per the District regulations, the roof form, pitch and eave design/size are based on the compatibility rule. The Staff finds the roof form and pitch should be the same as #147 (aka #149) but both visually and as indicated on the comparison elevation, but it is not. The proposed house has a shallower roof pitch than the required 8:12 found on the comparable houses on the block face (again, this is using the data provided thus far). The Staff would recommend the roof pitch be accurately shown and meet the District regulations and the roof eaves meet the District regulations.

The revised submission does not include any new information about the comparison roof pitches and the Staff finds that the roof pitch in the revised design does not meet the District regulations. Further, the shallower roof pitch allows more “usable” height to be created within the overall height limitation which in turn supports the vertical elongation of the house. The Staff would retain its previous recommendation.

In the most recent submission, the compatibility rule chart includes roof pitches, with the predominant one being 12:12 which is the roof pitch of the proposed house. It is still not clear that the roof eaves meet the District regulations. The Staff would retain the portion of the previous recommendation related to the roof eaves.

Per the District regulations, the overall height is based on the compatibility rule. Given the concerns about the comprehensiveness and accuracy of the measurements in the compatibility rule chart, the Staff would recommend the Applicant document compliance with the District’s height regulations.

As noted above, the Staff still has concerns about the height measurements. The Staff would retain its previous recommendation.

In the most recent submission, the compatibility rule chart notes that the roof height measurements were taken at the front. The proposed roof height is within the range of the comparison houses. However, the Staff is concerned because on the chart the house height is noted as 25.5 ft. while on the elevation is it noted as 24 ft. 9.5 in. The Staff would recommend the Applicant resolve the internal inconsistency of the house’s height.

The widths of the houses are also based on the compatibility rule. The width of the houses on the block face was not provided. The Staff would recommend the house width meet the District regulations.

In the revised submission, no house widths were listed. The Staff would retain its previous recommendation.

In the most recent submission the compatibility rule chart includes house widths, which range from 14.4 ft. to 22.33 ft. The proposed house’s width is 19 ft. which is within the allowable range.

The first floor height is also based on the compatibility rule. The Applicant did not provide information regarding the first floor heights on the block face, though they did note that the proposed house's first floor height was 1.5 ft. The Staff recommends the Applicant provide documentation the proposed first floor height meets the District regulations.

In the revised submission, no first floor height information was provided. The Staff would retain its previous recommendation.

In the most recent submission the compatibility rule chart includes the height of the finish floor above the grade which range from 1 ft. to 1.5 ft. The proposed height is 1.83 ft., which is outside the allowable range. The Staff would recommend the height of the first floor above the grade be revised to meet the District regulations.

Apart from the concerns about the massing, height, and proportions of the house, the most unusual feature of the revised design is the semi-enclosed outdoor living space on the second level. This space is covered by the main front to back gable and its sides are created by bringing the side façade walls up without any articulation essentially creating a box with an open end at the rear of the house. Even taking into account the fact that the rear façade of many houses are substantially changed (and the Commission has provide some flexibility on such changes); the Staff is concerned that the presence on the rear façade of such a large, opening would be incompatible with the District. The Staff further finds that "enclosing" this space with screen wire or windows will not eliminate the lack of compatibility. The Staff would recommend the semi-enclosed living space on the second level be eliminated from the proposal.

The semi-enclosed space at the upper, back portion of the house has been removed in the design included in the most recent submission.

Building Facades

In Landmark Districts, the Commission reviews all facades.

Windows and Doors

The front door is vertical wood panels with four (4) small glass lights in its upper portion. The Staff finds that the proposed door is not compatible with any historic or original doors on the comparable houses on the block face or anywhere in the District and is not consistent with the form / style of the proposed house. The Staff would recommend the front door be redesigned to meet the District regulations and be compatible with the style / form of the proposed house. The rear door is similar in design, but as this door is not visible from the public right-of-way, the Staff has no concerns regarding the rear door.

In the revised submission, the front door is the same design and material. The Staff would retain its previous recommendation.

The front door in the most recent submission is a four-light window over a two-part panel that is less than 50% glass and otherwise compatible with the overall form and style of the proposed house. It is not clear if it will be solid wood. The Staff would retain its previous recommendation.

The proposed fenestration features aluminum-clad wood, double hung windows with 4 in. wide trim. The proposed light pattern is not found on the comparable houses on the block face. Further, it is not clear if the windows have the appropriate sills, trim and headers. Though the windows are vertical in proportion, the front façade windows do not appear to be the same size as the existing windows on the comparable houses on the block face - they appear elongated. Overall, the Staff finds the design and

size of the proposed windows does not meet the District regulations. The Staff recommends all windows meet the District regulations.

The Staff would note that given the inappropriate massing and potentially height, there is significant additional wall space above the main floor windows. It is anticipated that this additional wall space will be removed from the design to comply with the Staff's concerns about massing and height.

In the revised design, the windows appear to have the same proportions and indeterminate trim. Further, given the elongation of the vertical proportions of the house and swallow roof creating unusually large side façade walls, there is still excess wall space above the side façade windows. The Staff would retain its previous recommendation.

In the most recent submission, the distance above the windows has been reduced mostly due to the use more steeply pitched roof. However, the Staff is still concerned about the front façade windows (the height of which has been reduced by increasing the sill to an incompatible height) and the size of the rest of the windows which appear to be slightly shorter than those found on the comparable houses. The later of these characteristics adds to the wall height above the windows on the side facades. The Staff would retain its previous recommendation.

There are no skylights proposed on the house.

No skylights are included in the revised design either.

Building Materials

The siding material is indicated as smooth finish, 6 in. cementitious siding with trim of an unspecified material. The Staff recommends that all trim is indicated as wood. The foundation is indicated as painted brick veneer. The Staff would recommend the brick veneer on the foundation be constructed of standard, full size bricks. The roofing material is indicated as asphalt shingles, which meets the District regulations. The front porch stair material is not indicated on the plans. The Staff recommends the plans indicate an appropriate front stair material.

The revised submission includes additional details about the materials, though some are still not identified and others (like the brick veneer) do not meet the District regulations. The Staff would retain all of its previous recommendations. The Staff would further add that all exterior materials shall meet the District regulations.

In the most recent submission, additional materials are specified on the plans (including the foundation) but not all are identified. The Staff would retain its previous recommendations.

Porch

The proposed full half width porch is 5 ft. in depth with 6 in. by 6 in. wood posts, simple brackets, standing seam metal roof with a 4:12 pitch, and no railing. It is not clear the material of the porch floor, ceiling, or vertical ends. The Staff is also concerned about the slope of the front porch roof, which is significantly more than the front porch roof slopes of the comparable houses on the block face. The Staff would recommend that the design and materials of the front porch meet the District regulations and include all necessary details and description.

The revised submission includes many of the same characteristics and features of the front porch. The Staff would retain its previous recommendation.

In the most recent submission, there are still several details of the front porch that are not specified. The Staff would retain its previous recommendation.

The Staff considers the rear deck to actually be a stoop because it only includes the area needed to safety exit the rear door.

Variance (CA3-16-257):

Staff Recommendation: Based upon the following:

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

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-16-257) for a variance to reduce the off-street parking space requirement from 1 space (required) to 0 spaces (proposed) at **151 Savannah Street** - Property is zoned Cabbagetown Landmark District (Subarea 3)/Beltline.

Design Review (CA3-16-139):

Staff Recommendation: Based upon the following:

- (a) Except as noted above, the plans meet the regulations per Section 16-20A.006 and 16-20A.009.

Staff recommends deferral of the application for Type III Certificate of Appropriateness (CA3-16-139) for a new single-family house at **151 Savannah Street** - Property is zoned Cabbagetown Landmark District (Subarea 3)/Beltline, to allow time for the Applicant to address the following concerns and comments of the Staff:

1. The Applicant shall provide 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, per Section 16-20A.006(3);
2. The rear yard setback shall be adjusted to meet the District regulations, per Section 16-20A.006(9);
3. The sidewalk shall be replaced per the District regulations, including size, location, design, and materials, per Section 16-20A.006(13)(f);
4. The roof eaves shall meet the District regulations, per Section 16-20A.006(13)(c);
5. The Applicant resolve the internal inconsistency of the house's height, per Section 16-20A.009(7);
6. The height of the first floor above the grade shall be revised to meet the District regulations, per Section 16-20A.008(13)(b)(2);
7. The front door shall be redesigned to meet the District regulations and be compatible with the style / form of the proposed house, per Section 16-20A.006(13)(a)(3) and (b)
8. All the windows shall meet the District regulations, per Section 16-20A.008(13)(b);
9. All trim shall be indicated as wood, per Section 16-20A.008(13)(b)(1);
10. The brick veneer on the foundation shall be constructed of standard, full size bricks, per Section 16-20A.006(13)(a)(3);
11. The plans shall indicate an appropriate front stair material, per Section 16-20A.006(13)(e)(4);
12. All exterior materials shall meet the District regulations, per Section 16-20A;
13. The design and materials of the front porch shall meet the District regulations and shall include all necessary details and description; and
14. The Applicant shall submit all revised plans and supporting documentation (including all required copies) at least eight (8) days prior the meeting to which this application was deferred.



CITY OF ATLANTA

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MAYOR

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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

June 22, 2016

Updated

July 13, 2016

(updated information in italics)

Agenda Item: Applications for Type III Certificates of Appropriateness (CA3-16-292) for a roof form that does not meet the compatibility rule and (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.

At the June 22, 2016 meeting, this application was deferred to allow the Applicant time to submit a variance request and address the concerns of Staff.

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.

Variance Request

Per regulations, the proposed roof shall match what is predominate on the block face. As there is only one hipped roof on the block face, the predominate form is a gabled roof. The Applicant is requesting a variance from the roof form requirements in order to construct a house with a hipped roof that matches the adjacent historic house.

In 2008, the Commission approved an application for a Type III Certificate of Appropriateness (LD-08-182) to allow the construction of a single family residence at 171 Savannah Street. Staff would note the design of the house is a hipped roof with a single dormer on the side elevation and a rear

covered porch with a separate shed roof. While the hipped roof does not meet the requirements, Staff found at the time that the design was nearly identical to the adjacent historic house and therefore appropriate. While the approval of the hipped roof form was done in error, Staff would note that if the Applicant wanted to build the same house approved in 2008, no review by the Commission would be required.

According to the Applicant, one of the hardships is the majority of the lots are 25' wide and the subject lot is 50' wide. Further, the Applicant finds that the houses situated on the smaller lots would not be appropriate on a wider lot. There is a house that is significantly wider than the other houses at 167 Savannah Street. The Applicant finds that the house at 167 Savannah Street is not an appropriate point of comparison because it was built in 1940 and therefore not appropriate in the neighborhood.

Staff disagrees the majority of the lots are 25' wide. According to the chart submitted by the Applicant, two of the lots are 50' wide, one of the lots is 40' wide and three of the lots are 28'-29' wide. Based on the information submitted, Staff is not convinced it is a hardship to put a gable roof house on the lot. In looking at the existing house at 167 Savannah Street, Staff finds it is a contributing house and therefore building a similar house is in fact appropriate to the neighborhood. Staff would note that the lot at 167 Savannah is the same width as the subject lot.

Staff has the following conclusions regarding the variance request:

- While the Applicant has shown that building a hipped roof house would not cause a detriment, the Applicant has not shown that it is a hardship to build a gabled roof house as required by the regulations.*
- Staff has serious concerns regarding the design of the house. Specifically, Staff finds the rear gable and porch are not appropriate.*
- Staff finds the Applicant can build the appropriately designed hipped roof house that was approved in 2008 without a variance or further review by the Commission.*

Based on the conclusions above, Staff cannot support the proposed variance.

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.

As recommended by Staff, the applicant submitted a revised chart.

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.

Staff retains its recommendation regarding the calculations.

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.

As recommended by Staff, the site plan is clear and the off-street parking requirement has been 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.

Staff retains its recommendations regarding the sidewalk. Staff finds the walkway requirement has been met.

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.

Staff retains its recommendation regarding changes to the topography.

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.

As recommended by Staff, the Applicant indicates the height was measured from street level. Per regulations, the height and width shall be measured at the front façade. Staff recommends the Applicant measure the height at the front façade. Staff retains its recommendation regarding documentation.

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.

Staff retains its recommendation regarding the roof.

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.

Staff retains its recommendations regarding materials.

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.

Staff retains its recommendations regarding the windows.

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.

As recommended by Staff, the siding is indicated as smooth and the foundation is indicated as smooth stucco.

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.

Staff retains its recommendations regarding the porch.

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.

As Staff has recommended denial of the variance, Staff recommends the proposed house be redesigned to be internally consistent with one of the contributing gable roof houses on the block face.

Staff Recommendation: Based upon the following:

- (a) The variance request does not meet the requirements, per Section 16-20A.006(7) , with the exception of the notes above;

Staff recommends denial of an Application for a Type III Certificate of Appropriateness (CA3-16-292) for a roof form that does not meet the compatibility rule at **171 Savannah Avenue** - Property is zoned Cabbagetown Landmark District (Subarea 3)/Beltline.

Staff Recommendation: Based upon the following:

- (a) The plans do not 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 clarify how all calculations were measured;
2. 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);
3. The Applicant shall clarify whether there are any significant changes to the topography of the lot;
4. The height shall be measured at the front façade, per Section 16-20A.006(6)(a);
5. The Applicant shall submit documentation the proposed height meets the requirements, per Section 16-20A.009(7);
6. The proposed new roof shall be a gable, per Section 16-20A.006(13)(c);
7. The elevations shall indicate appropriate materials for the front and rear door, per Section 16-20A.006(13)(a)(3);

8. 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);
9. All material details shall be indicated on the plans and meet the requirements, per Section 16-20A.006(13)(a) and (b);
10. 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);
11. The proposed house shall be redesigned to be internally consistent with one of the contributing gable roof houses on the block face; and
12. 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

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TIM KEANE
Commissioner
CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT July 13, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-220) for dormer additions at **1041 Oak St.** Property is zoned R-4A / West End Historic District.

Applicant: Draco Enfor
1041 Oak St.

Facts: This existing Queen Ann style cottage is considered contributing to the West End Historic District.

In May of 2015 the Commission reviewed application CA2-15-179 for alterations. This application was in response to the removal of two original chimneys without a permit as well as the removal of portions of original siding. The Commission approved this application with the following conditions:

1. The Applicant shall submit photographic evidence which shows the current condition of the entire property and documents all changes which have occurred, Per Sec. 16-20.008(b)(1);
2. The Applicant shall reinstall both chimneys which were previously removed, per Sec.16-20G.006(6);
3. The proposed chimneys shall not use a cement wash treatment, per Sec.16-20G.007(6)(a);
4. The Applicant shall clarify whether the proposed siding replacement is for a different location on the building than was previously reviewed by Staff, per Sec. 16-20G.005(1)(b);
5. If the proposed siding replacement is in a location which was not previously reviewed by Staff, then the Applicant shall submit information which details the need for replacement, per Sec. 16-20G.006(2)(b); and
6. Staff shall review and if appropriate, approve the final plans and supporting documentation.

As of the time this Staff Report was issued, the Applicant has not complied with these conditions.

In May of 2016, this address received a Stop Work Order from the Office of Buildings Inspection Staff for an addition built without a permit. The current application is to allow this addition to remain.

Analysis: The following Code sections apply to this application:

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.
- (8) Considerations on proposed moving of structures, in whole or in part, shall include the effect on the neighborhood from which the move is made. In general, where the structure forms a significant part of a complex of similarly meritorious buildings, preference shall be given to relocation on a site elsewhere in the district. Where the structure does not form part of such a complex, preference shall be given to removal to a location in which the addition will reinforce existing complexes of buildings of significant historic, architectural and/or cultural character.

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:
 - (b) *Type required:*
 - (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.

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.
 - (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.
- (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.

The Applicant is proposing a second story addition to the existing structure to allow for unfinished attic space. As shown on the plans stamped as received by the Office of Planning on June 30, 2016, the new addition would create a taller roof line on the right side and would create an awkward bump on the left side of the front façade. Staff finds that the resulting structure would be more boxy in appearance and would contain a roof form which is incompatible with the architecture of the existing structure. Further, staff finds that the proposed addition would destroy the spatial relationships of the existing Queen Anne structure. As such, Staff

recommends the plans be redrawn to show the retention of the existing roof form, roof slope, and ridgelines be retained in relation to the front facade.

Staff finds that an addition which follows the ridgeline of the secondary roof to the rear of the structure and behind both the main and side ridge lines would be appropriate and could provide the needed room for an attic build out. As such, Staff recommends the plans be revised to show an addition which follows the secondary roofline on the rear of the structure.

The most recent drawings show the re-installation of the two chimneys which were previously removed on the existing elevations only. These chimneys do not appear on the proposed elevations. As such, Staff recommends the proposed chimneys be shown on the proposed elevations. Staff finds that while the proposed replacement chimneys match the locations of the previously existing chimneys, the height of the front chimney does not match the original. As the two chimneys, while originating at different elevations had identical heights, Staff recommends the front chimney height be raised to match the rear chimney height.

CA3-16-220:

Staff Recommendation: Based upon the following:

1) The plans do not meet the regulations with the exception of the elements noted above, per Section 16-20G.006 and Sec. 16-20.009;

Staff recommends deferral of the Application for a Type III Certificate of Appropriateness (CA3-16-220) for dormer additions at **1041 Oak St.** to allow the applicant time to address the following staff concerns:

1. The plans shall be redrawn to show the retention of the existing ridgelines inasmuch as they can be seen on the front façade, Per Sec. 16-20.009(2);
2. The plans shall be revised to show an addition which follows the secondary roofline on the rear of the structure, Per. Sec. 16-20.009(1)
3. The proposed chimneys shall be shown on the proposed elevations, Per Sec. 16-20G.006(6)(a), and the Conditions of Approval of CA2-15-179;
4. The front chimney height shall be raised to match the rear chimney height, Per Sec. 16-20G.006(6)(a), and the Conditions of Approval of CA2-15-179; and,
5. Any revised drawings and materials shall be submitted no less than 8 days before the scheduled meeting date.



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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

June 22, 2016

Updated

July 13, 2016

(updated information in italics)

Agenda Item: Application for Type III Certificates of Appropriateness (CA3-16-232) *for a variance to allow an increase in the east side yard setback from 20' (required) to 48'* (proposed), and (CA3-16-231) for alterations and an addition at **1117 St. Charles Place** – Property is zoned R-4/Atkins Park Historic District.

Applicant: Shady M. Eldaif and Kimberly Singh
1117 St. Charles Place

Facts: According to the Atkins Park Historic District Survey, this single family dwelling built in 1923 is considered contributing.

At the June 22, 2016 meeting, this application was deferred to allow the Applicant to submit a revised variance request.

Analysis: The following code sections apply to this application:

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

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

Sec. 16-200.006. General Regulations.

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

- (1) Certificates of Appropriateness.
 - (A) Type III certificates of appropriateness shall be required for:
 - (i) All new principal structures.
 - (ii) All major alterations and additions to existing structures.
 - (iii) Subdivisions or aggregations of lots, and planned developments.
- (7) Compatibility Rule.
 - (A) In general, the intent of the regulations and guidelines is to ensure that alterations to existing structures and new construction are compatible with the design, proportions, scale, massing, materials, and general character of the contributing buildings in the immediately adjacent environment of the block face, the entire block, or the district as a whole. Synthetic materials may be used if visually indistinguishable from the original materials. To permit flexibility, many regulations are made subject to the compatibility rule, which states: “The element in

question (roof form, architectural trim, etc.) shall match that which predominates on the contributing buildings of the same block face or, where quantifiable (i.e., buildings height and width as measured at front 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 block face.”

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

Sec. 16-200.007. Specific Regulations.

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

- (1) *Development Controls for Principal Structures.*
 - (A) *Front Yards:* The front yard setback of principal structures shall meet the compatibility rule.
 - (B) *Side yards:* The side yard setbacks of principal structures shall meet the compatibility rule. All new construction and additions shall maintain a minimum of three (3) feet for side yards setbacks where the compatibility rule would permit otherwise.
 - (C) *Rear yard:* The rear yard setback of principal structures shall be a minimum of fifteen (15) feet.
- (2) *Architectural Standards for Principal Structures.*

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

 - (A) All new construction shall be one of the house styles of a contributing building that appears on the block face of the street on which the new construction shall occur.
 - (B) *Building Height and Width:* The compatibility rule shall apply to the height and width of the principal structure. In no case shall the height of a structure exceed 35 feet from grade.
 - (C) *Foundation:*
 - (i) The maximum height of the first floor above grade shall meet the compatibility rule. The foundation shall be a maximum of four feet above the surface of the ground adjacent to the front façade, measured at the front facade.
 - (ii) Slab on grade is not permitted.
 - (iii) When masonry, brick or stucco is used as the primary façade material, the foundation material shall be the same. Otherwise the foundation shall be brick or stucco.
 - (D) *Siding:* Siding shall be substantially consistent with siding materials found in contributing buildings on the block face and shall be consistent with the architectural style. Brick, brick veneer, stucco, shingles, or horizontal lapped wood or cementitious plank siding are permissible building materials for the facades.
 - (E) *Roofs:*
 - (i) The shape and pitch of roofs, as well as ridge, overhang, and soffit construction shall meet the compatibility rule and be consistent with the architectural style.
 - (ii) Clay tile, slate, composition asphalt shingles, and fiberglass shingles are permissible roofing materials.
 - (iii) Membrane or cold-rolled roofing is permitted only on flat roofs.
 - (iv) Corrugated roofing materials are not permitted.
 - (g) *Skylights and solar panels:* Skylights and solar panels are permitted on roofs of buildings provided they are not visible from any core residential street.
- (3) *Maximum Floor Area Ratio:* The floor area ratio shall not exceed 50 percent of the total lot area.
- (4) *Maximum Lot Coverage:* Lot coverage shall not exceed 50 percent of total lot area.

Sec. 16-200.009. Design Criteria for Alterations and Additions to Contributing Structures.

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

- (A) Alterations and additions shall be consistent with and reinforce the historic architectural character of the entire existing contributing structure and shall comply with the applicable regulations for *Architectural Standards for Principal Structures* set forth in subsection 16-200.007(2) above; or
- (B) New additions, exterior alterations, or related new construction will not destroy historic materials that characterize the property. The new work may differentiate from the old. To protect the historic integrity of the property and its environment, any new work will be compatible with the massing, size, scale, materials, and architectural features of the property and environment.

Variance Request

The Applicant is requesting an increase in the east side yard setback from 20' (required) to 48' (proposed). In order to meet the setback requirement, the Applicant would be required to build an addition that is 28' larger than proposed. Staff finds that requiring the Applicant to build a larger addition than desired is a hardship. Further, Staff finds that building a significantly larger addition may violate the lot coverage requirements, will violate an existing storm water easement and will eliminate most of the rear yard. Based on the information we have at this time. Staff has no concerns regarding the proposed variance request.

Site Plan

The lot in question fronts 80' on St. Charles and has a depth of 132.07' on its longest side. The project includes the demolition of an existing accessory structure. As a Type IV Certificate is not required for the demolition of an accessory structure, Staff has no concerns regarding the proposed demolition.

Per regulations, the rear yard setback shall be no less than 15'. The proposed rear yard setback is 15', not including the alley and therefore meets the rear yard setback requirement. Per regulations, the side yard setbacks are based on the compatibility rule. The west side yards on the block face range from 1.82' to 22'. The proposed west side yard setback is 5'2" and therefore meets the requirements. As indicated in the variance section, Staff has no concerns regarding the proposed east side yard setback.

Per regulations, the maximum floor area ratio (FAR) allowed is .50. The proposed FAR is 46.1 and therefore meets the requirements. Per regulations, the maximum lot coverage allowed is 50%. The proposed lot coverage is 41.9% and therefore meets the requirements.

Additions

The Applicant is proposing a two-story addition at the rear of the existing house. Staff finds the overall design, fenestration and materials are very similar to the existing historic house. The proposed single story stucco mudroom clearly delineates the existing house from the new addition. Staff has concerns regarding the massing and general location of the proposed addition. The addition projects past the side of the existing house and will be very visible from the street. While it is not unusual to have a detached accessory structure in this location, side additions of this type are not typical in the neighborhood. Further, as the addition is two-stories and more than half the size of the existing house, Staff has concerns that from the street, the new addition will compete with the existing house in size and architecture.

Given the limitations of the lot in regards to the existing storm water easement, Staff finds the proposed addition cannot be moved to reduce the visibility from the street. Staff finds there may be solutions to reduce the massing that is visible from the street. Staff finds the materials and architectural details could be revised so that it does not appear to be an identical house behind the existing historic house. Staff finds that the addition as currently designed may actually diminish the existing historic house. Staff recommends the materials, fenestration and architectural details are

revised to avoid duplicating the design of the existing historic house. Staff recommends the Applicant explore solutions to reduce the massing of the addition that is visible from the street.

Staff Recommendations: Based upon the following:

The plans, with the exceptions noted above, meet the regulations per Section 16-200.007;

Staff recommends approval of the application for a Type III Certificate of Appropriateness (CA3-16-232) for a variance to allow a reduction in the east side yard setback from 20' (required) to 48' (proposed) at **1117 St. Charles Place** – Property is zoned R-4/Atkins Park Historic District.

Staff Recommendations: Based upon the following:

The plans, with the exceptions noted above, meet the regulations per Section 16-200.007;

Staff recommends approval of the application for a Type III Certificate of Appropriateness (CA3-16-231) for alterations and an addition at **1117 St. Charles Place** – Property is zoned R-4/Atkins Park Historic District, with the following conditions:

1. The materials, fenestration and architectural details shall be revised to avoid duplicating the design of the existing historic house, per Section 16-200.009;
2. The Applicant shall explore solutions to reduce the massing of the addition that is visible from the street, per Section 16-200.009; and
3. Staff shall review and if appropriate, approve the final plans.