



# CITY OF ATLANTA

**KASIM REED**  
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT  
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308  
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**TIM KEANE**  
Commissioner

**CHARLETTA WILSON JACKS**  
Director, Office of Planning

## STAFF REPORT July 27, 2016

**Agenda Item:** Application for a Review and Comment (RC-16-298) for new structure at 2440 Bolton Road (RM Clayton Water Reclamation Center) – Property is zoned I-2.

**Applicant:** Vicki Hayes – Western Summit Constructors, Inc.  
4405 International Boulevard, NW, Suite C-100, Norcross

**Facts:** The RM Clayton Water Reclamation Center (WRC) is located in northwest Atlanta at the intersection of Marietta Boulevard and Bolton Road. The complex includes a variety of buildings, structures, tanks, maintenance areas, offices, and staging areas. The “head works project” (of which is submission is a later component) is located in the northeast portion of the property, northeast of a railroad track that goes through the property. To the south, west, and north of the project site are more RM Clayton WRC facilities. To the east is RM Clayton WRC property, but it is currently undeveloped and contains trees. This property abuts Ridgewood Road. Along Ridgewood Road (both across the street and to the south and north) there are single family houses. The site of the “head works project” sits well below the property to the east, south, and west as indicated by the existing conditions plan submitted by the Applicant.

The “head works project” involves creating a new, below ground structure to house new grit removal equipment, with above ground paving, access ways, and smaller support and maintenance buildings. Earlier this year (through RC-16-034), the Commission reviewed and commented on the preliminary grading, excavation, foundation work and the construction of the below ground structure that will house the grit removal equipment, piping, etc. Before the Commission at this time is the above ground “grit removal building” and associated site for the project (paving, access ways, outdoor work areas, etc.)

**Analysis:** The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

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

Per Section 16-20.009. Same; further standards.

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (7) Whenever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

The Staff does not have any comments on the technical or functional aspects of the head works project, the grit removal process or related equipment. Its comment will be related to the overall aesthetic of the project and its relationship to the surrounding properties.

Overall, the head works project will be located below the surrounding property and most of the largest structure will be below ground. The slope, that creates a “bowl” shape to this portion of the property, will be graded back to allow room for the new head works structures at the bottom of the “bowl”. As such, there will not be buildings over-shadowing the adjacent property due to the building’s size and site topography. The surrounding, adjacent properties are located above the head works project components beyond the lip of the “bowl”.

The grit removal building will be very utilitarian in design and overall appearance as would be expected for a building of this type. The surrounding site work (concrete sidewalks, equipment staging areas, gravel paths and work areas, etc.) will have minimal impact on the site and are directly adjacent to and related to the grit removal buildings. At the same time, as was the case with the earlier head works-related components, there are some steps that could be taken to minimize any potential negative effects from this phase of the proposed improvements.

The Staff would recommend that particularly to the east, as many trees as possible be retained and/or planted to maintain that vegetative screen between the RM Clayton WRC property and the nearby residential property. Further, the Staff would recommend that if the grit removal building and other new vertical structures are visible from Ridgewood Road or the nearby residential property the new structures are painted a neutral or receding color. In addition, the Staff would recommend that if there is any proposed lighting associated with the grit removal building or outdoor work areas, that it be directed away from and otherwise shielded from the nearby residential property. Similar, the Staff would recommend that if there are any potential noise effects related to the grit removal building and outdoor work areas, attempts to mitigate those effects be included in the final project design.

**Staff Recommendation:** The Staff recommends that the Commission confirm the delivery of its comments at the meeting regarding an application for a Review and Comment (RC-16-298) for new structure at 2440 Bolton Road (RM Clayton Water Reclamation Center) – Property is zoned I-2.



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Director, Office of Planning

## STAFF REPORT July 27, 2016

**Agenda Item:** Review and Comment (RC-16-299) on the National Register of Historic Places nomination of 690 South Boulevard at **962 Boulevard** – Property is zoned R-5 / Grant Park Historic District (Subarea 1) / Beltline.

**At the Request of:** Dr. David Crass, Division Director, Georgia State Historic Preservation Office  
2610 Georgia Highway

**Facts:** In its capacity as a Certified Local Government, the City of Atlanta is given the opportunity to comment on nominations to the National Register of Historic Places. Listing on the National Register of Historic Places provides recognition by the federal government of a building's or districts architectural and historical significance.

This nomination was sponsored by the property owner, who also prepared the nomination materials. The proposed individual listing is located in the residential portion of the Grant Park neighborhood, south of the park, in NPU W. The property is located on the east side of Boulevard and consists of less than 1 acre of property.

**Analysis:** Built in 1915, the house is a 1.5 story cross-gable bungalow with Craftsman style. The house has rectangular massing, with: a full width, integral front porch with side extensions; wide eave overhangs; decorative gable brackets; full height porch columns; wood siding; decorative concrete block foundation (obscured with a non-historic granite veneer); a multi pane surround around the front entrance; and multi pane over one pane, double hung windows. There are dormers that appear to have been added shortly after the house was built and a more contemporary rear addition. The interior of the house is largely intact, though there have been modifications over the years, including drywall on the upper level and changes to the configuration of some rooms. The property was recently renovated using the State of Georgia property tax abatement program, and State of Georgia income tax credit program.

Staff agrees that this property is a good example of a cross-gable bungalow popular in Georgia from 1900 to 1930. According to the State, the cross-gable subtype is rare in Georgia. The Staff finds the proposed nomination meets the criteria for listing on the National Register of Historic Places. The Staff is in support of the proposed nomination.

**Staff Recommendation:** Based on the following:

- a) The nomination meets the National Register of Historic Places criteria, specifically Criterion C.

The Staff recommends that the Commission deliver comments in support of the National Register nomination to the Historic Preservation Division Staff via support for Review and Comment (RC-16-299) on the National Register of Historic Places nomination of 690 South Boulevard at **962 Boulevard**.



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## STAFF REPORT July 27, 2016

**Agenda Item:** Review and Comment (RC-16-300) on the National Register of Historic Places nomination of 760-768 Confederate Avenue at **760 Confederate Avenue** – Property is zoned R-5 / Grant Park Historic District (Subarea 1) / Beltline.

**At the Request of:** Dr. David Crass, Division Director, Georgia State Historic Preservation Office  
2610 Georgia Highway

**Facts:** In its capacity as a Certified Local Government, the City of Atlanta is given the opportunity to comment on nominations to the National Register of Historic Places. Listing on the National Register of Historic Places provides recognition by the federal government of a building's or districts architectural and historical significance.

This nomination was sponsored by the property owner and a consultant prepared the nomination materials. The proposed individual listing is located in the Grant Park neighborhood, east of the park, in NPU W. The property is located on the east side of Confederate Avenue and consists of less than 1 acre of property.

**Analysis:** Built in 1927, the commercial block consists of a 1 story massing in a Mediterranean Revival style. The block consists of five storefronts, four of which are the same size with one end bay being slightly smaller. The full depth storefronts are separated by full height brick columns which have paired brackets which support a terra-cotta tile roof overhang. The storefronts themselves consist of a central entry, flanking large display windows, and multi-light transoms above. The end (side) facades of the overall massing have some small arched window openings. The interior finishes consist of plaster, exposed brick, and drywall for the walls and tile and polished concrete for the floors. The property was recently renovated using the State of Georgia property tax abatement program, and State of Georgia income tax credit program.

Staff agrees that this property is a good example of a neighborhood commercial activity node that included a wide variety of uses through the years that supported the development of the Grant Park neighborhood. Further, it is indicative of a commercial node associated with the streetcar system that provided mobility within and around the Grant Park neighborhood. The Staff finds the proposed nomination meets the criteria for listing on the National Register of Historic Places. The Staff is in support of the proposed nomination.

**Staff Recommendation:** Based on the following:

- a) The nomination meets the National Register of Historic Places criteria, specifically Criterion A and C.

The Staff recommends that the Commission deliver comments in support of the National Register nomination to the Historic Preservation Division Staff via support for Review and Comment (RC-16-300) on the National Register of Historic Places nomination of 760-768 Confederate Avenue at **760 Confederate Avenue**.



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## STAFF REPORT July 27, 2016

**Agenda Item:** Review and Comment (RC-16-301) on the National Register of Historic Places nomination of Sears, Roebuck, and Company at **675 Ponce de Leon Avenue** – Property is zoned MRC-3-C / Beltline.

**At the Request of:** Dr. David Crass, Division Director, Georgia State Historic Preservation Office  
2610 Georgia Highway

**Facts:** In its capacity as a Certified Local Government, the City of Atlanta is given the opportunity to comment on nominations to the National Register of Historic Places. Listing on the National Register of Historic Places provides recognition by the federal government of a building's or districts architectural and historical significance.

This nomination was sponsored by the property owner and a consultant prepared the nomination materials. The proposed individual listing is located in the northeast corner of the Old Fourth Ward neighborhood in NPU M. The property is located on the south side of Ponce de Leon Avenue, adjacent to the Beltline corridor, and consists of about 16 acres of property.

**Analysis:** The main component of the complex was built in 1926 and consists of a nine-story central block with a tall central tower that has Italian Renaissance Revival style elements. An adjacent warehouse component was built in the same year. Subsequent additions were completed in 1932 (west of the main building), 1948 (added to the back of the 1932 addition), 1966 (to the rear of the main building), and 1971 (atop the 1966 addition). Also in 1966, a detached automotive center was built south of the main complex and a loading shed was built along the railroad tracks. The significant architectural features of the building are the steel multi pane windows, concrete columns, concrete floors, wood floor, stairs, and elevators. The property was recently renovated into what is known as Ponce City Market using the State of Georgia property tax abatement program, State of Georgia income tax credit program, and federal income tax credit program.

Staff agrees that this property is a good example of Italian Renaissance Revival style and the company's architectural / design formula for such distribution centers. The building incorporates early 20<sup>th</sup> century building techniques, including reinforced concrete in the floors, concrete mushroom columns and brick curtain walls. Further, the Staff agrees that it is significant in the area of commerce as one of two distribution centers in the Southeast built to respond to Sears growing mail order business in the 1920s. The Staff finds the proposed nomination meets the criteria for listing on the National Register of Historic Places. The Staff is in support of the proposed nomination.

**Staff Recommendation:** Based on the following:

- a) The nomination meets the National Register of Historic Places criteria, specifically Criterion A and C.

The Staff recommends that the Commission deliver comments in support of the National Register nomination to the Historic Preservation Division Staff via support for Review and Comment (RC-16-301) on the National Register of Historic Places nomination of Sears, Roebuck, and Company at **675 Ponce de Leon Avenue**.



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## STAFF REPORT

July 27, 2016

**Agenda Item:** Review and comment (RC-16-302) on a special use permit (U-16-013) to allow a transfer of development rights from **1150 Peachtree Street (The Wimbish House)**- Property is zoned SPI-16 – Midtown Commercial District (Subarea 1) / Landmark Building or Site.

**At the Request of:** The Atlanta Woman’s Club  
1150 Peachtree Street

**Facts:** The Wimbish House was designated as a landmark building in 2002.

**Analysis:** The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

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

According to the special use permit filing, the proposed transfer of development rights (TDR) would sever 145,827 sq. ft. of residential development rights and 157,045 sq. ft. of commercial development rights from the Wimbish House. The receiving property or properties have not been identified at this time. While usually, this process includes transferring development rights to a specific property, Staff finds that it is not problematic to sever the development rights for a future transfer.

Given that the TDR will not result in any physical alteration to the existing building or its site and will decrease the development pressure on the site, Staff does not find any concerns about the proposed action. Staff would add that another benefit of the TDR to the “sending site” (i.e. The Wimbish House) is that development rights that would otherwise likely go unused (given the limitations regarding incompatible additions and alterations to the LBS property) could be sold to another party thus generating additional income for the sending site.

**Staff Recommendation:** Staff recommends that a letter of support with the Staff’s and the Commission’s comments be sent to the Applicant and the Zoning review Board.



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## STAFF REPORT July 27, 2016

**Agenda Item:** Review and Comment (RC-16-301) for a two story rear addition at **43 Northwood Avenue**- Property is zoned R-4/ Brookwood Hills Conservation District.

**Applicant:** Garrett Coley  
P.O. Box 957421

**Facts:** According to the Brookwood Hills Inventory, the single-family dwelling was built in 1928 or 1929 and is considered contributing. In looking at a recent survey picture, the existing dwelling has been slightly altered since the district's designation.

**Analysis:** The following code sections apply to this application:  
Per Section 16-20.007(b) of the Atlanta Land Development Code, as amended:

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

### **Sec. 16-20.009. Same; further standards.**

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

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

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

Brookwood Hills Conservation District does not have specific architectural regulations similar to Atlanta's historic or landmark districts, therefore the Commission should refer to Further Standards listed in Chapter 20 of the zoning ordinance, which apply to all locally designated districts and properties.

The Applicant is proposing a two story rear addition. In general, Staff finds the design, massing and materials of the proposed addition are appropriate. Given the location of the proposed addition, Staff finds it will not be seen from the street and will therefore not have a negative impact on the streetscape. Staff finds the proposal creates additional space while allowing the original portion of the house to remain the predominate feature. While Staff is supportive of the proposed project, Staff suggests the fenestration be simplified to help clearly indicate the addition was built more recently.

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



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## STAFF REPORT

July 27, 2016

**Agenda Item:** Review and comment (RC-16-308) on a special use permit (U-16-018) to allow a transfer of development rights from **875 West Peachtree Street (The Academy of Medicine)**- Property is zoned SPI-16 – Midtown Commercial District (Subarea 1) / Landmark Building or Site.

**At the Request of:** Academy of Medicine, LLC  
760 Spring Street

**Facts:** The Academy of Medicine was rezoned as a Landmark Building or Site (LBS) by the City of Atlanta on October 23, 1989. As is the case with all other LBS rezonings, the underlying zoning remained for the property, including all of the associated development rights. Several years ago the property was rezoned to a substantially revised Special Public Interest (SPI) zoning classification to implement the “Blueprint Midtown” planning process.

The LBS zoning category includes two properties, including the Academy and front lawn facing West Peachtree Street on one lot and the parking lot and access areas another lot behind the building. The building, dedicated in 1941 was designed by the acclaimed architecture firm of Hentz, Adler, and Shutze, with assistance from R. Kennon Perry.

On April 22, 2015 the Commission completed a Review and Comment (RC-15-107) on a special use permit (U-15-005) to allow a transfer of development rights to 1039-1063 Dickson Place and 205-223 12<sup>th</sup> Street. The proposal transferred 49,000 sq.ft. of residential development rights.

**Analysis:** The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

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

According to the special use permit filing, the proposed transfer of development rights (TDR) would transfer approximately 148,000 sq. ft. of nonresidential development rights of the property to 771 Spring Street and 756,760,766 and 774 West Peachtree Street. In the summary, it indicates non-residential development rights will be transferred. In the sending property statistics, the proposed TDR

is indicated as 148,440 sq.ft. of residential. Staff suggests the Applicant clarify whether the transfer will be residential or non-residential. Staff would note that while proposed alterations to the receiving property (771 Spring Street) were approved with conditions through CA3-16-191, the proposed new construction is outside of the landmark boundaries for the receiving property and was therefore not reviewed by the Commission.

Given that the TDR will not result in any physical alteration to the existing building or its site and will decrease the development pressure on the site, Staff does not find any concerns about the proposed action. Staff would add that another benefit of the TDR to the “sending site” (i.e. Academy of Medicine) is that development rights that would otherwise likely go unused (given the limitations regarding incompatible additions and alterations to the LBS property) could be sold to another party thus generating additional income for the sending site.

**Staff Recommendation:** Staff recommends that a letter of support with the Staff’s and the Commission’s comments be sent to the Applicant and the Zoning review Board.



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Director, Office of Planning

## STAFF REPORT

July 27, 2016

**Agenda Item:** Application for a Type II Certificate of Appropriateness (CA2-16-310) for alterations and window replacement at **742 Lexington Avenue**- Property is zoned R4-A/Adair Park Historic District.

**Applicant:** Ian Thompson  
742 Lexington Avenue

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

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

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

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

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

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

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

1. *Certificates of Appropriateness:* Certificates of appropriateness within this subarea shall be required as follows:
  - (a) *When required:*
    1. To change the exterior appearance of any portion of a structure within the subarea, when said change can be seen from the public right-of-way;
    2. To erect a new structure or to make an addition to any structure within the subarea, when said new structure or addition can be seen from the public right-of-way; and
    3. To demolish or move any contributing structure, in whole or in part, within the subarea.
  - (b) *Type required:*
    1. Type I certificates of appropriateness for ordinary repairs and maintenance are not required in this subarea. This exemption in no way obviates the requirements for certificates of appropriateness for all minor alterations (Type II), major alterations (Type III) and demolitions (Type IV, except partial demolitions).

2. Except with regard to Type I certificates, the procedures for determining the appropriate type of certificate required under subsection 16-20I.006(1)a. above shall be those specified in section 16-20.008 of the zoning code, provided, however, that a partial demolition shall require a Type IV certificate of appropriateness only when said partial demolition will result in the loss of significant architectural features which destroys the structure's historic interpretability or importance.
2. *Lot Size:* In addition to the requirements of the subdivision and zoning ordinances, the compatibility rule specified in this chapter 20I shall apply to all subdivisions and aggregations of lots with regard to lot size, dimensions and configurations.
4. *Architectural Standards:*
  - (b) *Windows and Doors:*
    1. Architecturally significant windows and doors, including details, trimwork, and framing, shall be retained.
    2. Original window and door openings shall not be blocked or enclosed, in whole or in part.
    3. Replacement windows and doors shall be permitted only when originals cannot be rehabilitated. Replacement windows and doors shall match the original in style, materials, shape and size with no more than a one-inch width or height difference from the original size.
    4. Dropped ceilings, when located below the head of a window, shall be sufficiently recessed from the window opening to maintain the original exterior appearance.
    5. New doors and windows, when permitted, shall be compatible in scale, size, proportion, placement, and style to existing windows and doors.
    6. The ratio of openings to solid for all new construction (for example, windows to wall) shall be established by the compatibility rule, with a permitted differential of ten (10) percent.
    7. The scale, size, and proportion of all openings in new construction shall be established by the compatibility rule with a permitted differential of ten (10) percent.
    8. New windows or doors added to existing structures shall be located on sides or to the rear of buildings, rather than on the front.

The Applicant is proposing to replace five windows on the front façade and three windows on the side façade. Based on the pictures and narrative, Staff finds the three windows on the side façade and two of the windows on the front façade warrant replacement. While the three windows under the porch appear to need repair, it is not clear the windows are beyond repair and warrant replacement. Usually the windows under a porch roof are in the best condition due to protection from the sun and the rain. Staff recommends the Applicant provide additional documentation regarding the replacement of the three windows under the front porch roof.

In looking at the proposed replacement windows, Staff finds the new windows are appropriate. Staff recommends the Applicant clarify whether new windows will be true divided lite or simulated divided lite. Staff would note that while true divided lite windows are the best preservation solution for replacements, the Commission has consistently approved simulated divided lite windows with muntins that are permanently affixed to the exterior of the glass. As such, Staff finds that simulated divided lite windows are consistent with the previous actions of the Commission. Staff recommends all windows approved for replacement fit within the original window openings.

The Applicant is proposing to replace the existing roof shingle. While Staff has no general concerns regarding the replacement of the existing shingles, Staff recommends the Applicant clarify the proposed roofing material.

**Staff Recommendation:** Based upon the following:

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

Staff recommends approval of the Application for a Type II Certificate of Appropriateness (CA2-16-310) for alterations and window replacement at **742 Lexington Avenue**- Property is zoned R4-A/Adair Park Historic District, with the following conditions:

1. The Applicant shall provide additional documentation regarding the replacement of the three windows under the front porch roof, per Section 16-20I.006(4)(b)(1);
2. The Applicant shall clarify whether new windows will be true divided lite or simulated divided lite;
3. All windows approved for replacement shall fit within the original window openings, per Section 16-20I.006(4)(b)(3).
4. The Applicant shall clarify the proposed roofing material, per Section 16-20I.006(4)(f); 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**  
*Updated July 27, 2016*  
*(Updated text in Bold Italics)*

**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 a dormer addition built without a permit. The current application is to allow this dormer 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 existing roof form, roof slope, and ridgelines be retained in relation to the front facade.

***The Applicant has submitted revised plans which show the proposed addition being placed below the existing ridgelines and peaks. Staff finds that this configuration retains the existing roof form, roof slope, and ridgelines of the existing structure. As such, Staff finds that the new drawings meet this condition.***

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 Applicant has submitted revised plans which show the rear addition following the secondary roofline. As such, Staff finds that this condition has been met.***

***The materials for the proposed addition are not listed on the plans. Staff recommends the proposed materials for the addition meet the district regulations and be noted on the final plans.***

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.

***The Applicant has submitted revised plans which show the front chimney height matching the height of the rear chimney. As such, Staff finds that this condition has been met. The plans now show chimneys on both the existing and proposed elevations. Staff would note that these chimneys are in fact a proposed feature and are not currently existing. As the plans do not mention the materials of the chimney, Staff recommends the proposed chimney materials meet the District regulations and be noted on the plans.***

**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** Approval of the Application for a Type III Certificate of Appropriateness (CA3-16-220) for dormer additions at **1041 Oak St.** with the following conditions:

- 1. The proposed materials for the addition shall meet the District regulations and shall be noted on the final plans, per Sec. 16-20G.006(2);***

2. *The proposed chimney materials shall meet the District regulations and shall be noted on the plans, per Sec. 16-20G.006(6);*
3. *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 27, 2016

**Agenda Item:** Application for a Review and Comment (RC-16-318) 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.

**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.

The Applicant is proposing a master plan for Hurt Park. In general, Staff finds the proposed master plan is a detailed, well prepared and easily comprehended document. Staff finds the master plan is a culmination of a typical internal and external planning process. While there is an indication that the Applicant met with the City and Georgia State University (G.S.U.) administrators, it is not clear whether students were included as part of the planning process. Given this park will likely be primarily used by G.S.U. students, Staff finds that having their input is important. Staff suggests the Applicant clarify whether G.S.U. students were given an opportunity to give input or be part of the planning process.

Included in the master plan is a detailed history of the park including information on its namesake, the landscape architect and the original landscape plan. The master plan is proposing to move away from original idea of the park as a high style decorative garden and moving towards the park as a destination for events and an easily maintained landscape. Given the location of the existing park and its connection to G.S.U., Staff finds the new plan for the park is highly appropriate.

Included in the master plan is discussion regarding Gilmer Street. How Gilmer Street is designed is important as it currently separates the main campus from the park. According to the narrative, there are three potential options for improving Gilmer Street. Unfortunately, only option "A" is included. The page with most of option "B" and all of option "C" is missing from the document. Staff suggests the Applicant provide information regarding the other two options for Gilmer Street. Staff finds that the option that creates the most pedestrian access would be the most appropriate. While Staff does not know all the options, Staff agrees with the final project recommendation of closing Gilmer Street to vehicular traffic with the exception of emergency and maintenance vehicles.

The proposed master plan does an excellent job of providing detailed information regarding the existing conditions, current needs and possible opportunities. Staff finds the project recommendations clearly address the current maintenance needs of the park and create a plan and projects to update the aesthetic and use of the park. Staff finds the project recommendations are highly appropriate and if implemented, there will be a significant positive improvement to the park.

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



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Commissioner

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Director, Office of Planning

## STAFF REPORT

**June 22, 2016**

*Updated*

*July 27, 2016*

*(updated information in arial black)*

**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 8<sup>th</sup> 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.*

*At the July 13, 2016 meeting, this application was deferred to allow the Applicant time to address the concerns of the Commission and 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.*

*While updated information was submitted, Staff still has concerns regarding the proposed variance. Given the approval in 2008 of a hipped roof house, Staff finds that a variance could be granted to allow an appropriately designed hipped roof house. Staff recommends the Applicant submit documentation that clearly indicates a rear hipped roof is not feasible.*

### **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.***

*An updated site plan indicates the required notations regarding the sidewalk.*

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.***

*In an updated chart, the height is indicated as measured from the street on the front façade. Staff finds this is not an appropriate method of measurement as there is often a difference in the topography from the street to the house. Staff recommends the heights are measured from average grade to peak on the front façade. Further, the regulations require a scaled drawing showing all front yard setbacks, heights, widths and the distances between houses. Staff recommends the Applicant submit a scaled drawing showing all front yard setbacks, heights, widths, and the distances between all existing buildings on the block face, along with those of the proposed structure.*

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.***

*As indicated in the variance section, Staff has recommended approval of the roof form with conditions.*

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.*

*In updated elevations, the proposed windows meet the requirements.*

## **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.*

*As Staff is recommending approval of the variance, Staff finds the front porch meets the requirements.*

## **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.*

*In the original submittal, Staff had concerns with the rear roof form and the rear porch design. In updated drawings, the rear porch has been revised to be additional living space and there is now a rear deck. With the exception of the rear roof form, Staff finds the updated drawings are appropriate. Staff would note the drawings as currently designed appear to address the concerns expressed by many of the Commissioner's at the July 13<sup>th</sup> meeting. As indicated in the variance section, Staff still has concerns regarding the rear gabled roof.*

**Staff Recommendation:** Based upon the following:

- (a) The variance request meets the requirements, per Section 16-20A.006(7) , with the exception of the notes above;

Staff recommends approval 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, with the following condition:

1. The Applicant shall submit documentation that clearly indicates a rear hipped roof is not feasible, per 16-20A.006(7);

**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 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, with the following conditions:

1. The Applicant shall clarify whether there are any significant changes to the topography of the lot;
2. The heights shall be measured from average grade to peak on the front facade, per Section 16-20A.006(6)(a);
3. The Applicant shall submit a scaled drawing showing all front yard setbacks, heights, widths , and the distances between all existing buildings on the block face, along with those of the proposed structure, per Section 16-20A.006(3);
4. The elevations shall indicate appropriate materials for the front and rear door, per Section 16-20A.006(13)(a)(3);
5. All material details shall be indicated on the plans and meet the requirements, per Section 16-20A.006(13)(a) and (b); and
6. Staff shall review and if appropriate, approve the final plans.