



CITY OF ATLANTA

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TIM KEANE
Commissioner
Office of Design

STAFF REPORT September 28, 2016

Agenda Item: Review and Comment (RC-16-401) for window replacement at **18 Camden Road** - Property is zoned R-4/ Brookwood Hills Conservation District.

Applicant: Robert Cumbie
18 Camden Road NE

Facts: According to the Brookwood Hills Inventory, the single-family dwelling was built in 1928 and is considered contributing.

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 to replace four existing windows in the rear of the home. In looking at the existing windows, Staff finds it unlikely the windows are original or historic. As such, Staff does not have concerns regarding destruction of original or historic fabric. Given the location of the windows, Staff finds the proposed new windows will not be seen from the street and therefore will not have a negative impact on the streetscape. The proposed new windows will be wood, double hung and simulated divided lite. While Staff has no general concerns regarding the new windows, the specific design of the windows is not indicated. Staff suggests the design of the windows is consistent with the architecture of the historic house.

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



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STAFF REPORT
September 28, 2016

Agenda Item: Applications for Type III Certificates of Appropriateness (CA3-16-407) for a lot consolidation, (CA3-16-408) for a variance to allow an increase in building height from 52' (allowed) to 76' (proposed) and (CA3-16-409) for a new mixed-use development at **670-690 Dekalb Avenue** - Property is zoned I-2/Inman Park Historic District (Subarea 3)/ Beltline.

Applicant: Sharon Gay
303 Peachtree Street

Facts: The site sits on the north side of Dekalb Avenue south of the Edgewood Avenue bridge and east of Airline Street. The property includes property inside and outside the Inman Park Historic District that spans what was both sides of the historic railroad corridor (the District boundary followed the course of the historic railroad corridor). The property also contains the previous right-of-way and improvements of the north-south Gunby Street. As part of this project, the now Beltline corridor will be shifted to the east running diagonally from northwest to southeast from under the Edgewood Avenue bridge to Dekalb Avenue. The relocated Beltline corridor, along with the diagonal District zoning line creates a project site with three "sections": east of the Beltline corridor, west of the Beltline corridor inside the District and west of the Beltline corridor outside the District. The Commission role is limited to the first two sections of the project: east of the Beltline corridor and west of the Beltline corridor inside the District.

The property does not have any buildings on it, but does contain various paved areas, open ground, dirt piles, concrete pads, and the former Gunby Street improvements. Apart from the dirt piles, the property has somewhat of a bowl shape with slightly higher ground toward Dekalb Avenue. The entire property sits below the Edgewood Avenue bridge and street improvements which are on an elevated embankment / viaduct at the north edge of the property.

To the north (across Edgewood Avenue) is a contemporary mixed-use development with C-2 underlying zoning, to the northeast is a contemporary residential development with underlying I-2 zoning, to the east is a one story industrial / commercial building with underlying I-2 zoning (and beyond that the zoning is R-LC and C-2, to the south (across Dekalb Avenue) is the elevated MARTA trackway with underlying I-2 zoning, and to the west (across Airline Street) is a contemporary mixed-use development with MRC-3-C and C-3-C underlying zoning. All of the surrounding property is within the Beltline Zoning Overlay area.

Though much more fully described in their application, in summary the Applicant is proposing to:

1. Demolish all of the existing improvements on the site;
2. Build a multi-story, multi-part, multi-frontage, mixed-use building generally wrapping around a parking deck to the west of the relocated Beltline corridor with retail facing the relocated Beltline corridor; and
3. Build a multi-story, residential building around a courtyard to the west of the relocated Beltline corridor.

The Applicant is also requesting an increase in the height of the building on the site outside of the 150 ft. distance from a R-1 through R-5 zoned property. As noted above, the property is also subject to the Beltline Zoning Overlay, which requires the approval of a Special administrative Permit (SAP) to ensure compliance with those zoning regulations.

Lastly, per Section 16-20L.005(1)(c), in Subarea 3 of the District, the Office of Planning is required to review proposals regarding the general zoning requirements included within Subarea 3. These requirements deal with such issues as parking, open space, uses, floor area ratios and square footages, buffers, etc. This review must be completed before the Commission hears the application and completes its review.

Analysis: The following code sections apply to this application:

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

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 multifamily residential, institutional, commercial, industrial and mixed use structures in Subarea 1:
 - i. A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
 - ii. The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.
 - iii. Each property shall be recognized as a physical record of its time, place, and use. Changes shall not be undertaken that create a false sense of historical development, such as adding conjectural features or elements from other historic properties.
 - iv. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
 - v. Distinctive materials, features, finishes, and construction techniques, or examples of craftsmanship that characterize a property, shall be preserved.
 - vi. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and, where possible, materials.
 - vii. Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
 - viii. Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
 - ix. New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
 - x. New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

- c. New construction in Subarea 2 and in Subarea 3: Contemporary design for new construction and for additions to existing properties shall not be discouraged when such construction and additions do not destroy significant historical, architectural, or cultural material, and such construction or additions satisfy Section 16-20L.007 or Section 16-20L.008, as applicable.
 - e. Initial plan review for proposed improvements in Subarea 2 and 3. Prior to submission of any development plans involving new construction including any addition to any existing building that otherwise requires review by the Commission, such plans shall first be submitted to and reviewed by the Bureau of Planning for conformance with the zoning requirements of Subarea 2 or 3 as applies. The Director of the Bureau of Planning shall review said plans and shall transmit to the director of the Urban Design Commission in writing within thirty days of receipt of such plans a written statement as to whether or not in the Planning Director's opinion, such plans are in conformance with the zoning requirements imposed within Subarea 2 or within Subarea 3, as is applicable.
 - f. Building height shall be measured on the front elevation from the average point of grade on the front elevation to the highest point of the roof or façade, whichever is higher.
2. Certificates of Appropriateness.
- a. Notwithstanding any other provision herein, no certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - d. Type III Certificates of Appropriateness shall be reviewed by the Commission and shall be required for:
 - i. All new principal structures.
 - 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.
 - i. Revisions to previously approved plans that result in an increase in floor area ratio, lot coverage, height or a change in the building footprint.
 - ii. Subdivisions, consolidations, and replats as required per Section 16-20L.005(5).
 - iii. Variances and special exceptions.
 - e. Type IV Certificates of Appropriateness shall be required for demolition or moving of any contributing principal structure. A partial demolition of a contributing principal structure shall require a Type IV Certificate of Appropriateness only when said partial demolition will result in the loss of significant architectural features that destroys the structure's historic interpretability or importance.
3. Variances, Special Exceptions, and Appeals.
- Variance applications, applications for Special Exceptions, and appeals from these Regulations shall be heard by the Commission. The Commission shall have the authority to grant or deny variances from the provisions of this Chapter when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, and criteria for decisions regarding such variances shall be the same as those specified in Chapter 26 of this Part 16. The Commission shall have the authority to grant or deny applications for Special Exceptions pursuant to the standards in Chapter 25. The Commission shall have the authority to grant or deny applications for appeal pursuant to the standards in Section 16-30.010 and the appeal provisions for said decision, set forth in Section 16-30.010(e), shall also apply to the Commission's decision.
5. Subdivisions or consolidations.
- b. In Subarea II and III, no replat to create additional lots or consolidation shall be approved unless and until the commission has made a finding that the proposed replat or consolidation will result in lots that would allow for future development that would meet the district and subarea regulations without the need for variance or special exception. The commission may make such a finding independent of or concurrently with the review of proposed new construction, alterations, or additions on those same lots.

Per Section 16-20L.008 of the Atlanta Land Development, as amended - Specific Regulations for Subarea 3, Railroad Corridor Commercial and Industrial District, Subarea 3.

Subsections 1 – 22 [See attached copies of 16-20L.008 – Subarea 3 Regulations.]

Per Section 16-26.003:

- (1) Findings Required: Except as permitted by the provisions of subsection (2) below, variances may be granted by the board only upon making all of the following findings:
 - (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;
 - (b) The application of the Zoning Ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship;
 - (c) Such conditions are peculiar to the particular piece of property involved; and

- (d) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta.

Office of Planning Analysis (Section 16-20L.005(1)(e)) and General Zoning Analysis

The Director of the Office of Zoning and Development (formerly the Office of Planning) will prepare for the Commission a zoning analysis of the proposed project as it relates to the requirements of Subarea 3, where the project is located. Beyond that zoning analysis, the Staff has the following conclusions about the relationship between the various zoning categories that affect the development framework of the property:

1. The I-2 zoning requirements address very basic characteristics of the property: allowed uses (principal, accessory, special), transitional characteristics (uses, height planes, yards, and screening), density, open space requirements, setbacks, lot size, yard requirements, height, and the number of off-street parking spaces.
2. The District regulations superseded or modified the I-2 zoning requirements related to setbacks, density, uses, building heights, and open space requirements.
3. The Beltline Zoning Overlay District superseded or modified the I-2 zoning requirements related to transitional yards, open space allowances, front setbacks, and off street space parking spaces requirements.
4. Both the District and Beltline Zoning Overlay District have requirements beyond the I-2 zoning requirements that address overall design, building articulation and fenestration, facades, and site arrangement.
5. The Beltline Zoning Overlay District has requirements that are stricter than the I-2 and District regulations, and thus are the governing requirement for that topic.
6. The Beltline Zoning Overlay requirements will be addressed through the concurrent Beltline Special Administrative Permit (SAP) review process.

CA3-16-407 - Lot Consolidation

As noted by the Applicant, the lot configuration associated with the residential and small scale commercial development patterns from the early 1900s has not existed for some time. Further, the early 1900s lot configuration did not correspond to the building pattern as there were multiple houses on large lots as was often the case with worker housing associated with nearby industrial uses (such as the railroad or the then Fulton Bag and Cotton Mill.)

While there is a variance associated with the proposed mixed-use project, the Staff finds that this proposed variance, given the circumstances of the property noted above, is not related to the overall property configuration and thus not related to the lot consolidation. These variance requests would not be affected positively or negatively by the lot consolidation.

The Staff finds that the proposed lot consolidation would make it more likely that future development (be it the proposal before the Commission now or any future proposal) could meet the district and subarea regulations without variances as multiple properties would become one, new project site increasing flexibility for the arrangement of buildings and uses within the consolidated parcel.

The Staff would note that the proposed mixed-use complex would be similar to other existing mixed-use complexes in Subarea 3 of the District. Lastly, the Staff would add that the Applicant must still complete the standard City of Atlanta / Office of Zoning and Development (formerly the Office of

Planning) lot consolidation process which applies to all properties in the City of Atlanta whether or not they are in a Historic or Landmark District.

The Staff would recommend approval of the lot consolidation request.

CA3-16-408 - Variance Analysis

The Applicant applied for a variance related to the building height. In the District regulations, there are two “height zones” for properties in Subarea 3: portions of property that are within 150 ft. of an R-1 through R-5 zoning district and those that are more than 150 ft. from a R-1 through R-5 zoning district. As noted above, all of the immediately adjacent and nearby properties have a variety of zoning categories, none of which are R-1 through R-5. As such, the Applicant has applied to increase the allowable height in the later of these two zones.

Within the District, the project has three frontages (Edgewood Avenue, Dekalb Avenue, and Airline Street) and thus three front elevations, as well as the frontage along the relocated Beltline corridor. For each of these three frontages (which is where the District regulations require the building’s height to be measured) the building must meet the building height limitations as established by the “more than 150 ft. distance from R-1 through R-5” height zone. In all three cases, the building is located immediately adjacent to the sidewalk given the requirement for and interest in the sidewalk level activity proposed for the project on all street frontages. As such, the Staff finds that the bottom starting point for measuring the building height on the front elevation and the bottom starting point for the building height measured “above the grade of the street on which said building faces” are the same.

At the same time, the District regulations also allow for variances from the maximum heights if certain building heights are met as measured “above the grade of the street on which said building faces”, other factors are considered, and the standard variance criteria are met. However, given that the overall building height at the front elevation is measured at the same location as the building height “above the grade of the street on which said building faces”, the Staff finds that these two measurement approaches would essentially result in the same height being calculated even though the regulations contemplate different “calculated heights” for the same building. As a result, the Staff finds that for these types of circumstances a reasonable and project-specific differentiation should be established between the measurement techniques to accommodate the ability to seek the variance outlined in the District regulations. The Staff finds that with keeping the two bottom starting points the same, a reasonable differentiation is that the overall building height would still be measured to the overall highest point of the building and the building height “above the grade of the street on which said building faces” should be measured to the top of the front-most building façade face.

Given this differentiation, the Applicant has proposed building height variances which maintain the height of the front-most façade building face within the range outlined in the District regulations for the building height “above the grade of the street on which said building faces” by stepping back the rest of the building that is above the front-most building façade face.

Further, the elevations note the overall building height along the three frontages, the heights of the building at the front-most building façade faces, and several heights on the interior-facing portions of the building in relationship to the proposed Beltline corridor. The elevations also show that the tallest

portion of the main building will be in the center area of the site immediately north of the parking deck and how the proposed building relates to the elevated MARTA track to the south.

On the variance request itself, the Staff concurs with the Applicant's argument. The Applicant notes the elevated position of Edgewood Avenue to the project site, the four street frontages and the one Beltline frontage, the constraints of the site due to the Beltline corridor, the high water table, and the environmental clean-up that will be needed to make the site acceptable for development. The Applicant also notes that the tallest portions of the building are located internal to the property, where the property is generally at its lowest and where it is farthest from the single-family homes and smaller buildings in general to the east, near and past Krog Street. The Staff would add that the Applicant has sufficiently differentiated between the overall building height and the height of the building at the front-most building façade face by setting back the top most level generally 8 ft. from the front-most building façade face, with additional step backs beyond that.

The Staff would recommend support of the variance to increase the building height.

General Development Controls and Parking Requirements.

A detailed breakdown of the amounts and types of nonresidential and residential uses is supplied, as well as a similar breakdown for open space requirements and parking ratios. The Applicant is utilizing a portion of both the ground floor commercial bonus and the total open space bonus allowed in the ordinance to achieve their proposed density and square footages.

The Staff would note that after establishing compliance with the "non-bonus" maximums and proportions, the regulations allow the floor area bonuses to be allocated to either category of square footage (residential or commercial) in whole or part beyond the respective "non-bonus" maximums and proportions. Taking into account the difference between the "non-bonus" residential square footage allowed and the actual residential square footage proposed, the Applicant has chosen to allocate their 56,700 sq. ft. bonus to their residential floor area for a combined floor area ratio of 1.067 net lot area. Further, the Applicant has applied for a transfer of development rights (TDR) to bring additional density to the site (30,000 sq. ft.) to bring their overall residential density to 1.26 net lot area, which is less than the overall FAR limitation of 1.49 net lot area.

The Staff finds that the bulk limitations have been met and the density bonuses have been properly calculated and allocated, per the District regulations.

However, the Staff would recommend that the Applicant clarify the non-residential uses and that none of the non-residential uses will exceed the maximums for such uses.

Regarding the parking, the calculations show that the minimum and maximum amounts of on-site parking for the residential use have been met. However, it is not clear that the minimum amount of on-site parking for the non-residential uses has been provided. According to the chart, 186 on-site parking spaces would be required for the non-residential uses but it seems that only 35 on-site parking spaces are provided. The Staff would recommend the Applicant clarify how the on-site parking requirements have been met for the non-residential uses.

Site Plan and Basic Design Analysis

Unless noted below, the Staff has concluded that the site plan-related elements meet the specific site plan related requirements of Subarea 3; the requirements are superseded by a more strict Beltline Overlay Zoning District regulation; the requirement is not applicable to this project due to the proposed design or the characteristic of the adjacent properties; or the Applicant has requested the above noted variances.

Sidewalk Zones (Section 16-20L.008(6)(a), (b), (c), and (l))

The Staff would recommend the site plan clearly delineate the street furniture and tree-planting zone and the clear zone and that such zones meet the minimum width requirements found in the District regulations.

Street trees and groundcover (Section 16-20L.008(6)(d))

The Staff would recommend that all street trees should be specified on the site plan as 4" in caliper measured 36 inches above ground, be a minimum of 12 feet in height, have a minimum mature height of 40 feet, be limbed up to a minimum height of seven feet, and have a minimum planting area of 25 sq. ft. The Staff would also recommend that the Applicant confirm the size of the tree planting area. The Staff would also recommend that the Applicant confirm the use of tree grates and their compliance with the District regulations.

Driveway design (Section 16-20L.008(10)(b))

The Staff would recommend that the driveways have the textured bands on either side as required by the District regulations.

Parking deck lighting (Section 16-20L.008(11)(a) and (b))

The Staff would recommend that the plans specify the lights for the parking deck and that they will not be visible from any public street, park, or private street.

Parking deck / sidewalk connections (Section 16-20L.008(10)(l))

The Staff would recommend that the plans specify a sidewalk connection between the ground level of the parking deck and the public sidewalk that meets the District regulations.

Electric vehicle charging stations and bicycle parking (Section 16-20L.008(15)(b) and (16)(a))

The Staff would recommend that the site plan identify the location of the required number of electric vehicle charging stations and bicycle parking locations.

Architectural Analysis

Unless noted below, the Staff has concluded that the architectural related elements meet the specific architectural related requirements of Subarea 3, the requirements are superseded by a more strict Beltline Overlay Zoning District regulation, or the requirement is not applicable to this project due to the proposed design

Building Heights

The proposed buildings are above the minimum height requirements. Regarding the maximum height requirements, given the Staff recommendation for the variance, the Staff finds the project meets the maximum heights provided for Subarea 3 of the District.

General Architectural Comments

Generally speaking, the Staff finds that given the allowance for contemporary design in Subarea 3, the proposed project meets the architectural requirements of the Subarea 3 regulations. Further, the Staff thinks that the size and massing of the buildings is appropriate for the site, as well as compatible with the District. However, given the size and scale of this proposal, there are several items that are not clear in the proposal.

If it is not clear if the window openings will be recessed back from the adjacent façade materials and if the window frames and light divisions themselves will appear flat and lack depth. The Staff would recommend that all the window framing be substantial enough in width and reveal (between window frame and glass and different sashes to provide a perception of weight and substance to the windows themselves. Given the scale of the elevations submitted, the Staff would further recommend that window specifications and cut sheets be submitted to the Staff for review and, if appropriate, approval. The Staff would also recommend that all storefront glass be clear to ensure visibility into the retail areas.

It is also not clear to the Staff the materials that will be used on the project as no materials are labeled on the drawings. The graphics would seem to suggest various types of masonry (brick, pre-cast panels, troweled stucco, stucco panels, etc.), manmade cementitious products, or potential metal panels of some type for the façade, some type of metal for the various railings, and various types of glass for the windows. The Staff would recommend the Applicant provide the specifications of all of the proposed exterior materials and that those materials meet the District regulations.

CA3-16-407 – Lot Consolidation

Staff Recommendation: Based on the following:

1. The proposed lot consolidation meets Section 16-20L.005(5)(b).

Staff recommends approval of the application for a Type III Certificates of Appropriateness (CA3-16-407) for a lot consolidation at **670- 690 Dekalb Avenue** - Property is zoned I-2/Inman Park Historic District (Subarea 3)/ Beltline.

CA3-16-408 - Variance

Staff Recommendation: Based upon the following:

- 1) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography, per Section 16-26.003;
- 2) The application of the Zoning Ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship, per Section 16-26.003;
- 3) There are conditions that are peculiar to the particular piece of property involved, per Section 16-26.003; and
- 4) 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, per Section 16-26.003.

Staff recommends approval of the application for a Type III Certificates of Appropriateness (CA3-16-408) for a variance to allow an increase in building height from 52' (allowed) to 76' (proposed) at **670- 690 Dekalb Avenue** - Property is zoned I-2/Inman Park Historic District (Subarea 3)/ Beltline.

CA3-16-409 – Design Review

Staff Recommendation: Based on the following:

- 1) The project meets the I-2 zoning regulations, except as noted above; and
- 2) The project generally meets the site plan, bulk limitation, and architectural requirements, per Section 16-20L.008, except as noted above.

Staff recommends approval of the application for a Type III Certificates of Appropriateness (CA3-16-409) for a new mixed-use development at **670-690 Dekalb Avenue** - Property is zoned I-2/Inman Park Historic District (Subarea 3)/ Beltline, with the following conditions:

1. The Applicant shall clarify the non-residential uses and that none of the non-residential uses will exceed the maximums for such uses, per Section 16-20L.008(13);
2. The Applicant shall clarify how the on-site parking requirements have been met for the non-residential uses, per the underlying I-2 zoning category;
3. The site plan shall clearly delineate the street furniture and tree-planting zone and the clear zone and that such zones shall meet the minimum width requirements found in the District regulations, Section 16-20L.008(6)(a), (b), and (c);
4. All street trees shall be specified on the site plan as 4" in caliper measured 36 inches above ground, be a minimum of 12 feet in height, have a minimum mature height of 40 feet, be limbed up to a minimum height of seven feet, and have a minimum planting area of 25 sq. ft., per Section 16-20L.008(6)(d);
5. The Applicant shall confirm the use of tree grates and their compliance with the District regulations, per Section 16-20L.008(6)(e);
6. The driveways have the textured bands on either side as required by the District regulations, per Section 16-20L.008(10)(b);
7. The plans shall specify that the lights for the parking deck and that they shall not be visible from any public street, park, or private street, per Section 16-20L.008(11)(a) and (b);
8. The Staff would recommend that the plans specify a sidewalk connection between the ground level of the parking deck and the public sidewalk that meets the District regulations, per Section 16-20L.008(10)(l);
9. The site plan identify the location of the required number of electric vehicle charging stations and bicycle parking locations; per Section 16-20L.008(15)(b) and (16)(a);
10. All the window framing shall be substantial enough in width and reveal (between window frame and glass and different sashes) to provide a perception of weight and substance to the windows themselves, per Section 16-20L.005(1)(b);
11. The window specifications and cut sheets shall be submitted to the Staff for review and, if appropriate, approval and all the storefront glass shall be clear to ensure visibility into the retail areas, per Section 16-20L.005(1)(b);
12. The Applicant shall provide the specifications of all of the proposed exterior materials and that those materials meet the District regulations, per Section 16-20L.005(1)(b); and
13. The Staff shall review, and if appropriate approve, the final design, site plan, elevations, and material specifications, including any changes to the project required by the Beltline Overlay Zoning District regulations.



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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT September 28, 2016

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-16-413) for alterations and window replacement at **713 Lawton St.** Property is zoned R-4A/West End Historic District.

Applicant: Olivia Gullatt
713 Lawton Street

Facts: This existing single family residence was constructed between 1880 and 1900, and is considered contributing to the District.

Analysis: The following Code sections apply to this application:

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

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

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

(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

(2) *The Compatibility Rule:* The compatibility rule is a method of ensuring that alterations to existing structures and the design of proposed new construction are sensitive to and sympathetic toward existing elements of design, proportions, scale, massing, materials, and general character of the contributing buildings in the immediately adjacent environment of the block face. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The elements in question (roof form, architectural trim, etc.) shall match that which predominates on the contributing buildings of the same block face, or where quantifiable (i.e., buildings height and width as measured at front façade, floor height, lot dimensions, etc.), shall be no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same block face." Those elements to which the compatibility rule applies are specified in these regulations by reference to "compatibility rule."

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

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

- (1) *Generally:* The following building elements and architectural features shall be considered when applying section 16-20.009 of this chapter to the West End Historic District: doors, windows, foundations, finished floor elevations, roofs, roof features, gutters, downspouts, cornices, siding, porches, steps, terraces, dormers, shutters, awnings, gateways, archways, louvres, walls, fences, and gates.
- (2) *Building Façades:*
 - (a) All new construction shall conform to the existing building orientation by having sidewalks, front yards, porches and front doors facing and parallel to the street, and if located on a corner, the main façade shall face the principal street whenever possible.
 - (b) At a minimum, the front of all new construction, including any portion thereof, shall be placed at the distance from the street determined by the compatibility rule. This requirement shall also apply to those sides of corner lots which also face a street.
 - (c) All building materials, which upon completion are visible from the public right-of-way, are subject to the compatibility rule.
 - (d) Siding repair or replacement shall match the original in material, scale and direction. For new construction and additions, brick, wood or horizontal smooth cementitious siding is permitted.
 - (e) Contemporary design of new construction, compatible with adjacent and surrounding structures, is permitted.
 - (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.

New windows are proposed as replacement for the existing windows on the front façade of the structure. From the pictures provided, the windows do not appear to be in a state that would prevent them from being repaired. The left side window does appear to be non-original to the structure. As such, Staff has no concerns with its replacement and finds the proposed replacement material to be appropriate. However, the window on the right side of the front façade does appear to be original to the structure.

Further, the proposed replacement window does not match the design of the original window on the right side of the front façade. As such, Staff Recommends the window on the right side of the front façade be retained and repaired in-kind as needed.

The existing siding is proposed for replacement with a cementitious siding material. The siding currently on the structure appears to be a Masonite siding that replaced the original siding at some point in the past. The regulations state that cementitious siding, such as the product proposed by the Applicant, is only appropriate for new construction homes and additions to existing structures. The regulations further specify that the replacement siding material match the original in regards to material scale and direction. As the original siding is not present, Staff finds that wood siding with a 4” to 6” reveal would be appropriate for use on a historic structure such as the property in questions. As such, Staff recommends the non-original siding be replaced with wood siding containing a 4” to 6” reveal.

New gutters are proposed for installation around the eaves of the entire home. Staff has no concerns with the proposed alteration.

CA2-16-413:

Staff Recommendation: Based upon the following:

- 1) The project meets the regulations with the exceptions noted above, per Sec. 16-20G.006;

Staff recommends approval of the Application for a Type II Certificate of Appropriateness (CA2-16-413) for alterations and window replacement at **713 Lawton St.** with the following conditions:

1. The window on the right side of the front façade shall be retained and repaired in-kind as needed, Per Sec. 16-20G.006(3)(a);
2. The non-original siding shall be replaced with wood siding containing a 4” to 6” reveal, per Sec. 16-20G.006(2)(d); and,
3. 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 **September 14, 2016**

Agenda Item: Application for a Type IV Certificate of Appropriateness (CA4PH-16-370) for demolition due to a threat to health and safety at **24 Bell Street, SE** – Property is Martin Luther King, Jr. Landmark District (Subarea 4).

Applicant: Rex K. Bray
350 Research Court, Peachtree Corners

Facts: These one-story commercial buildings are considered contributing to the District and according to the District inventory sheet were built in the 1950s-1960s. According to the District inventory sheet, the property consists of two buildings that have had individual addresses in the past:

- #30 Bell Street: a longer building along the west property line set back from the street that was built in 1952 and first used as an automobile repair shop.
- #26 Bell Street: a smaller building along the south property line, with a storefront design up against the back of the sidewalk which was built between 1953 and 1967, and originally housed Ace Cab Company.
- In the 1970s, Ace Bar-B-Q Barn occupied both buildings.
- Since 2002, #30 Bell Street suffered an extensive fire. The District inventory sheet from 2014 shows a severely burned roof, no storefront windows or doors, and few interior features.

According to the Applicant both buildings together have 1,346 sq. ft. of floor area and have been vacant since 2003. Further, since that time the buildings have been vandalized and as noted above a fire occurred in #30 Bell Street.

Analysis: The following code sections apply to this application:

Per Section 16-20.007. Certificates of appropriateness; generally.

- (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.

(3) Landmark Districts:

- a. To change the exterior appearance of any structure within any Landmark District;

- b. To erect any new structure or to make an addition to any structure within a Landmark District;
- c. To demolish or move any structure, in whole or in part, within a Landmark District; or

Per Section 16-20.008

(d) Type IV Demolitions: Demolition of a Landmark Building or Site, a building or site in a Landmark District or a contributing building or site in a Historic District, constitutes an irreplaceable loss to the quality and character of the City of Atlanta. Therefore, all demolitions of said specified buildings or sites shall require a type certificate of appropriateness. Said certificates shall be granted according to the following procedures and standards:

- (1) Conditions: Type IV certificates of appropriateness shall be issued by the commission only when (1) or both of the following two (2) conditions have been established pursuant to the standards and criteria required below:
 - a. The demolition is required to alleviate a threat to public health and safety;
- (2) Standards and criteria: The standards and criteria required to be shown in order to establish the existence of the conditions specified in subsection (d)(1) above shall be as follows:
 - a. Threats to public health and safety:
To prove the existence of a threat to public health and safety, the applicant must establish, and the commission must find, the following:
[See items #1-12 as outlined below and excerpted from Section 16-20.008(d)(2).]

Sec. 16-20C.004. General regulations

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

3. Certificates of Appropriateness

- d. Type IV Certificates of Appropriateness.
 - i. Type IV Certificates of Appropriateness shall be reviewed by the Commission and shall be required for the demolition or moving of any contributing structure.
 - ii. A partial demolition of a contributing 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 or cultural interpretability or importance.

Unless otherwise noted below, the Staff has found that the Applicant has adequately responded to the demolition criteria / documentation requirement. The Staff will only address criteria / documentation requirements that it found were either not met, needed additional clarification or discussion, or had not been provided. The comments below are organized using the same numbers for the criteria / documentation requirements as listed in the Type IV Certificate of Appropriateness application package for a threat to public health and safety.

Staff Response to the Application Submitted

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

The Applicant has referenced two City of Atlanta Code Enforcement citations which state "the property has been inspected and conditions have been found which are unsafe or unsanitary". Further, the Staff does not doubt that the properties in their current condition detract from the District and present a safety concern due to their potential use for illegal activity and homeless occupancy. However, while the Staff would acknowledge the Code Enforcement office's conclusions and those of nearby neighbors, in the Staff's opinion the citations and letters of support do not provide documentation of a major and imminent threat to public safety.

The Staff finds that the analysis provided by the Applicant does not include sufficient supporting information to conclude that a threat to public health and safety exists on the

property. As such, the Staff would recommend the Applicant provide an independent analysis and related supporting documentation that a major and imminent threat to public health and safety currently exists on the property.

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

The Applicant notes in their response that “the most reasonable alternative for rectifying the threat is to demolish the existing structure due to significant fire damage and the substantial cost to rebuild. The building is too dilapidated to make repairs and restoration a viable option.” An estimate from a contracting company puts the cost at \$186,000 to “rehabilitate the structure”. There is no information provided in response to this question about the cost to demolish and then rebuilding a similar structure(s) or to demolish a portion of the two-structure complex (presumably #30 Bell Street, which appears to be in the worst condition) and rehabilitate #26 Bell Street. A cost was provided just for demolition \$21,000. The Staff would recommend the Applicant provide supporting analysis and information for all potential alternatives to rectifying the threat to public health and safety.

3(b)(2). The annual gross and net income, if any, from the property for the previous three (3) years; itemized operating and maintenance expenses for the previous three (3) years; and depreciation deduction and annual cash flow before and after debt service, if any, during the same period.

The Applicant noted in their response that it the property isn't for sale or lease and that any potential lease income for a refurbished property would not cover the normal operating costs such as taxes, maintenance, property management and security. It does not appear that they attempted to obtain the information requested in the criteria, including from the previous owner or that such information might be available. The Staff would recommend the Applicant attempt to obtain from the previous owner annual gross and net income, if any, from the property for the previous three (3) years; itemized operating and maintenance expenses for the previous three (3) years; and depreciation deduction and annual cash flow before and after debt service for the previous three (3) years and/or describe their unsuccessful efforts to do so.

6. The fair market value of the property immediately prior to its designation and the fair market value of the property (in its protected status as a designated building or site) at the time the application is filed.

The Applicant did not provide a fair market value prior to the designation. The Staff would recommend the Applicant provide information or a response about the fair market value of the property prior to its designation.

10. The infeasibility of alternative uses that can earn a reasonable economic return for the property as considered in relation to the following:

- a) **A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of any structures on the property and their suitability for rehabilitation.**

The Applicant provided a letter from a registered architect noting the problems with the walls of the structure and the roof structure, as well as the conclusion “I do not believe this structure is suitable for rehabilitation and therefore be demolished”. While the Staff acknowledges the letter is from a licensed architect, it is concerned about the lack of information and detail contained in the letter. Further, it would appear that the architect considers the two buildings to actually be one building, making their structural soundness and suitability one in the same.

The Staff would recommend the Applicant provide a more detailed report with supporting analysis from the licensed architect as to the structural soundness of any structures on the property and their suitability for rehabilitation and have that architect document their experience with rehabilitation projects.

- b) **Estimate of the cost of the proposed construction, alteration, demolition, or removal, and an estimate of any additional cost that would be incurred to comply with the recommendation and decision of the commission concerning the appropriateness of the proposed alterations.**

An estimate from a contracting company puts the cost at \$186,000 to “rehabilitate the structure” that does not include interior tenant fit out. There is no information provided in response to this question about the cost to demolish and then rebuilding a similar structure(s) or to demolish a portion of the two-structure complex (presumably #30 Bell Street, which appears to be in the worst condition) and rehabilitate #26 Bell Street. A cost was provided just for demolition \$21,000. The Staff would recommend the Applicant provide costs to demolish and then rebuild a similar structure(s) and to demolish a portion of the two-structure complex (presumably #30 Bell Street, which appears to be in the worst condition) and rehabilitate #26 Bell Street.

- c) **Estimated market value of the property in the current condition; after completion of the proposed construction, alteration, demolition, or removal; and, in the case of a proposed demolition, after renovation of the existing property for continued use.**

The Applicant provided the following values for the property:

At the time of purchase	\$175,597.05
In its current condition	\$175,000

Though conclusions are offered about other alternatives for action on the property, no actual values were provided for a rehabilitation alternative, a part demolition / part rehabilitation alternative, or a complete demolition / rebuild a similar structure alternative. The Staff would recommend the Applicant provide valuations (and supporting documentation) for a rehabilitation alternative, a part demolition / part rehabilitation alternative, or a complete demolition / rebuild a similar structure alternative.

- d) **In the case of a proposed demolition, the testimony of an architect, developer, real estate consultant, appraiser, or other real estate professional experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure on the property.**

The Applicant notes that Nathan Kirkman (register architect) and Deborah Bell (registered landscape architect) concluded that “restoration of the building is financially impractical and its preservation under the guidelines of the City historic preservation program would not further the goals of the program nor the vision of the Sweet Auburn community.” In reading Mr. Kirkman’s letter, no such conclusions are reached. Ms. Bell, as a registered landscape architect, is not one of the professionals listed in the criteria to offer conclusions about this topic. Nonetheless she does not offer any economic viability analysis either.

The Staff would recommend the Applicant provide the testimony of an architect, developer, real estate consultant, appraiser, or other real estate professional experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure on the property.

- e) **The infeasibility of new construction around, above, or below the existing protected building or site, and the infeasibility of a transfer of development rights, including an assessment of the monetary value that could be derived from such a transfer, pursuant to section 16-28.023 of the Code of Ordinances.**

The Applicant does address the infeasibility of building an addition on the top of the building and notes further that the existing building with an addition would not “contribute architecturally by being retained”. They continue by noting that the building “isn’t architecturally compatible with most of the other, older buildings on the block and it wouldn’t enhance the community’s commercial needs if rehabilitated and repurposed.” The Applicant did not provide any analysis or information supporting these conclusions. Further, they did not provide any response regarding the transfer of development rights possibility.

The Staff would recommend the Applicant provide an analysis of the costs and economic value of an addition in combination with a rehabilitation of the buildings. The Staff would further recommend the Applicant provide an analysis of potential transfer of development rights from the property.

11. Economic incentives and/or funding available to the applicant through federal, state, city, or private programs.

The Applicant notes that the owner “has been searching for economic incentives from several programs.” Given its location in the National Register of Historic Place’s Sweet Auburn National Landmark District and the City of Atlanta’s Martin Luther King, Jr. Landmark District, several historic preservation incentive programs might apply to this property and its circumstances. The Staff would recommend the Applicant provide an assessment of the economic incentives that could apply to the property / project.

12. Provide photographs of the existing conditions of the building, both exterior and interior.

The Applicant provided one photograph of one portion of the interior of one of the buildings. The Staff would recommend the Applicant provide additional photographs of the interior of both buildings.

Overall Comments

Based on the limited information, analysis and photographs provided by the Applicant, the Staff finds that the buildings in their current condition do need significant rehabilitation work and are potentially unsafe. It is clear that there are structural and building material issues. The Staff would also agree that if additional structural loads were placed on the buildings in their current condition, the compromised structures could collapse. The Staff finds that conditions and circumstances exist that could create an imminent and major threat to public health and safety.

However, based on the information submitted, the Staff finds that all of the criteria have not been satisfied, including a fully supported / documented conclusion that a major and imminent threat currently exists at the property. Given the information we have at this time, the Staff cannot support the application for complete demolition of the structure.

The Staff would further note that almost all of the Applicant's analysis, commentary, documentation, and conclusions view what are actually two buildings built next to each other as one building. The buildings were built at different times with different construction methods / materials. Even potentially more important, they appear to have substantively different conditions. Based on the information provided by the Applicant, it would appear that #30 Bell Street is in worse condition. Given that the property has in fact two buildings, the Staff finds that the analysis of their potential demolition should be distinct so as to allow the buildings to be assessed individually. Though in the end this dual analysis could support the demolition of both buildings, knowing more information about each building would be extremely useful.

Comment on Application Materials by the Office of Buildings

One of the requirements of the Type IV Certificate of Appropriateness process is for the Office of Buildings to comment on the application materials via a written report. The Staff has submitted a request to the Office of Buildings to inspect the property and produce a report regarding this property. When the inspection and report are complete, the Staff will include the report in the file for future reference.

Staff Recommendation: Based upon the following:

- a) Based on the information provided with this application to date, the Applicant has not met all of the criteria proving that a threat to public health and safety currently exists on the property, per Section 16-20.008;

Staff recommends deferral of the application for a Type IV Certificate of Appropriateness (CA4PH-16-370) for demolition due to a threat to health and safety at **24 Bell Street, SE** – Property is Martin Luther King, Jr. Landmark District (Subarea 4)., to allow time for the Applicant to address the following concerns and comments:

1. The Applicant shall provide an independent analysis and related supporting documentation that a major and imminent threat to public health and safety currently exists on the property, per Section 16-20.008;
2. The Applicant shall provide supporting analysis and information for all potential alternatives to rectifying the threat to public health and safety, per Section 16-20.008;
3. The Applicant shall attempt to obtain from the previous owner annual gross and net income, if any, from the property for the previous three (3) years; itemized operating and maintenance expenses for the previous three (3) years; and depreciation deduction and annual cash flow before and after debt service for the previous three (3) years and/or describe their unsuccessful efforts to do so, per Section 16-20.008;
4. The Applicant shall provide information or a response about the fair market value of the prior to its designation, per Section 16-20.008;
5. The Applicant shall provide a more detailed report with supporting analysis from the licensed architect as to the structural soundness of any structures on the property and their suitability for rehabilitation and have that architect document their experience with rehabilitation projects, per Section 16-20.008;
6. The Applicant shall provide costs to demolish and then rebuild a similar structure(s) and to demolish a portion of the two-structure complex (presumably #30 Bell Street, which appears to be in the worst condition) and rehabilitate #26 Bell Street, per Section 16-20.008;
7. The Applicant shall provide valuations (and supporting documentation) for a rehabilitation alternative, a part demolition / part rehabilitation alternative, or a complete demolition / rebuild a similar structure alternative, per Section 16-20.008;
8. The Applicant shall provide the testimony of an architect, developer, real estate consultant, appraiser, or other real estate professional experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure on the property, per Section 16-20.008;
9. The Applicant shall provide an analysis of the costs and economic value of an addition in combination with a rehabilitation of the buildings, per Section 16-20.008;
10. The Applicant shall provide an analysis of potential transfer of development rights from the property, per Section 16-20.008;
11. The Applicant shall provide an assessment of the economic incentives that could apply to the property / project, per Section 16-20.008;
12. The Staff would recommend the Applicant provide additional photographs of the interior of both buildings, per Section 16-20.008; and
13. The Applicant shall submit the required materials (and the required number of copies) at least eight (8) days prior to the Commission meeting to which this application is deferred.



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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT September 14, 2016

Agenda Item: Application for Type II Certificate of Appropriateness (CA2-16-351) for alterations, window replacement and sit work at **851 White Street** - Property is zoned R-4A/West End Historic District.

Applicant: L. Divine Chapman
P O Box 3348, Decatur

Facts: According to the District inventory sheet, this dwelling was constructed between 1904 and 1905 and is contributing to the District. The interior lot is located on the north side of White Street.

The narrative the Applicant submitted with the application outlines the following work with their project:

1. Refurbishing the front porch, to include un-enclosing the left hand side, a new railing and new porch posts;
2. Installing new windows;
3. Replacing exterior doors;
4. Reinforcing the exterior steps;
5. Replacing the siding; and
6. Installing a new wood fence / replacing a chain link fence.

Further, based on the drawings themselves, they also are proposing the following work:

1. Removing the right hand chimney (per their roof plans);
2. Enlarging the front facing single dormer (per their front elevations)
3. Add a full bath room and closets to the built out attic adding square footage (floor plans); and
4. Demolish the right, rear corner of the house and build a new rear addition with a gabled roof that extends back to the main roof form (per their floor plans and elevations).

Substantial additional interior work is also proposed as part of the project but is not subject to review by the Commission.

Analysis: The following code sections apply to this application:

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

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

- (1) Certificates of Appropriateness: Certificates of appropriateness within this district shall be required as follows:
 - (a) When required:
 - (i) To change the exterior appearance of any portion of a structure within the district, when said change can be seen from the public right-of-way;
 - (b) Type required:
 - (v) The following Type II Certificates of Appropriateness shall be reviewed by the commission and shall be required for any of the following to the extent they are visible from a public street:
 - a. Alterations to any façade of any principal structure; and
- (2) The Compatibility Rule: The compatibility rule is a method of ensuring that alterations to existing structures and the design of proposed new construction are sensitive to and sympathetic toward existing elements of design, proportions, scale, massing, materials, and general character of the contributing buildings in the immediately adjacent environment of the block face. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The elements in question (roof form, architectural trim, etc.) shall match that which predominates on the contributing buildings of the same block face, or where quantifiable (i.e., buildings height and width as measured at front façade, floor height, lot dimensions, etc.), shall be no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same block face." Those elements to which the compatibility rule applies are specified in these regulations by reference to "compatibility rule."

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

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

- (1) Generally: The following building elements and architectural features shall be considered when applying section 16-20.009 of this chapter to the West End Historic District: doors, windows, foundations, finished floor elevations, roofs, roof features, gutters, downspouts, cornices, siding, porches, steps, terraces, dormers, shutters, awnings, gateways, archways, louvres, walls, fences, and gates.
- (2) Building Façades:
 - (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.
- (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.
 - (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.

- (5) Foundations:
- (a) Foundation materials, including infill materials, shall replicate the original materials in size, shape, color, texture and mortar, and shall be installed using construction techniques similar to the original.
 - (b) New foundations shall be of masonry or concrete construction. Other foundation materials are permitted provided they are appropriate to the building on which they are located and in scale, materials and style with adjacent and surrounding buildings.
 - (c) Slab on grade is not permitted.
 - (d) Lattice, painted concrete block, brick or stucco shall be used as infill between foundation masonry piers when infill is otherwise required.
- (8) Decks: Decks shall be constructed to the rear of the structure and shall not extend beyond the sides of the structure. Decks on the corner lots shall be screened with fencing or vegetation to reduce visibility from the public street.
- (9) Porches:
- (a) Architecturally significant porches, including their component features, steps and stoops shall be retained.
 - (b) Replacement porches, steps and stoops shall match the original in size, style and materials. All front porch steps shall have closed risers and ends.
 - (c) Porches may be enclosed with screen wire or glass provided that the main characteristics of a front porch are maintained.
 - (d) New or replacement porches shall contain balustrades, columns and other features consistent with the architectural style of the house or other original porches in that block. The height of the top rail shall be no more than 33 inches above the finish porch floor, except as required by the City's building code.
- (12) Paved Surfaces:
- (a) The original layout, patterns and paving materials of sidewalks, driveways, alleyways, curbs and streets shall be retained. The design and material of new replacement paving materials shall be subject to the compatibility rule.
 - (b) The design and material of new paved surfaces areas, other than those specified in subsection (a) above, including driveways, walkways, and patios, or portions thereof, shall be subject to the compatibility rule.
 - (c) New driveways shall not exceed a width of ten feet not including the flare at the street.
- (13) Off-Street Parking Requirements:
- (a) Off-street parking shall not be permitted in the front yard or half-depth front yard.
 - (b) Carports and garages shall be behind the rear of the main structure. If the main structure is located on a corner lot, the front yard setback for that side street shall apply to the construction of a carport or garage.
 - (c) The use of alleys for access to such parking is permitted. No variance is required for driveways accessed from an alley.
- (14) Fences:
- (a) Fences shall be fabricated of brick, cast iron, wrought iron, stone or wood or metal pickets. Fence lines shall follow or run parallel to a property line in the front and half-depth front yards. Fences shall not obscure the front facade of the building.
 - (b) Fences located in the front or half-depth front yard shall not exceed four feet in height . Front yard fences may exceed four feet in height provided the height is no more than the height of the adjacent, contiguous fencing on immediately adjacent properties.
 - (c) Fences shall not exceed six feet in height when located in the side or rear yards.
 - (d) Chain link fabric is not permitted in a front yard or half-depth front yard
 - (e) Fences may be constructed on top of a retaining wall. The combined height of the retaining wall and fence shall not exceed six feet when located in a front or half-depth front yard.
 - (f) Walls are only permitted in the rear and side yards only when such yards are not adjacent to a public street and when such walls are located behind the rear façade of the principal structure. When such walls are permitted, they shall be 6 ft. or less in height.
- (16) Ornaments:
- (a) Architecturally significant ornaments, such as corner boards, cornices, brackets, downspouts, railings, columns, steps, doors and window moldings, shall be retained.
 - (b) Replacement ornaments shall be permitted only when originals cannot be rehabilitated.
 - (c) Installation of new ornaments, where none previously existed, shall be permitted only when it is in accordance with the architectural style of the original structure.

Refurbishing the front porch, to include un-enclosing the left hand side, a new railing and new porch posts.

While the Staff has no concerns about the un-enclosing of the front porch, it is not clear if the proposed front porch columns, railing, and other ornamental elements are compatible with the architectural style of the house. The Staff would recommend the Applicant provide more graphics and details regarding the front porch refurbishment and document compliance with the District regulations.

Installing new windows.

While it would appear that there are several existing windows that are either in poor condition or are not original / historic, the photographs provided by the Applicant do show some two-over-two windows which could be original or historic to the house. It is not clear where these two-over-two windows are and what condition they are in. Further, the design of the new windows appears to be one-over-one windows with little or no exterior trim. The District regulations require that architecturally significant windows including details, trim work, and framing, shall be retained; and original window openings shall not be blocked or enclosed, in whole or in part. The regulations further require that replacement windows are only permitted when originals cannot be rehabilitated; that replacement windows 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; and 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.

The submitted materials do not address any of these issues. The Staff would recommend the Applicant provide detailed information about the existing windows, including their origins and condition to document the need for replacement. The Staff would further recommend that if the need for replacement is documented, the proposed windows meet the District regulations and such windows are indicated on the final plans through graphics and notes.

Replacing exterior doors.

It is not clear from the narrative or submitted plans which doors are proposed for replacement and the design and materials of the replacement doors. The Staff would recommend the Applicant provide more graphics and details regarding any exterior door replacement and document compliance with the District regulations.

Reinforcing the exterior steps.

It is not clear from the narrative or submitted plans which stairs are to be reinforced and how the reinforcement will be done. The Staff would recommend the Applicant provide more graphics and details regarding the reinforcement of the exterior steps and document compliance with the District regulations.

Replacing the siding.

It is not clear from the photographs provided with the submission what the top most layer of siding is, what is behind that top most layer of siding and what condition the various layers of siding are in. The submitted materials do not address any of these issues. The Staff would recommend the Applicant provide detailed information about the existing siding (including what is underneath the top most layer), including its origins and condition to document the need for replacement. The Staff would further recommend that if the need for replacement is documented, the proposed siding meets the District regulations.

Installing a new wood fence / replacing a chain link fence.

No information was provided about the fence, including a site plan. The Staff would recommend the Applicant provide all pertinent information about the proposed fence work and that it meet the District regulations.

Removing the right hand chimney (per their roof plan).

It is not clear from the photographs provided by the Applicant and the photographs in the District inventory if these chimneys still actually exist. On the submitted roof plans, two chimneys are shown on the existing roof plan and one chimney (on the left hand side) is shown on the proposed roof plan. The Staff would recommend the Applicant provide additional photographs of the chimneys or chimney areas and if such chimneys currently exist, they shall be retained and repaired in-kind.

Enlarging the front facing single dormer (per their front elevations).

The submitted front elevation shows a different design for the front facing dormer. In the proposed elevation it appears to be slightly taller, shifted on the roof plan, and with a different window. It is not clear if this is an actual proposed change or a graphics problem. If the proposal is to replace the existing dormer with a new one, the Staff would not support such a change as it finds the existing dormer is not original or historic to the house. The Staff would recommend the Applicant clarify the proposal for the front facing dormer window and either retain or remove the existing front facing dormer.

Add a full bath room and closets to the built out attic adding square footage (per their floor plans).

This proposed change does not affect the exterior of the house, but would affect the floor area calculation for the project, which is not provided with the submission. The Staff would recommend the Applicant document the floor area ratio of the final proposal and that it meets the pertinent zoning regulations.

Demolish the right, rear corner of the house and build a new rear addition with a gabled roof that extends back to the main roof form (per their floor plans and elevations).

No photographs have been provided with the submission to document the origin or condition of this portion of the house and the Staff is concerned about the loss of historic fabric. Further, given the design and detailing of the addition, the proposed addition would not be distinguishable from the original house thus creating a false sense of development and evolution to the house. The Staff would recommend the Applicant provide more information about the proposed demolition and addition on the right, rear corner of the house.

Staff Recommendation: Based upon the following:

- a) The plans do not meet the regulations or are not clear enough, with the exceptions noted in the above analysis, per Section 16-20G.006.

Staff recommends deferral of the application for Type II Certificate of Appropriateness (CA2-16-351) for alterations, window replacement and site work at **851 White Street** - Property is zoned R-4A/West End Historic District. so the Applicant has time to address the following comments and concerns:

1. The Applicant shall provide more graphics and details regarding the front porch refurbishment and shall document compliance with the District regulations, per Section 16-20G.006(9);
2. The Applicant shall provide detailed information about the existing windows, including their origins and condition to document the need for replacement, per Section 16-20G.006(3);

3. If the need for replacement is documented, the proposed windows shall meet the District regulations and such windows shall be indicated on the final plans through graphics and notes, per Section 16-20G.006(3);
4. The Applicant shall provide more graphics and details regarding any exterior door replacement and shall document compliance with the District regulations, per Section 16-20G.006(3);
5. The Applicant shall provide more graphics and details regarding the reinforcement of the exterior steps and shall document compliance with the District regulations, per Section 16-20G.006(16);
6. The Applicant shall provide detailed information about the existing siding (including what is underneath the top most layer), including its origins and condition to document the need for replacement, per Section 16-20G.006(2);
7. If the need for the replacement of the siding is documented, the proposed siding shall meet the District regulations, per Section 16-20G.006(2);
8. The Applicant shall provide all pertinent information about the proposed fence work and that it meet the District regulations, per Section 16-20G.006(14);
9. The Applicant shall provide additional photographs of the chimneys or chimney areas and if such chimneys currently exist, they shall be retained and repaired in-kind, per Section 16-20G.006(16);
10. The Applicant shall clarify the proposal for the front facing dormer window and shall either retain or remove the existing front facing dormer;
11. The Applicant shall document the floor area ratio of the final proposal and that it meets the pertinent zoning regulations;
12. The Applicant shall provide more information about the proposed demolition and addition on the right, rear corner of the house.
13. The Applicant shall submit revised plans and supporting documentation (including the required number of copies) at least eight (8) days prior to the Commission meeting to which this application is deferred.



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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT September 28, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-331) for an addition and a new rear deck at **2985 Layton Ave.** Property is zoned R-4A / Whittier Mill Historic District

Applicant: Mark Ordway
276 W. Parkwood Rd., Decatur

Facts: This contributing single family cottage was constructed before 1911 according to the District inventory.

Analysis: The following Code sections apply to this application:

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

The following regulations shall apply to all properties within the Whittier Mill 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. 16-20J.006. - Specific regulations—Residential Subarea I.

In addition to the general regulations set forth in section 16-20J.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 the following elements of a structure within the subarea, when said changes can be seen from the public right-of-way: foundations, siding, chimneys and roofs;
 - 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 16-20J.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 of the front façade.
- (6) *Architectural Standards:*
- a. *Building façades:*
 1. All new construction shall conform to the existing building orientation by having porches and front doors facing the front yard.
 2. 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.
 3. There shall be two (2) side yards, one (1) on each side of the principal building, each having a width of not less than the width of the side yards for the block as established by the compatibility rule.
 4. There shall be a rear yard of not less than 10 feet.
 5. All building materials which upon completion are visible from the public right-of-way, shall be compatible with those which predominate in the subarea.
 6. Siding repair or replacement shall match the original materials in scale and direction. Wood clapboard, if original, is preferred; however, aluminum, masonite, vinyl or other horizontal siding is permitted if window trim, cornerboards, and fascia/bargeboards are left in place or replaced with new material to match the original.
 7. No new construction of additions shall exceed the height of the existing structure on the site or, for new construction, that of the tallest structure of like use on the block.
 - b. *Windows and doors:*
 1. Architecturally significant windows and doors, including details, trimwork, and framing, shall be retained.
 2. Replacement windows and doors shall be permitted only when originals cannot be rehabilitated. Replacement windows and doors shall match the original in design, materials, shape and size with no more than a one-inch width or height difference from the original size.
 3. New doors and windows, when permitted, shall be compatible in scale, size, proportion, placement, and design to existing windows and doors.
 4. 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.
 5. Windows in the front façade of new construction shall be predominantly vertical in proportion and must not be constructed in combination of more than two (2) windows.
 6. Replacement exterior doors shall match the original openings and conform to the original door in material and design.
 7. New exterior doors shall be wood panel or fixed glass panel in wood frame. In the alternative, metal doors may be used if their design matches that of an original door.
 - c. *Foundations:*
 1. Foundations shall be of brick, painted concrete block or stuccoed.
 2. Foundations shall be of masonry pier or continuous wall construction closed with solid or screen infill wall.
 3. Lattice, painted concrete block, brick or stucco shall be used as infill between foundation masonry piers when infill is otherwise required.
 4. Slab on grade is not permitted.
 - d. *Storm doors and storm windows:* Storm doors, screen doors or storm windows shall be of compatible design and shall not cover, obscure or dominate significant architectural details.
 - e. *Chimneys:*
 1. Chimneys shall be retained whenever possible.

2. If extending or repairing a chimney, the original materials, mortar, color and pattern shall be matched whenever possible.
 3. The construction of new chimneys shall not be permitted on the front façade.
 4. New chimneys shall be faced with brick or stucco.
 5. Siding on chimneys is prohibited.
- f. *Roofs:*
1. Replacement roofs shall match the original roof in material, pitch and shape as well as ridge, overhang and soffit construction.
 2. Cold-rolled roofing is permitted only on flat roofs.
 3. Corrugated metal and corrugated fiberglass roofs are not permitted.
 4. The shape and pitch of roofs for new construction shall be subject to the compatibility rule.
 5. Dormers shall not be permitted on the roof over the front façade of any structure.
 6. Skylights, solar panels and communication equipment, when otherwise allowed by these or other regulations, are not permitted on the roof over the front façade of any structure.
- g. *Porches:*
1. Architecturally significant front porches, steps and stoops shall be retained, whenever possible.
 2. Replacement front porches, steps and stoops shall match the original in size, design and materials.
 3. Front porches may be enclosed with screenwire or glass if the main characteristics of a front porch are maintained.
 4. Front porches shall be required for the development of new homes and the compatibility rule shall apply or columns shall be six-inch by six-inch posts; the top and bottom rails of the balustrade shall be constructed of two-inch by four-inch lumber or the equivalent; the top rail shall not be higher than 36 inches above the porch floor; the bottom rail of the balustrade shall be three (3) to four (4) inches above the porch floor; and the individual balusters shall be constructed of two-inch by two-inch lumber and shall not be more than four (4) inches apart.
 5. Front porches shall contain balustrades, columns and other characteristics including floor dimension, height, roof pitch and overhang consistent with historic features for porches in that block, although standard lumber is permitted.
 6. New decks shall be permitted to the rear of the house.
- h. *Accessory structures:* Accessory structures, such as carriage houses, smoke houses, tool sheds, greenhouses, tenant and alley houses, electric vehicle charging stations equipped with Level 1 and/or Level 2 EVSE, air conditioners and heating units, shall be located to the side or rear of the main structure within the buildable area of the lot and shall not project beyond the front of the main structure. In addition, said structures shall be located in the least visible location within permissible areas. Screening with appropriate plant or fence materials is required if said structure is visible from the public right-of-way.
- i. *Walls and fences:*
1. Front yard closure walls are not permitted.
 2. Fences in the front yard of any structure shall be of wood picket type construction.
 3. Retaining walls which are located in the front yard shall have a finished masonry surface constructed of materials compatible with the exterior finish of the principal dwelling. Retaining walls shall be integrated into the landscape.
- j. *Architectural details:*
1. Exterior architectural details, such as brackets, decorative trim, corner boards, windows moldings, railings, columns, steps and doors, which contribute to the character of the buildings and appear on the front façade, shall be retained, restored or replaced to match the original in dimension and design.
- (7) *Paved Surfaces:*
- a. The original layout, patterns and paving materials of sidewalks, curbs and streets shall be retained.
 - b. Where no sidewalks existed historically, no new sidewalks shall be installed.
- (8) *Off-Street Parking Requirements:*
- a. Off-street parking shall not be permitted in the front yard.
 - b. Carports and garages shall be behind the rear of the main structure. If the main structure is located on a corner lot, the front yard setback for that side of the street shall apply to the construction of a carport or garage.

The proposed project consists of a rear screened porch addition and a rear deck. The proposed features will replace an existing enclosed porch and stairs on the rear of the structure which. Vertical lap siding, and a shed roof which match the features found on the existing rear addition are proposed for the new addition. No information regarding the proposed materials for these features has been received. Staff recommends the Applicant provide information regarding the materials for the proposed addition. Further, Staff recommends all proposed materials meet the District regulations.

In the District, the side yard setbacks are determined by the compatibility rule. The addition will conform to the existing east side yard setback of the existing addition. However, no compatibility information for the west side yard setback has been provided. Staff recommends the Applicant provide compatibility information for the west side yard setback. Further, Staff recommends that the proposed west side yard setback meet the compatibility rule. The rear yard setbacks are set at a minimum of 10'. Staff finds that the rear yard setback of the proposed addition exceeds this minimum and therefore meets the regulations.

CA3-16-331:

Staff Recommendation: Based upon the following:

- 1) The project meets the regulations with the exceptions noted above, per Sec. 16-20J.006;

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-16-331) for an addition and a new rear deck at **2985 Layton Ave** with the following conditions:

1. The Applicant shall provide information regarding the materials for the proposed addition, per Sec. 16-20J.006(5);
2. All proposed materials shall meet the District regulations, per Sec. 16-20J.006(5);
3. the Applicant provide compatibility information for the west side yard setback, per Sec. 16-20J.006(6)(a)(3);
4. he proposed west side yard setback meet the compatibility rule, per Sec. 16-20J.006(6)(a)(3);
5. Staff shall review and if appropriate, approve the final plans and documentation.



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TIM KEANE
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Office of Design

STAFF REPORT September 28, 2016

Agenda Item: Review and Comment (RC-16-399) for a new singly family residence at **40 Wakefield Drive**- Property is zoned R-4/ Brookwood Hills Conservation District/ Beltline.

Applicant: Kevin Cotter
290 Burdette Road

Facts: According to the Brookwood Hills Inventory, this is a vacant lot.

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.

Underlying Zoning

Per underlying zoning, the front yard shall be no less than 35', the side yard setback shall be no less than 7' and the rear yard shall be no less than 15'. Staff finds all setback requirements have been met. Per underlying zoning, the maximum height allowed is 35'. In looking at the plans, the proposed house meets the height requirement.

Per underlying zoning, the maximum lot coverage allowed is 50% and the maximum Floor area ration allowed is .50. In looking at the plans, the proposed lot coverage percentage and floor area ratio are not clearly indicated. Of particular concern are the square footage calculations that do not include the basement level. Staff suggests the Applicant contact the Office of Buildings to make sure the project meets the lot coverage and floor area ratio requirements.

Design

The houses in the Brookwood Hill neighborhood come in a variety of types, styles and heights. In looking at the front elevation of the proposed house, the architectural style of the house is difficult to identify. Staff finds the proposed house is most like the many Tudor houses in the neighborhood. While the overall massing from the front, window design, mixture of façade materials and steeply pitched roofs are clearly Tudor, specific details are not consistent with other similar homes in the district.

The stone porch on the front façade is not compatible. Specifically, the second floor stone deck blocks the windows and doors and creates an incompatible ratio of stone and brick on the front façade. For a Tudor house, the most appropriate solution would be to have a more flat façade with no protruding porch or upper deck. At the very least the upper deck should be eliminated or the upper stone wall should be replaced with metal railings.

While the overall materials, fenestration and details of the sides and rear are typical of some of the larger houses in the district, Staff finds there are better and more appropriate designs possible for the front facade. Staff suggests the Applicant look at some of the existing Tudor houses in the district and redesign the front façade to be more consistent and compatible the existing historic Tudor houses in the neighborhood. If porch as currently designed is preferred, another solution is to look at some of the other historic houses with similar porches and design a house that is compatible with those houses.

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



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TIM KEANE
Commissioner

OFFICE of DESIGN

STAFF REPORT September 28, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-405) for an addition at **660 Peachtree Street (Fox Theater LBS)** - Property is zoned SPI-16 (Subarea 1) / LBS (Landmark Building or Site).

Applicant: Lord Aeck Sargent
1175 Peachtree Street, NE, Suite 2400

Facts: The Fox Theater was designated a Landmark Building / Site (LBS) in 1989 and sits on the northwest corner of Peachtree Street and Ponce de Leon Avenue. The portion of the theater that is proposed for the roof top work is the one-story portion facing Peachtree Street. The majority of the rooftop work would be located to the north of and behind the marque and would be associated with a roof top terrace that would extend over most of the one-story portion of theater north of the marque. The roof top work and additions are part of a larger project to create new lounge and entertainment space this portion of the theater, including interior renovations in what are now leased retail spaces.

The entire project will consist of the following exterior work:

1. Reverse the swing of an exterior door on the north side of the entry arcade from the first floor lounge;
2. Remove a ticket kiosk from the north side of the entry arcade and restore the previous window opening;
3. Repoint existing brick related to Peachtree Street storefront facades;
4. Repair existing Peachtree Street storefront doors;
5. Construct a flat-roofed, brick-clad addition behind the existing marque superstructure;
6. Construct a gable-roof / trellised, wood / metal, open air pavilion / covered terrace behind the addition behind the existing marque superstructure;
7. Construct a flat-roofed, brick-clad addition and roof-top terrace (part open and part covered with a flat-roof and enclosed with glass) north of the marque superstructure;
8. Install a 42 in. glass panel railing along the front and north edge of the new roof top terrace;
9. Install an uncovered, exit pathway from the gable-roof / trellised, open air pavilion to an exist stair south of the marque superstructure; and
10. Install ventilation equipment on the roof to support the new usable spaces.

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.
- (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.

Companion SPI Review

In addition to being a Landmark Building / Site (which is focused on retention of historic fabric and architectural compatibility), the subject property is also in a Special Public Interest (SPI) zoning district – SPI-16. This zoning district regulates all the standard zoning topics, including density, height, setbacks, minimum required off-street parking based on interior square footage, loading, etc. This zoning district has further design requirements related to street-level activation, architectural articulation, streetscape requirements, etc. It is the Staff's understanding that the SAP application for this project has been file with the Office of Zoning and Development (formerly the Office of Planning). The Staff would recommend that if any changes in the scope of work are necessitated by any SPI-related design review, those changes be reviewed, and if appropriate, approved by Staff.

General Design Review

Though noted above individually, for the purposes of its design review and recommendation, the Staff will group the proposed work into three categories: exterior façade changes, substantive roof top changes, and other roof top changes.

Exterior façade changes:

1. Reverse the swing of an exterior door on the north side of the entry arcade from the first floor lounge.
2. Remove a ticket kiosk from the north side of the entry arcade and restore the previous window opening.
3. Repoint existing brick related to Peachtree Street storefront facades.
4. Repair existing Peachtree Street storefront doors.

Generally speaking, the Staff has no concerns about these components of the project, as they will have only minimal effect on the historic fabric or character of the building. However, the Staff would recommend that any repair work maintain as much historic fabric as possible and be done in-kind as to material, material strength, size, proportions, dimensions, and reveals. The Staff would also recommend that additional information be provided to document the change from the ticket kiosk to a window, including but not limited to a detailed drawing of existing and proposed conditions, delineation of which portions of the opening are original, and how the conversion will physically take place.

Substantive roof top changes:

5. Construct a flat-roofed, brick-clad addition behind the existing marque superstructure
6. Construct a gable-roof / trellised, wood / metal, open air pavilion / covered terrace behind the addition behind the existing marque superstructure.
7. Construct a flat-roofed, brick-clad addition and roof-top terrace (part open and part covered with a flat-roof and enclosed with glass) north of the marque superstructure.
8. Install a 42 in. glass panel railing along the front and north edge of the new roof top terrace.

These components of the project have the most potential to effect historic fabric and/or affect the historic character of the building as they are the largest in size and height, and they all will be visible from the street. While the Staff does not find that any of the substantive roof top changes will overwhelm the overall historic character of the property given the mass and height of the theater space behind them, it is concerned about their potential effect on the one-story massing upon which they will be located. There are three potential areas of concern about the proposed work.

First, there is a potential concern about the proximity of the proposed changes to the exterior façade line of the building along the north façade line and Peachtree Street façade line. Regarding the north façade line, the potential concern is that the massing of the addition immediately adjacent to the north façade wall will decrease the now stark distinction between the one-story and multi-story components of the building, will create a false sense of development, and diminish the architectural character of the building as viewed from the north / northeast. Regarding the Peachtree Street façade line, the potential concern is that the highly contemporary material (glass panels) will be highly visible from the street and create an incompatible juxtaposition with the historic parapet wall.

At the same time, the Staff finds there are features of the proposed design that mitigate these concerns which, if revised, could further reduce or eliminate the concerns all together. It would appear that the top portion of the northwest corner addition is a parapet wall designed to hide the ventilation equipment above that space. While the Staff understands and appreciates that effort, making that portion of the addition completely blend in with the lower portion of the addition significantly increases the visual presence and perceived massing of the addition. It is also not clear if the interior ceiling height of the addition can be lowered as well. The Staff would recommend that the massing and/or perceived massing of the northwest addition be reduced.

Regarding the glass panel railing, the Staff finds that moving the railing back away from the parapet and potentially using a less reflective and/or use a more opaque material would reduce its visual presence. The Staff would recommend the glass panel railing around the roof top terrace be relocated away from the parapet wall and use a less reflective and/or use a more opaque material to reduce its visual presence.

Second, the Staff is concerned about the variety of materials / architectural elements that are used on the roof top additions, including two colors of brick, the glass panels, metal framing, exposed wood, glass curtain walls, bitumen roofing, and cooper roofing / gutters / downspouts. Though the Staff understands the eclectic (though internally consistent) architectural style of the building and knows that there is some precedent for some of these materials either historically or on the interior of the building, it is concerned that this variety of materials will not be experienced as an eclectic design but rather just a collection of materials. The Staff would recommend additional documentation be provided as to the precedent and/or compatibility of the proposed materials to each other and to the building as a whole or the palette of materials and architectural elements shall be simplified.

Third, the Staff is concerned about the effect of the proposed changes on the existing historic fabric of the building, including but not limited to the: front wall of the multi-level massing of the theater space; brick; parapet wall coping; false windows with glazing, frames, trim; etc. The Staff would recommend that the Applicant document that the physical effect of the proposed changes to the existing historic fabric of the building will be minimized as much as possible while at the same time allowing for an appropriate construction, waterproofing, and safety details.

Other roof top changes:

9. Install an uncovered, exit pathway from the gable-roof / trellised, open air pavilion to an exist stair south of the marque superstructure.
10. Install ventilation equipment on the roof to support the new usable spaces.

The Staff has no concerns about these components of the project, as they will have only minimal effect on the historic fabric or character of the building and/or will not be visible from the street.

Staff Recommendation: Based upon the following:

- (1) Except as noted above, the proposed additions and alterations meet the requirements, per Section 16-20.009.

Staff recommends approval of an application for a Type III Certificate of Appropriateness (CA3-16-405) for an addition at **660 Peachtree Street (Fox Theater LBS)** - Property is zoned SPI-16 (Subarea 1) / LBS (Landmark Building or Site), with the following conditions:

1. Any repair work shall maintain as much historic fabric as possible and shall be done in-kind as to material, material strength, size, proportions, dimensions, and reveals, per Section 16-20.009;
2. Additional information shall be provided to document the change from the ticket kiosk to a window, including but not limited to a detailed drawing of existing and proposed conditions, delineation of which portions of the opening are original, and how the conversion will physically take place, per Section 16-20.009;
3. The massing and/or perceived massing of the northwest addition shall be reduced, per Section 16-20.009;
4. The glass panel railing around the roof top terrace shall be relocated away from the parapet wall and shall use a less reflective and/or use a more opaque material to reduce its visual presence, per Section 16-20.009;
5. Additional documentation shall be provided as to the precedent and/or compatibility of the proposed materials to each other and to the building as a whole or the palette of materials and architectural elements shall be simplified, per Section 16-20.009;
6. The Applicant shall document that the physical effect of the proposed changes to the existing historic fabric of the building will be minimized as much as possible while at the same time allowing for an appropriate construction, waterproofing, and safety details, per Section 16-20.009; and
7. The Staff shall review, and if appropriate, approve the final plans and supporting documentation.



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TIM KEANE
Commissioner
Office of Design

STAFF REPORT September 28, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-406) for alterations, an addition and site work at **883 Oakdale Road** – Property is zoned Druid Hills Landmark District.

Applicant: Dianne Barfield
PO Box 475

Facts: According to the architectural survey in 1991, this dwelling built in 1913 is contributing.

In 2011, the Commission approved a Type II Certificate of Appropriateness (LD-11-121) to allow a porch addition and renovations to both the principal and accessory structures with the following conditions:

1. The Applicant shall clarify whether the windows proposed for replacement are original or historic, per Section 16-20B.003(5);
2. Any original or historic windows shall be retained, per Section 16-20B.003(5);
3. The Applicant shall clarify the discrepancy between the right elevation and the floor plan, per Section 16-20B.003(5);
4. The fence shall be no more than 6' in height, per Section 16-20B.003(5); and
5. 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. 16-20B.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.
 - (h) Type IV certificates of appropriateness shall be reviewed and decided by the Commission and shall be required for the demolition or moving of any contributing principal structure or contributing accessory building. A partial demolition of a contributing principal structure or contributing accessory building 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 or buildings historic interpretability or importance.
- (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:

- (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:

3. West side of Oakdale Road, Ponce de Leon Avenue to city limit:

Front yard: 110 feet.
Side yards: 20 feet.
Rear yard: 100 feet.

4. East side of Oakdale Road, Ponce de Leon Avenue to city limit:

Front yard: 110 feet.

Side yards: 20 feet.

Rear yard: 100 feet.

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

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

Demolition

The Applicant is proposing to demolish an existing 75 sq. ft. room to accommodate the proposed new addition. Staff finds the proposed partial demolition will not have a significant negative impact on the existing historic house or its interpretability. As such, Staff finds a Type IV Certificate of Appropriateness for a partial demolition is not required. Staff has no concerns regarding the proposed demolition.

New Addition

In looking at the site plan, Staff finds the proposed setbacks meet the requirements. While the lot coverage percentage appears to meet the requirements, Staff recommends the Applicant provide a detailed calculation breakdown of the existing and proposed lot coverage.

In looking at the plans, Staff finds the overall design, massing, height and materials are consistent and compatible with the existing historic house. The proposed fenestration design helps delineate the addition from the existing house. Some of the proposed windows are wood and some are steel. While both materials meet the requirements, it is not clear why there are two different window materials on the addition. Staff recommends the Applicant clarify why there are two different window materials proposed. There is a brick panel proposed on the side of the addition. Staff finds the brick panel makes it appear as if there was once a window that was bricked in. Staff finds the proposed brick panel gives a false sense of history. Staff recommends the proposed brick panel be removed from the design.

Alterations

The Applicant is proposing a new privacy fence to replace the existing chain link fence. While Staff finds the fence meets the requirements in the side yard, Staff finds the portion of the fence that faces the street does not meet the requirements. Staff recommends the portion of the proposed fence that faces the street be no less than 40% open. The Applicant is proposing new steps, a planter wall and a new site wall at the rear of the existing house. Staff has no concerns with the proposed alterations.

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 a Type III Certificate of (CA3-16-406) for alterations, an addition and site work at **883 Oakdale Road** – Property is zoned Druid Hills Landmark District, with the following conditions:

1. The Applicant shall provide a detailed calculation breakdown of the existing and proposed lot coverage, per Section 16-20B.006(4);
2. The Applicant shall clarify why there are two different window materials proposed;
3. The proposed brick panel shall be removed from the design, per Section 16-20B.003(1)(c);
4. The portion of the proposed fence that faces the street shall be no less than 40% open, per Section 16-20B.003(7)(d); and
5. Staff shall review and if appropriate approve the final plans.



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TIM KEANE
Commissioner
Office of Design

STAFF REPORT September 28, 2016

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-16-410) for alterations at **1185 Arlington Avenue** – Property is zoned R-4A/ Oakland City Historic District.

Applicant: Israel Dahan
4842 Leisure Drive, Dunwoody

Facts: This single family dwelling was constructed in 1949 and is considered contributing.

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

Section 16-20M.005. Compatibility Rule

The intent of the Mayor and Council in establishing the regulations of the Oakland City Historic District is to ensure that all work requiring a Certificate of Appropriateness is compatible with the historic design, scale, and general character of the entire district and of the contributing structures in the immediately adjacent environment of a particular block face. To further that intent and simultaneously permit flexibility in design, the regulations provide a Compatibility Rule which is as follows: Where quantifiable (i.e. building height, setback, etc.), the element or building characteristic in question shall be no less than the smallest such element or building characteristic of buildings or site layouts in that block face that characterizes such like contributing buildings and shall be internally consistent with the historic design of the structure and shall be no greater than the greatest such element or building characteristic of buildings or site layouts in that block face that characterizes such like contributing buildings or site layouts and shall be internally consistent with the historic design of the structure. Where not quantifiable (roof form, architectural trim, etc.), the element or building characteristic in question shall be compatible with that which predominates in such like contributing structures on that block face and shall be internally consistent with the historic design of the structure.

Section 16-20M.006 General Criteria.

- (1) Notwithstanding any other provision herein, no Certificate of Appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
- (2) 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.
- (3) The commission shall apply the standards referenced in 16.20.009 only if the standards set forth in this Chapter 20M do not specifically address the application.

(2) Design Standards and Criteria for New Principal Structures.

- (n) Fenestration, if visible from a public street upon completion, shall meet the following requirements:
 1. Windows in the front façade shall be predominantly vertical in proportion.
 2. If muntins or mullions are used, such muntins 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 casing widths and depths:
 4. Replacement windows units shall maintain the size and shape of the original window opening.

5. The compatibility rule shall apply to the following aspects of fenestration:
 - a. The size and shape of individual window openings.
 - b. The overall pattern of fenestration as it relates to the building façade.
 - c. The style of the individual window.
- (p) Subject to the compatibility rule, wood or smooth-finish cementitious lap siding, wood shingles, brick, stone, and true stucco are permissible building materials for the façades of the principal structure. Corrugated metal, aluminum siding, and vinyl siding are not permitted.
- (q) In addition to all other applicable regulations, the compatibility rule shall apply to the following building materials and design elements, if visible from a public street upon completion:
6. The dimensions of the exposed face of lap siding and wood shingles.

Section 16-20M.017. Design Criteria for Alterations and Additions to Contributing Structures.

- (1) Alterations and additions to contributing structures requiring a Certificate of Appropriateness shall comply with one of the following:
 - (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 set forth in subsection 16-20M.013 (2) above; or
 - (b) Alterations and additions shall not destroy historic materials that characterize the property. The new building elements and materials may differentiate from the old. To protect the historic integrity of the property and its environment, the compatibility rule shall apply to any new work regarding the massing, size, scale, and architectural features of the property and environment.

The Applicant is proposing new gutters, siding repair and exterior painting. In comparing the pictures submitted by the Applicant, to the survey pictures on file, it appears most of the work has been completed without permits or approval by the Commission. It also appears there was additional work done beyond the scope submitted by the Applicant. Specifically, the siding has been replaced with wood grain cementitious siding. Per regulations, the allowed siding material is based on the compatibility rule and wood grain cementitious siding is not allowed. Staff recommends the Applicant clarify what the previous siding material was. As the existing house is the only contributing structure on the block face, Staff recommends the Applicant provide documentation of the siding materials of all the houses across the street that face Arlington Avenue. Staff recommends the siding material meet the requirements.

In looking at the pictures submitted by the Applicant, it appears some of the windows on the front, side and rear have been replaced. Staff would also note the front façade window on the lefts has been enlarged. Per regulations, replacement windows shall maintain the original size and shape of the original window opening. In looking at survey pictures, Staff finds it is unlikely the previously existing single horizontal window was an original window opening. As the new window opening matches the existing openings, Staff does not have a concern regarding the change in the window opening size.

In looking at the pictures submitted by the Applicant, it is there appears to be a non-original, non-historic window on the left façade. Staff finds the window is not true divided lite or simulated divided lite and does not meet the requirements. Staff recommends the Applicant clarify when this left side elevation window was installed. The front façade windows on the right were extant at the time of the district's designation. Staff recommends the Applicant take additional pictures of the front façade windows on the right so that we can determine whether the windows are historic or newer windows installed before the districts designation.

In comparing the pictures submitted by the Applicant to the survey pictures, it appears the front door and columns have been replaced. The complete scope of work for exterior changes and site work is not clear. Staff recommends the Applicant submit a detailed description of all work to the exterior and site that have already been completed and any additional work that is proposed. Staff recommends the

columns either match the previously existing columns or meet the compatibility rule. Staff recommends the front door is full panel wood or fixed glass in a wood frame.

Staff Recommendation: Based upon the following:

- a) The plans do not meet the regulations, per Sections 16-20M.013 and 16-20M.017 except as noted above;

Staff recommends approval of the Application for a Type II Certificate of Appropriateness (CA2-16-410) for alterations at **1185 Arlington Avenue** – Property is zoned R-4A/ Oakland City Historic District, with the following conditions:

1. The Applicant shall clarify what the previous siding material was, per Section 16-20M.017(1);
2. The Applicant shall provide documentation of the siding materials of all of the houses across the street that face Arlington Avenue, per Section 16-20M.017(1);
3. The siding material shall meet the requirements, per Section 16-20M.017(1);
4. The Applicant shall clarify when the left side elevation window was installed, per Section 16-20M.017(1);
5. The Applicant shall submit additional pictures of the front façade windows on the right, per Section 16-20M.017(1);
6. The Applicant shall submit a detailed description of all work to the exterior and site that have already been completed and any additional work that is proposed, per Section 16-20M.017;
7. The columns shall either match the previously existing columns or meet the compatibility rule, per Section 16-20M.017(1);
8. The front door shall be full panel wood or fixed glass in a wood frame, per Section 16-20M.017(1); and
9. Staff shall review and if appropriate, approve the final plans and documentation.



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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT September 28, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-411) for a new single family residence at **753 Hill St.** Property is zoned R-5/Grant Park Historic District (Subarea 1).

Applicant: Michael Edey
112 Bradley St.

Facts: According to the District inventory this lot is currently vacant.

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:

(5) *Maximum floor area within this district:*

- a. For a single-family detached dwelling on a lot which meets the minimum lot area requirement described in section 16-07.007(2): The maximum floor area ratio shall not exceed 0.50 of the net lot area.
- 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) 3,7.50 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;
 2. If the floor area ratio does not allow it least 1,800 square feet of floor area, a dwelling of such size may be built provided that all other provisions of this part shall apply unless relief from such provisions has been granted by the board of zoning adjustment.
- c. For a duplex: The maximum floor area ratio shall be 0.60 of the net lot area.
- d. For a two-family dwelling that is not a duplex: The maximum floor area ratio within this district shall not exceed 0.50 of the net lot area for the main unit of a two-family dwelling, provided however that the secondary dwelling unit shall not exceed 750 square feet.

(6) *Maximum lot coverage:* Maximum lot coverage within this district shall not exceed 55 percent of the net lot area.

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;
- (3) *Variances.* Variance requests shall be heard by the commission which will have the authority to grant or deny variances from the provisions of this chapter when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, criteria and appeal provisions for decisions regarding such variances shall be the same as those specified in chapter 26 of this Part 16.

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

General Comments For All Proposed Houses

This proposed single family dwelling is one of two proposed adjacent houses that will be reviewed at the same time. Staff has some general concerns that apply to the site and the design of both of the houses.

In looking at the design of the houses as a whole, Staff has concerns regarding the lack of architectural diversity. The proposed houses are identical, including the floor plan. As there are several different two-story houses in the neighborhood that could be used as inspiration for the proposed design, Staff finds there is an opportunity to create architecturally diverse homes that represent historic houses in the district and allow for the desired density. While the proposed designs generally meet the requirements, Staff suggests the Applicant clarify whether there is any opportunity to propose houses that are not identical.

Site Plan

As allowed by the regulations, the proposed structure will be setback 8 feet from the south side property line, and 7 feet from the rear property lines. The north side property line is proposed as 5 feet. The code allows four options for determining the appropriate side yard setbacks. The setbacks can either conform to the setback of the previously existing contributing building of like use; conform to the setback of the existing building; 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 be of a width of not less than 7 feet. As the proposed setback is less than 7 feet, there is no existing contributing structure on the lot, and as no information regarding the appropriateness of the setback based on the other two options has been received, Staff cannot determine whether 5 feet is an appropriate distance for the north side yard setback. Staff recommends the Applicant provide justification for the north side yard setback based on either the north side yard setback of the previously existing contributing building of like use, or an 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.

The proposed structure will be setback from Hill St 30 feet as measured from the front façade. The Grant Park Historic District regulations require the front yard setback to be based on either the compatibility rule or the previously existing contributing structure of like use. No information regarding the compatibility of the front yard setback has been received at this time. As such, Staff recommends the Applicant provide information documenting the compatibility of the front yard setback based on either compatibility rule or the previously existing contributing structure of like use on the lot.

The subject property is a nonconforming lot with regards to its size and street 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 3217 sf. meaning that any principal structure built on the site has a maximum allowable floor area of 2091 sf. The proposed structure has a floor area of 2790 sq. ft. which meets the R-5 floor area requirements. The R-5 lot coverage requirements allow for no more than 55% of impervious surface or 1769 sf. The lot coverage of the proposed structure is 1566 sf. or 49%. Staff finds the lot coverage requirements have been meet.

The plans indicate an existing concrete sidewalk along the Hill St. frontage. Staff recommends that any repairs to portions of the sidewalk damaged during construction meet the District regulations. The District regulations require a path leading from the sidewalk to the front entry. The plans do not indicate a front walkway being provided. Staff recommends the plans be revised to show a walkway leading from the front entry to the sidewalk.

An 8' wide driveway is proposed to run along the south side of the property. Per the regulations the driveway extends 20' past the front façade of the structure.

Massing and Building Height

The proposed two story house is defined by a 6 in 12 gabled roof, and a two story full 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. Staff finds the overall height, massing and design of the proposed dwelling are not similar to the 4 contributing structures on the block face, but finds that the regulations have been met nonetheless.

The plans include a cantilevered second story on the south side of the front façade. Staff suggests the Applicant move the cantilever to the rear of the structure to lessen the impact of this feature on the front façade of the structure.

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 Hill St. as required. Two French doors are proposed on the first and second story porch and will contain. The Applicant is proposing to install a single 1 over 1, double hung window, an accent window, and a gable window on the front facade. Staff finds the design of the proposed windows and doors to be appropriate.

The Grant Park regulations allow for windows to either be compatible with the windows on contributing houses or to be no less than 15% and no more than 40% of the wall surface. The proposed structure will have approximately 25% fenestration on the front façade. Staff finds the fenestration requirements have been met.

Building Materials

The proposed materials include a brick foundation, asphalt architectural shingles for the roof, a brick foundation, and wood railing on the front porch, wood windows, a wood framed front entry door, and wood framed glass French doors. The materials for the front porch columns are not indicated. Staff recommends an appropriate material for the porch columns be indicated on the plans. The materials for the front porch steps are not indicated. Staff recommends an appropriate material for the front porch steps be indicated on the plans. The material of the horizontal lap siding is not indicated. Staff recommends an appropriate material for the horizontal lap siding be indicated on the plans.

Porch

Per regulations, the minimum allowed depth for the front porch is 8'. Staff finds that the proposed porch is 8' at its narrowest point and therefore meets this requirement. The porch features fluted columns and railings that are compatible with other similar porches in the District. Staff finds the overall decorative details of the proposed front porch are consistent and compatible with the house style.

CA3 -16-411:

Staff Recommendation: Based upon the following:

- 1) The project meets the regulations with the exceptions noted above, per Sec. 16-20G.007;

Staff recommends deferral of the Application for a Type III Certificate of Appropriateness (CA3-16-411) for a new single family residence at **753 Hill St.** to allow the Applicant time to address the following Staff concerns:

1. The Applicant shall provide justification for the north side yard setback based on either the north side yard setback of the previously existing contributing building of like use, or an 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, per Sec. 16-20K.007(1)(B);
2. The Applicant shall provide information documenting the compatibility of the front yard setback based on either compatibility rule or the previously existing contributing structure of like use on the lot, per Sec. 16-20K.007(1)(A);
3. The plans shall be revised to show a walkway leading from the front entry to the sidewalk, per Sec. 16-20K.007(2)(B)(2);
4. An appropriate material for the porch columns shall be indicated on the plans, per Sec. 16-20K.007(2)(B)(15);
5. An appropriate material for the front porch steps shall be indicated on the plans, per Sec. 16-20K.007(2)(B)(15);
6. An appropriate material for the horizontal lap siding shall be indicated on the plans, per Sec. 16-20K.007(2)(B)(15); and,
7. All updated materials shall be submitted no less than 8 business days before the scheduled deferred meeting date.



CITY OF ATLANTA

KASIM REED
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT September 28, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-412) for a new single family residence at **755 Hill St.** Property is zoned R-5/Grant Park Historic District (Subarea 1).

Applicant: Michael Edey
112 Bradley St.

Facts: According to the District inventory this lot is currently vacant.

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:

(5) *Maximum floor area within this district:*

- a. For a single-family detached dwelling on a lot which meets the minimum lot area requirement described in section 16-07.007(2): The maximum floor area ratio shall not exceed 0.50 of the net lot area.
- 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) 3,7.50 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;
 2. If the floor area ratio does not allow it least 1,800 square feet of floor area, a dwelling of such size may be built provided that all other provisions of this part shall apply unless relief from such provisions has been granted by the board of zoning adjustment.
- c. For a duplex: The maximum floor area ratio shall be 0.60 of the net lot area.
- d. For a two-family dwelling that is not a duplex: The maximum floor area ratio within this district shall not exceed 0.50 of the net lot area for the main unit of a two-family dwelling, provided however that the secondary dwelling unit shall not exceed 750 square feet.

(6) *Maximum lot coverage:* Maximum lot coverage within this district shall not exceed 55 percent of the net lot area.

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;
- (3) *Variances.* Variance requests shall be heard by the commission which will have the authority to grant or deny variances from the provisions of this chapter when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, criteria and appeal provisions for decisions regarding such variances shall be the same as those specified in chapter 26 of this Part 16.

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

General Comments For All Proposed Houses

This proposed single family dwelling is one of two proposed adjacent houses that will be reviewed at the same time. Staff has some general concerns that apply to the site and the design of both of the houses.

In looking at the design of the houses as a whole, Staff has concerns regarding the lack of architectural diversity. The proposed houses are identical, including the floor plan. As there are several different two-story houses in the neighborhood that could be used as inspiration for the proposed design, Staff finds there is an opportunity to create architecturally diverse homes that represent historic houses in the district and allow for the desired density. While the proposed designs generally meet the requirements, Staff suggests the Applicant clarify whether there is any opportunity to propose houses that are not identical.

Site Plan

As allowed by the regulations, the proposed structure will be setback 8 feet from the south side property line, and 7 feet from the rear property lines. The north side property line is proposed as 5 feet. The code allows four options for determining the appropriate side yard setbacks. The setbacks can either conform to the setback of the previously existing contributing building of like use; conform to the setback of the existing building; 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 be of a width of not less than 7 feet. As the proposed setback is less than 7 feet, there is no existing contributing structure on the lot, and as no information regarding the appropriateness of the setback based on the other two options has been received, Staff cannot determine whether 5 feet is an appropriate distance for the north side yard setback. Staff recommends the Applicant provide justification for the north side yard setback based on either the north side yard setback of the previously existing contributing building of like use, or an 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.

The proposed structure will be setback from Hill St 30 feet as measured from the front façade. The Grant Park Historic District regulations require the front yard setback to be based on either the compatibility rule or the previously existing contributing structure of like use. No information regarding the compatibility of the front yard setback has been received at this time. As such, Staff recommends the Applicant provide information documenting the compatibility of the front yard setback based on either compatibility rule or the previously existing contributing structure of like use on the lot.

The subject property is a nonconforming lot with regards to its size and street 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 3217 sf. meaning that any principal structure built on the site has a maximum allowable floor area of 2091 sf. The proposed structure has a floor area of 2790 sq. ft. which meets the R-5 floor area requirements. The R-5 lot coverage requirements allow for no more than 55% of impervious surface or 1769 sf. The lot coverage of the proposed structure is 1566 sf. or 49%. Staff finds the lot coverage requirements have been meet.

The plans indicate an existing concrete sidewalk along the Hill St. frontage. Staff recommends that any repairs to portions of the sidewalk damaged during construction meet the District regulations. The District regulations require a path leading from the sidewalk to the front entry. The plans do not indicate a front walkway being provided. Staff recommends the plans be revised to show a walkway leading from the front entry to the sidewalk.

An 8' wide driveway is proposed to run along the south side of the property. Per the regulations the driveway extends 20' past the front façade of the structure.

Massing and Building Height

The proposed two story house is defined by a 6 in 12 gabled roof, and a two story full 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. Staff finds the overall height, massing and design of the proposed dwelling are not similar to the 4 contributing structures on the block face, but finds that the regulations have been met nonetheless.

The plans include a cantilevered second story on the south side of the front façade. Staff suggests the Applicant move the cantilever to the rear of the structure to lessen the impact of this feature on the front façade of the structure.

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 Hill St. as required. Two French doors are proposed on the first and second story porch and will contain. The Applicant is proposing to install a single 1 over 1, double hung window, an accent window, and a gable window on the front facade. Staff finds the design of the proposed windows and doors to be appropriate.

The Grant Park regulations allow for windows to either be compatible with the windows on contributing houses or to be no less than 15% and no more than 40% of the wall surface. The proposed structure will have approximately 25% fenestration on the front façade. Staff finds the fenestration requirements have been met.

Building Materials

The proposed materials include a brick foundation, asphalt architectural shingles for the roof, a brick foundation, and wood railing on the front porch, wood windows, a wood framed front entry door, and wood framed glass French doors. The materials for the front porch columns are not indicated. Staff recommends an appropriate material for the porch columns be indicated on the plans. The materials for the front porch steps are not indicated. Staff recommends an appropriate material for the front porch steps be indicated on the plans. The material of the horizontal lap siding is not indicated. Staff recommends an appropriate material for the horizontal lap siding be indicated on the plans.

Porch

Per regulations, the minimum allowed depth for the front porch is 8'. Staff finds that the proposed porch is 8' at its narrowest point and therefore meets this requirement. The porch features fluted columns and railings that are compatible with other similar porches in the District. Staff finds the overall decorative details of the proposed front porch are consistent and compatible with the house style.

CA3 -16-412:

Staff Recommendation: Based upon the following:

- 1) The project meets the regulations with the exceptions noted above, per Sec. 16-20G.007;

Staff recommends deferral of the Application for a Type III Certificate of Appropriateness (CA3-16-412) for a new single family residence at **755 Hill St.** to allow the Applicant time to address the following Staff concerns:

1. The Applicant shall provide justification for the north side yard setback based on either the north side yard setback of the previously existing contributing building of like use, or an 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, per Sec. 16-20K.007(1)(B);
2. The Applicant shall provide information documenting the compatibility of the front yard setback based on either compatibility rule or the previously existing contributing structure of like use on the lot, per Sec. 16-20K.007(1)(A);
3. The plans shall be revised to show a walkway leading from the front entry to the sidewalk, per Sec. 16-20K.007(2)(B)(2);
4. An appropriate material for the porch columns shall be indicated on the plans, per Sec. 16-20K.007(2)(B)(15);
5. An appropriate material for the front porch steps shall be indicated on the plans, per Sec. 16-20K.007(2)(B)(15);
6. An appropriate material for the horizontal lap siding shall be indicated on the plans, per Sec. 16-20K.007(2)(B)(15); and,
7. All updated materials shall be submitted no less than 8 business days before the scheduled deferred meeting date.



CITY OF ATLANTA

KASIM REED
MAYOR

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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT September 28, 2016

Agenda Item: Review and Comment (RC-16-424) for site work at **40 Woodcrest Avenue**- Property is zoned R-4/ Brookwood Hills Conservation District.

Applicant: Bryan Kenna
40 Woodcrest Avenue

Facts: According to the Brookwood Hills Inventory, the single-family dwelling was built in 1922 and is considered contributing to the District. The project consists of site work / landscape work in the rear yard, including installation of a new modular retaining wall and site steps, grouting of an existing terrace / patio, and repairing existing wood steps.

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 the City's Historic or Landmark districts, therefore the Commission should refer to "Further Standards" found in Chapter 20 of the zoning ordinance, which apply to all locally designated districts and properties.

All of the work will occur in the rear yard which slopes up from the house / patio / driveway towards the rear property line. The retaining wall will be located about 65 ft. back from the rear façade of the house, span almost the entire width of the property and be about 2.5 ft. tall. The site stairs will be located near the middle of the wall. It is not clear if there are any existing historic features in the rear yard that will be disturbed by the proposed work, particularly the proposed retaining wall and site stairs. The Staff would recommend that if any historic site features are located in the rear yard, that they be retained and/or incorporated into the new site work.

No materials are listed for the modular retaining wall or the site stairs, though the Staff assumes both will be masonry of some type. The Staff would recommend that the retaining wall is natural stone; brick; stucco; or pre-cast, natural-looking concrete. The Staff would recommend the stairs are natural stone, brick, or pre-cast, natural-looking concrete.

Lastly, the Staff would note that the northern portion of the retaining wall abuts and runs along the northern property line. The Staff would recommend the Applicant provide more information about the relationship of the retaining wall to the adjacent property's grade, slope, etc. so as to avoid run-off and erosion problems on the adjacent property.

The Staff has no comments or concerns about the grouting of an existing terrace / patio or the repairing of the existing wood steps.

Staff Recommendation:

Staff recommends the Commission send a letter with comments to the Applicant regarding Review and Comment (RC-16-424) for site work at **40 Woodcrest Avenue**- Property is zoned R-4/ Brookwood Hills Conservation District.



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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT
September 14, 2016
Updated
September 28, 2016
(Updated text in Italics)

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-362) for a variance to allow a reduction in the north side yard setback from 7' (required) to 2' 6" (proposed) and a reduction in the south side yard setback from 7' (required) to 4' 1" (proposed); and (CA3-16-361) for alterations and a rear addition at **105 Bradley St.** Property is zoned Martin Luther King, Jr. Landmark District (Subarea 2) / Beltline.

Applicant: James Cheeks
949 N. Ormewood Park Dr.

Facts: This existing single family residence was constructed between 1900 and 1910 and is considered contributing to the District.

Analysis: The following Code sections apply to this application:

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

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

1. *General criteria.* The commission shall apply the standards set forth below only when the standards set forth elsewhere in Chapter 20C do not specifically address the application in whole or in part:
 - a. A property shall be used for its historic purpose or be placed in a new use authorized in section 16-20C.005 using minimal change to the defining characteristics of the building and its site and environment.
 - b. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
 - c. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
 - d. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
 - e. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
 - f. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in

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

specified in section 16-26.001 through section 16-26.006. The commission shall have the authority to grant or deny applications for special exceptions from the provisions of this chapter pursuant to the procedures, standards and criteria specified in section 16-25.001 through section 16.25.005. The commission shall have the authority to grant or deny applications for administrative appeal pursuant to the standards in section 16-30.010 (a) through (d).

- b. Appeals from final decisions of the commission regarding variances, special exceptions and administrative appeals shall be as provided for in section 16-20.010.

Sec. 16-20C.005. - Permitted principal uses and structures.

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

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

Sec. 16-20C.006. - Lot controls and building heights.

- 1. The following lot controls and building heights provisions shall apply to Subareas 1 and 2.
 - a. *Lot controls.*
 - i. The compatibility rule shall apply for the purposes of determining permitted lot coverage.
 - ii. The lot provisions of section 16-20C.004(7) shall apply to lot consolidations, subdivisions and replatting, except that:
 - (1) For those lots fronting along the northern side of Auburn Avenue and the southern side of Old Wheat Street, the minimum lot area shall be 5,300 square feet.
 - (2) For those lots fronting along the south side of Auburn Avenue, the minimum lot area shall be 10,000 square feet.
 - b. *Building heights.*
 - ii. Within the portion of this Subarea 2 lying along the southern side of Irwin Street and the eastern side of Boulevard, the maximum height of any alteration, addition, or new construction shall be 32 feet.

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

- 1. The following Sidewalks, Yards and Open Spaces provisions shall apply to Subareas 1 through 4.
 - a. Sidewalks.
 - i. Public sidewalks shall be located along all public streets and shall consist of two (2) zones: an amenity zone and a walk zone.
 - ii. The amenity zone shall be located immediately adjacent to the curb with a consistent cross-slope not to exceed two (2) percent. Width shall be measured from back (building side) of curb to the walk zone. This zone is reserved for the placement of street trees and street furniture including utility and light poles, public art, waste receptacles, fire hydrants, traffic signs, traffic control boxes, newspaper boxes, transit shelters and similar elements in a manner that does not obstruct pedestrian access or motorist visibility. Such elements, where installed, shall be of a type specified by the director in accordance with uniform design standards for placement of such objects in the public right-of-way.
 - iii. The walk zone shall be located immediately contiguous to the amenity zone and shall be a continuous hardscape, with a consistent cross-slope not exceeding two (2) percent. No fixed elements, including pole mounted signage, traffic control boxes or other utility structures, shall be placed above ground in the walk zone for a minimum height of eight (8) feet.

- iv. New sidewalks and their corresponding zones shall be the same width as the sidewalk on abutting properties. If no sidewalk exists on abutting properties, the new sidewalk shall match sidewalk widths on the block. If no sidewalk exists on the block, the new amenity zone shall be a minimum of two (2) feet wide and the new walk zone shall be a minimum of five (5) feet wide.
 - v. Street trees shall be planted a maximum of 30 feet on-center within the amenity zone and shall be spaced equal distance between street lights.
 - vi. Any existing decorative hardscape treatment of sidewalks, including amenity zone or walk zone areas, shall be retained as part of any new development or replaced with materials that match in size, shape and color.
 - vii. Decorative pedestrian lights, where installed, shall be placed a maximum of 60 feet on center and spaced equidistant between required trees. Where installed, said lights shall be located within the amenity zone. Said lights shall be as approved by the Director. New developments shall match the light and tree spacing on blocks where existing Atlanta Type lights are installed.
 - viii. Changes or additions of planters, trash containers, street lighting, and similar elements, shall require a Certificate of Appropriateness by the Commission.
 - ix. Upon redevelopment of a parcel reasonable efforts shall be made to place utilities underground or to the rear of structures to allow for unobstructed use of sidewalks.
 - b. Yards. Notwithstanding the setback requirements of these Subareas, previously existing contributing structures may be reconstructed to their original footprints and setbacks upon a submittal of finding that such structural dimensions have been shown by archived evidence or sworn affidavit(s) to have previously existed on the proposed site, and as subsequently approved by the Commission.
 - c. Required Open Space.
 - i. Open Space shall be required only for multi-family uses. All other uses shall have no Open Space requirements.
2. The following additional Yards provisions shall apply to Subareas 1 and 2.
- b. Subarea 2.
 - i. Except as provided below, all front, side and rear yard setbacks shall be established through utilization of the compatibility rule. All new construction shall maintain a minimum of 10 feet for rear yard setbacks where the compatibility rule would permit a smaller rear yard setback, except as otherwise provided for accessory structures.
 - ii. Within the portion of Subarea 2 lying along the southern side of Irwin Street and the eastern side of Boulevard, the following development controls shall apply:
 - (1) Side yard: Three (3) feet.
 - (2) Front yard: 12 feet.
 - (3) Rear yard: Six (6) feet.

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

- 1. The following Design Standards provisions shall apply to Subareas 1 through 4.
 - a. *Building compatibility.*
 - i. All elements of new construction shall be utilized in a meaningful, coherent manner, rather than a mere aggregation of random historic elements.
 - ii. The compatibility rule shall apply to a principal structure's general façade organization, proportion, scale, roof form, pitch and materials, door and window placement, and other architectural details including but not limited to brackets, decorative trim, corner boards, bottom boards, fascia boards, columns, steps and attic vents.
 - iii. Fiberglass roofs shall be prohibited.
 - b. *Fenestration.*
 - i. The compatibility rule shall apply to the following aspects of fenestration:
 - (1) The style and material of the individual window or door.
 - (2) The size and shape of individual window and door openings.
 - (3) The overall pattern of fenestration as it relates to the building façade.
 - (4) The use of wood or aluminum for exterior framing, casing, and trim for windows and doors, and the use of wood, aluminum, brick, or stone for bulkheads.
 - ii. Painted glass and reflective glass, or other similarly treated fenestration, are not permitted.
 - iii. Except as otherwise provided in section 16-20C.008(2), if muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.

2. The following design standards provisions shall apply to Subareas 1 through 2.
 - a. *Windows and doors.*
 - i. Simulated divided light windows or plain sash windows shall be authorized as replacement materials when replacement is warranted, and materials for new construction within these subareas.
 - ii. Windows shall be predominantly vertical in proportion, shall not be constructed in combination of more than two units, and shall be double-hung.
 - iii. Front doors facing and parallel to the street shall be provided.
 - iv. Front doors shall be solid wood panel or single-pane fixed glass and shall be composed of no more than 50 percent glass.
 - b. *Front yard porches.*
 - i. Front yard porches shall be provided.
 - ii. Front yard porches shall contain balustrades, columns, floor dimensions, height, roof pitch and overhangs as regulated by the compatibility rule.
 - iii. Decorative metal, resin, fiberglass and plastic columns are prohibited.
 - iv. Front yard porches are permitted to be enclosed with recessed screen wire when the primary characteristics of the porch are maintained.
 - v. Front yard porch steps shall be wood, brick or concrete. Metal steps are prohibited.
 - vi. A paved walkway from the front yard porch to the adjacent public sidewalk shall be required.
 - c. *Siding and foundations.*
 - i. Due to the close proximity of structures and other characteristics unique to this Landmark District smooth face cementitious siding shall be authorized as replacement materials when replacement is warranted, and materials for new construction within these subareas.
 - ii. 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.
 - iii. Foundations shall be permitted to utilize brick, stone, smooth stucco, and smooth finish concrete as foundation-facing materials.
 - iv. When provided, chimneys shall be faced in brick and shall originate at grade.

Sec. 16-26.003. - 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.

Variance

Though submitted as a variance for both side yard setbacks based on a setback of 7', Staff finds that the setbacks in this subarea are determined by the compatibility rule. As such, the reduction of the north side yard setback from 2'8" to 2'6" is the only setback which will require a variance. In their justification, the Applicant cites the lot frontage and the orientation of the house on the lot as the primary justification.

Staff finds that the lot has a frontage of approximately 25 feet along the east side of Bradley St. While other houses on the block face exist that have lot configurations similar to the one at 105 Bradley, only 2 lots with similar frontages containing contributing structures exist on the block face: 105 and 103 Bradley. Further, the structure on 105 Bradley is laid out at a slight angle to the side yard lot line making it impossible to install an addition following the side façade of the structure, an acceptable method for adding to a contributing structure. As such, Staff has no concerns with the proposed setback and finds that the variance request meets the criteria.

Alterations and Rear Addition

Alterations

On the two story front porch, new railing is proposed to replace the existing non-original railing. Staff has no concerns with the design of the proposed replacement railing. Additionally, the Applicant is proposing to repair the two story front porch columns where possible and replace them in-kind where necessary. Staff has no concerns with the proposed alterations to the columns.

In looking at the pictures provided by the Applicant, the original porch flooring on both levels of the two story porch are deteriorated past the point where they could be reasonably salvaged. The Applicant is proposing to replace the porch flooring in kind. Staff has no concerns with this proposed alteration. Additionally, the Applicant is proposing to repair the front porch steps. Staff has no general concerns with the proposed repair but recommends any repairs be done in kind.

The Applicant has submitted pictures showing the original wood siding beneath the existing non-historic Masonite siding. The current plan is to retain as much of the existing wood siding which as is possible, and to replace any portions of siding which are unsalvageable. Staff recommends any replacement siding be wood with a reveal to match the original siding on the structure.

According to the Applicant, all exterior doors and windows, except for one window on the second floor of the north side façade, were replaced as part of a previous renovation of the property. With the exception of the one original window, the Applicant is proposing to replace all of the doors and windows in kind, and add two new windows to the rear portion of the south side façade. Staff has no concerns with the design of the proposed replacement windows or with the window additions to the south side façade. Staff would recommend the design of the proposed replacement doors meet the District regulations.

The plans show that the existing chimneys are proposed for removal. No information regarding the need for the chimneys to be replaced or their ability to be repaired has been provided. Staff finds that the removal of a historic feature such as chimneys without a replacement which meets the district regulations is an inappropriate treatment of historic materials. Staff Recommends the Applicant document the need for the chimneys to be replaced and their ability to be repaired. If the documentation shows that the chimneys can be repaired, Staff recommends the chimneys be retained and repaired in-kind. If the documentation shows that the chimneys cannot be repaired, Staff recommends the chimneys be replaced in-kind.

Site

In the District, setbacks are determined by the compatibility rule. The addition will be set back 4' 1" from the south side lot line which conforms to the corresponding setback of the existing contributing structure, and 2' 6" from the north side lot line. Given Staff's recommendation concerning the variance request, Staff finds that the setbacks meet the compatibility rule. The rear yard setback for the proposed addition will be 47'. No information on the allowable rear yard setback range has been submitted. As such, Staff cannot confirm whether the proposed rear yard setback meets the compatibility rule. Staff Recommends the Applicant submit information documenting the allowable rear yard setback based on contributing buildings of like use on the block face.

The Applicant has provided documentation on the allowable rear yard setbacks as determined by the existing structure and the contributing structure at 79 Bradley St. which contains a rear yard setback of 47'. As such, Staff finds that the rear yard setback meets the compatibility rule.

In the District, lot coverage is based on the compatibility rule. The regulations specify that only contributing properties of like use can be used for compatibility comparisons. The Applicant has not submitted information documenting the allowable lot coverage range for this block face. As such, Staff cannot confirm whether the proposed lot coverage of 44.7% meets the compatibility rule. Staff recommends the Applicant provide information regarding the allowable lot coverage as determined by contributing structures on the block face.

The Applicant has provided information on the allowable lot coverage range based on the contributing structure at 103 Bradley St., which has a lot coverage of 31.7%, and 79 Bradley St., which has a lot coverage of 52.42%. Based on this information, Staff finds that the proposed lot coverage meets the compatibility rule.

Design

The height of additions is limited to 32' in this subarea. The proposed addition will have a height of 22' and therefore meets this requirement.

In looking at the submitted plans, Staff finds that the design of the proposed addition is generally consistent with the architecture of the existing structure. Staff would recommend that a false corner board be installed on the north and south side façades to help differentiate between the existing structure and the new addition. Staff also recommends the Applicant provide compatibility information for the north and south side fenestration pattern.

The addition will be sided with smooth faced cementitious horizontal lap siding and will have a foundation comprised of CMU blocks with a parge coat of stucco.

CA3-16-362:

Staff Recommendation: Based upon the following:

- 1) The project meets the variance criteria, per Sec. 16-26.003(1)

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-16-362) for a variance to allow a reduction in the north side yard setback from 7' (required) to 2' 6" (proposed) and a reduction in the south side yard setback from 7' (required) to 4' 1" (proposed) at **105 Bradley St.**

CA3-16-361:

Staff Recommendation: Based upon the following:

- 1) The project meets the regulations with the exceptions noted above, Per Sec. 16-20C.006, .007, & .008;

Staff recommends deferral of the Application for a Type III Certificate of Appropriateness (CA3-16-361) for alterations and a rear addition at **105 Bradley St.** with the following conditions:

1. Any replacement siding shall be wood with a reveal to match the original siding on the structure, Per Sec. 16-20C.008(2)(c);
2. The design of the proposed replacement doors shall meet the District regulations, Per Sec. 16-20C.008(2)(a);

3. *The Applicant shall document the need for the chimneys to be replaced and their ability to be repaired, per Sec. 16-20C.004(1)(f);*
4. *If the documentation shows that the chimneys can be repaired, the chimneys shall be retained and repaired in-kind, per Sec. 16-20C.004(1)(f);*
5. *If the documentation shows that the chimneys cannot be repaired, the chimneys shall be replaced in-kind, per Sec. 16-20C.004(1)(f);*
6. All new materials shall be submitted no less than 8 days before the scheduled deferred hearing date.



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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT September 28, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-327) for a new single family house at **698 Grant Terrace**. Property is zoned R-5 / Grant Park Historic District (Subarea 1).

Applicant: Monica Woods
67-A Boulevard Drive

Facts: According to the Grant Park inventory sheet this property currently contains a one-story, concrete block, non-contributing structure. The rectangular lot is located on the northeast corner of Grant Terrace and Bass Street, and is relatively flat. There is one large oak tree in the eastern portion of the property.

The Applicant proposes to build a two-story house with an attached garage that faces Bass Street, a front porch and a side porch. No site work (such as fences, walls, etc.) is proposed as this time.

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:

- (5) Maximum floor area within this district:
 - a. For a single-family detached dwelling on a lot which meets the minimum lot area requirement described in section 16-07.007(2): The maximum floor area ratio shall not exceed 0.50 of the net lot area.
- (6) Maximum lot coverage: Maximum lot coverage within this district shall not exceed 55 percent of the net lot area.

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

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;
- (6) Tree Preservation and Replacement. The provisions of City of Atlanta Tree Ordinance, Atlanta City Code section 158-26, shall apply to this district.
- (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.
 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.

Site Plan

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 9,219 sq. ft. meaning that a structure built on the lot would be allowed to have a maximum square footage of 4,609.5 sq. ft. The square footage of the proposed structure is 2,918 sq. ft. which meets this requirement. The maximum lot coverage allowed is 55% of the net lot area. The proposed lot coverage is 26.4%, well below the 55% allowance.

The front yard setback can either be based on the compatibility rule or the previously existing contributing building of like use. The proposed front yard setback is 17.6 ft. The Applicant has submitted information regarding the only contributing building on the block face (682 Grant Terrace) which is 17.6 ft. The proposed front yard setback meets the District regulations.

Of the side yard setback options, the regulations allow the side yard setbacks to no less than 7'. The proposed structure has a north side yard setback of more than 7 ft. which 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 significantly greater than 7' and therefore meets the rear yard setback requirement.

The Bass Street "half-depth" front yard setback is also subject to the compatibility rule (as a front yard feature). For corner lots, the point of comparison is the half-depth front yard setback of other corner lots, preferably at the same street intersection. In this case, the t-shaped intersection only has one other corner lot that is vacant and outside the District. The Applicant has provided the half-depth front yard setback of five (5) other properties near the subject property. Of those, 703 Woodson is non-contributing to the District and the Staff is not clear where 720 and 730 Bass are located (the street numbers on Bass Street are normally in the 200s). 279 Georgia Avenue (12 ft. setback) and 688 Pavilion Street (3.5 ft. setback) are contributing to the District. The only other proximate contributing house on a corner lot is 245 Georgia Avenue. Using the two properties provided, the half-depth front yard setback would be 7.75 ft. The proposed setback is 6.5 ft. The Staff would recommend the Applicant include 245 Georgia Avenue in their half-depth front yard setback calculations and adjust the proposed half-depth front yard setback to meet calculated distance requirement.

As required by the regulations, the site plan indicates a walkway from the porch to the front property line. However, it is not clear the material of the proposed walkway. The Staff would recommend the plans indicate the material of the proposed walkway and that it meet the District regulations.

The plans indicate an existing public sidewalk. The Staff recommends that if the public sidewalk is extensively damaged or destroyed during construction a new public sidewalk be installed which meets the District regulations.

The plans indicate a proposed concrete, 10 ft. wide driveway from Bass Street to the single-car garage door opening, which meets the District regulations.

Massing and Building Height

The proposed two story house is defined by a 10 in 12 gable roof and one-story front and dies porches. Per the District regulations, the maximum height allowed is 35'. The District regulations do not specify how the height should be measured, therefore the Staff finds the standard City measurement should be used. The Staff finds the height requirement has been met.

The District regulations allow for a single car-with garage facing the half-depth front yard.

No decks or balconies are proposed as part of the design.

The house is proposed to be on a crawlspace foundation which at the front steps will be 2.5 steps high. However, it is not clear from the elevations if the actual grade lines are accurately shown all the way around the proposed house. For example, at the front left corner of the house, the front elevation shows no exposed foundation, while the left elevation shows about 2 ft. of exposed foundation. Further, the front porch and side porch are noted as slab foundations, even though the elevation would appear to indicate crawlspace foundations for those areas as well. The Staff would recommend the Applicant clarify the foundation proposal, its height on all sides of the proposed house, the internal consistency of the plans, and that the foundation will meet the District regulations.

Reviewing the only contributing house on the block face (a gabled-ell, one story house with a gable roof), the Staff finds the overall height, massing and design of the proposed dwelling is not similar to the historic houses on the block. However, the Staff finds the regulations have been met.

Building Facades

The Commission reviews the facades that face a public street. This is a corner lot, so the Staff will comment on the façades that face Grant Terrace and Bass Street.

Windows and Doors

A single front door is parallel and facing Grant Terrace as required. The design of the door is not clear from the drawings. The Staff recommends that the Applicant clarify the design of the front door.

The Applicant is generally proposing to install 1-over-1, double hung windows with 6 in. trim on the street facing facades though there are two different sizes and two single pane, square windows as well. It is not clear the details of the proposed windows as the graphics are very general. Also, the proposed trim wraps around the bottom of the window (where it would normally not occur) and there is not trim between the paired windows. Further, the Staff is concerned about the amount of blank wall space on the Bass Street side of the house.

The District regulations allow for windows to either be compatible with the windows on contributing houses or are no less than 15% and no more than 40% of the wall surface. No fenestration calculation was provided. The Staff would recommend that the Applicant document that the windows be compatible with the windows on contributing houses or are no less than 15% and no more than 40% of the wall surface.

Building Materials

The proposed materials include horizontal cementitious siding, metal roofing, and brick foundation. The Staff would note that all of these materials are permitted by the District regulations, including “pre-finished metal panels”. The materials for the front porch elements, side porch elements, window and door trim and the front door is not indicated. The Staff recommends that an appropriate material for all of the exterior materials be indicated on the plans and meet the District regulations.

Porch

Per regulations, the minimum allowed depth for the front porch is 7’. The Staff finds that the proposed front porch is 5 ft. and does not meet the District regulations. The Staff would recommend the front porch depth meet the District regulations.

Given the level of detail in the plans, it is not clear if the porch columns, railings, and other elements are compatible with other similar porches in the District or if the front porch stairs have closed risers and ends. The Staff would recommend that all aspects of the front porch meet the District regulations.

Staff Recommendation: Based upon the following:

1) The plans meet the regulations with the exception of the comments noted above Section 16-20K.006, 16-20K.007, and 16-07.008;

The Staff recommends approval of the application for a Type III Certificate of Appropriateness (CA3-16-327) for a new single family house at **698 Grant Terrace**. Property is zoned R-5/Grant Park Historic District (Subarea 1), with the following conditions:

1. The Applicant shall include 245 Georgia Avenue in their half-depth front yard setback calculations and shall adjust the proposed half-depth front yard setback to meet calculated distance requirement, per Sec. 16-20K.007(1)(A);
2. The plans shall indicate the material of the proposed walkway and that it shall meet the District regulations, per Section 16-20K.007(2)(B) (15);
3. If the public sidewalk is extensively damaged or destroyed during construction a new public sidewalk shall be installed which meets the District regulations, per Sec. 16-20K.006(7);
4. The Applicant shall clarify the foundation proposal, its height on all sides of the proposed house, the internal consistency of the plans, and that the foundation will meet the District regulation, per Section 16-20K.007(2)(B)(7);
5. The Applicant shall clarify the design of the front door, per Sec. 16-20K.007(2)(B)(15);
6. The Applicant shall document that the windows be compatible with the windows on contributing houses or are no less than 15% and no more than 40% of the wall surface, per Sec. 16-20K.007(2)(B)(11);
7. An appropriate material for all of the exterior materials shall be indicated on the plans and shall meet the District regulations, per Sec. 16-20K.007(2)(B)(15);
8. The front porch depth shall meet the District regulations, per Sec. 16-20K.007(2)(B)(3) and (4);
9. All aspects of the front porch shall meet the District regulations, per Sec. 16-20K.007(2)(B)(3) and (4); and
10. 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
Office of Design

STAFF REPORT

August 24, 2016

Updated

September 28, 2016

(Updated information in italics)

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-341) for alterations, window replacement and a new front porch at **1024 Allene Avenue**- Property is zoned R4-A/Adair Park Historic District (Subarea 1)/ Beltline.

Applicant: Terica Kindred
2020 Howell Mill Road #185

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

This application was deferred at the August 24th and September 14th meeting to allow the Applicant time to address the concerns of Staff and the Commission.

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:*
- (a) *Building facades:*
1. All new construction shall conform to the existing building orientation (setbacks) by having sidewalks, front yards, porches and front doors facing and parallel to the street, and if located on a corner, the main facade shall face the principal street whenever possible.
 2. At a minimum, the front of all new construction, including any portion thereof, shall be placed at the distances from the street determined by the compatibility rule. This requirement shall also apply to those sides of corner lots which also face a street.
 3. All building materials which upon completion are visible from the public right-of-way, shall be compatible with those which predominate in the subarea.
 4. Siding repair or replacement shall match the original materials in scale and direction. Wood clapboard, if original is preferred; however, aluminum, masonite vinyl or other horizontal siding is permitted if window trim, cornerboards, and fascia/bargeboards are left in place or replaced with new material to match the original.
 5. Contemporary design of new construction, compatible with adjacent and surrounding structures, is permitted.
 6. No structure shall exceed that height established by the compatibility rule, with a permitted differential of ten (10) percent.
- (b) *Windows and Doors:*
1. Architecturally significant windows and doors, including details, trimwork, and framing, shall be retained.
 2. Original window and door openings shall not be blocked or enclosed, in whole or in part.
 3. Replacement windows and doors shall be permitted only when originals cannot be rehabilitated. Replacement windows and doors shall match the original in style, materials, shape and size with no more than a one-inch width or height difference from the original size.
 4. Dropped ceilings, when located below the head of a window, shall be sufficiently recessed from the window opening to maintain the original exterior appearance.
 5. New doors and windows, when permitted, shall be compatible in scale, size, proportion, placement, and style to existing windows and doors.
 6. The ratio of openings to solid for all new construction (for example, windows to wall) shall be established by the compatibility rule, with a permitted differential of ten (10) percent.
 7. The scale, size, and proportion of all openings in new construction shall be established by the compatibility rule with a permitted differential of ten (10) percent.
 8. New windows or doors added to existing structures shall be located on sides or to the rear of buildings, rather than on the front.
- (f) *Roofs:*
1. Roofing materials shall be of the same size, texture and materials as existing, exposed roofing materials when the existing, exposed roofing materials constitute a significant architectural feature of the structure.
 2. Cold-rolled roofing is permitted only on flat roofs. Corrugated metal and corrugated fiberglass roofs are not permitted.
 3. The shape and pitch of roofs for new construction shall be subject to the compatibility rules.
 4. Decks, skylights, solar panels and communication equipment, when otherwise allowed by these or other regulations are permitted on roofs of buildings provided they cannot be seen from the public right of way

Stop Work Order

In looking at the permit activity available online, this property received a general repair permit for interior work in March 2016. This property received a building permit for interior work in April 2016. A stop work order was issued in July 2016 for the replacement of windows and other exterior work without review by the UDC and without the appropriate permits.

Since August 24th we have received numerous complaints from the neighborhood that work continues on the exterior of the property despite having no approval from the Urban Design Commission. Recently Staff received pictures that indicate two historic windows on the left elevation were removed and thrown away. The window openings were then in-filled with siding and painted.

Staff recommends the two original window openings on the Brookline Street façade are reestablished in the same location and size. As the historic windows have already been thrown away, Staff recommends new wood, true divided lite windows are installed that match the design and size of the recently removed historic windows. The current condition of the exterior of the house is unknown. Staff recommends the Applicant submit recent pictures of all exterior elevations.

Site

The existing corner lot fronts 50' on Allene Avenue and has a depth of 122.4' on Brookline Street. Per regulations, the half depth front yard shall be based on the compatibility rule. The Applicant has not provided information regarding the half depth front yards of the contributing houses on the block. Staff recommends the Applicant document the half depth front yard meets the requirements. Per underlying zoning, the rear yard setback shall be no less than 15'. The proposed rear yard setback is more than 15' and therefore meets the requirements.

Staff retains its recommendation regarding the half depth front yard.

Per underlying zoning, the maximum lot coverage allowed is 55%. The proposed lot coverage is 47% and therefore meets the requirement. As there is no additional living space proposed, Staff finds the FAR requirements do not apply to this case.

Additions and Alterations

The Applicant is proposing to remove an existing deck in order to install a larger one. As decks that are visible from the public right-of-way are not allowed, Staff finds the existing deck cannot be replaced or expanded. Staff recommends the proposal to replace or expand the existing deck is removed from the plans or the Applicant shall provide appropriate screening.

In updated plans, the Applicant is proposing to install a 6' privacy wall so that the desk is not visible from the street. It is not clear that the privacy wall would eliminate the visibility of the deck. Staff recommends the Applicant provide documentation the proposed privacy wall will eliminate the visibility of the deck.

Per underlying zoning, a 6' wall in the half depth front yard is not allowed. As such, the Applicant will need to apply for a special exception through the Board of Zoning Adjustment. Given the amount of time it will take to get approval of the special exception, Staff recommends the deck expansion is removed from the plans and the Applicant can apply for the deck separately if the special exception is approved.

The Applicant is proposing to unenclose an existing front addition in order to create a new front porch. In looking at pictures taken at the time of the District's designation, the front porch had already been enclosed. Staff would note that the original columns appear to still be intact. Staff finds that unenclosing the porch is highly appropriate.

While Staff has no general concerns regarding unenclosing the porch, Staff recommends the existing original elements of the porch such as the brick bases, columns and foundation are retained. The materials for the porch stairs are not clear. Staff recommends the plans indicate all material details. Staff recommends the stair material is consistent with other similar historic porches on the block. Staff recommends the railing design is consistent with other similar historic porches on the block.

Staff retains its original recommendation.

The Applicant is proposing to replace the existing siding with 7" cementitious siding. Staff finds that 7" cementitious siding does not meet the requirements. Staff recommends the Applicant submit documentation the existing siding is not historic or is beyond repair. If replacement is warranted, Staff recommends the new siding match the historic siding if present or the siding shall be smooth cementitious siding with a 4" to 6" reveal.

Staff retains its original recommendation.

The Applicant has replaced all of the existing windows. In looking at the pictures submitted, the windows indicated on the plans and the new replacement windows currently installed do not match. It is not clear what the previously existing windows looked like and whether they were historic or replacements. Staff recommends the Applicant provide documentation regarding the previously existing windows that were removed. Staff recommends the Applicant clarify the design and materials of the new windows.

Staff has received pictures of two original windows that were recently removed. Staff finds this provides evidence of what the original windows looked like. Staff finds the original windows were removed and replaced without a permit or approval by the Urban Design Commission. As such, Staff finds the existing windows should be replaced with wood, true divided lite with upper sashes that match the recently removed original windows.

Plan Discrepancy

In general the elevations are somewhat confusing. There appears to be multiple versions of existing and proposed conditions. There are two copies of sheet #2 that have a different window and door configurations on the left elevation.

There appear to be two different proposed front elevations. One front elevation features two sets of windows and a center door. The other proposed front elevation features two doors and a window. Staff finds that having two doors on the front façade is not appropriate. Staff recommends the front façade only have one front door and it should be centered between the columns.

In updated plans there proposed work is clearly indicated. As recommended by Staff the second door has been removed from the elevations.

There is a chimney that appears in the existing elevation but does not appear on the two different sets of proposed elevations. Staff recommends the chimney is retained. Staff recommends the Applicant submit clear and accurate elevations that reflect the existing and proposed conditions. Staff

recommends the Applicant submit a detailed scope of work that indicates all proposed work. Given the plan discrepancies, the revisions required and the documentation required, Staff finds a deferral is appropriate.

In updated plans there is a chimney in both the existing and proposed plans. There is no chimney in any of the pictures submitted. Staff recommends the Applicant clarify whether there was a chimney removed and whether there is a new chimney proposed.

Staff Recommendation: Based upon the following:

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

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-16-341) for alterations, window replacement and a new front porch at **1024 Allene Avenue**- Property is zoned R4-A/Adair Park Historic District (Subarea 1)/ Beltline, with the following conditions:

1. The two original window openings on the Brookline Street façade shall be reestablished in the same location and size, per Section 16-20I.006(4)(b);
2. New wood, true divided lite windows shall be installed that match the design and size of recently removed historic windows on the Brookline Street façade, per Section 16-20I.006(4)(b);
3. The Applicant shall submit recent pictures of all exterior elevations;
4. The Applicant shall document the proposed half depth front yard meets the requirements, per Section 16-20I.006(4)(a)(2);
5. The proposal to replace or expand the existing deck shall be removed from the plans, per Section 16-20I.006(4)(f)(4);
6. The Applicant shall provide documentation the proposed privacy wall will eliminate the visibility of the deck, per Section 16-20I.006(4)(f)(4);
7. The existing original elements of the porch such as the brick bases, columns and foundation shall be retained, per Section 16-20I.006(4)(g)
8. The plans shall indicate all material details, per Section 16-20I.006(4)(a)(3);
9. The stair material shall be consistent with other similar historic porches on the block, per Section 16-20I.006(4)(g);
10. The railing design shall be consistent with other similar historic porches on the block, per Section 16-20I.006(4)(g);
11. The Applicant shall submit documentation the existing siding is not historic or is beyond repair, per Section 16-20I.002(b);
12. If replacement is warranted, the new siding shall match the historic siding if present or the siding shall be smooth cementitious siding with a 4" to 6" reveal, per Section 16-20I.006(4)(a)(4);
13. All windows shall be wood, true divided lite with upper sashes that match the recently removed original windows, per Section 16-20I.006(4)(b);
14. The Applicant shall clarify whether there was a chimney removed and whether there is a new chimney proposed;
15. The Applicant shall submit clear and accurate elevations that reflect the existing and proposed conditions;
16. The Applicant shall submit a detailed scope of work that indicates all proposed work; and
17. Staff shall review and if appropriate, approve the final plans.



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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT
August 10, 2016
REVISED
September 28, 2016
(Revised text shown in italic.)

Agenda Item: Application for Type II Certificate of Appropriateness (CA2-16-351) for alterations and window/door replacement at **661 Lawton Street** - Property is zoned R-4A/West End Historic District.

Applicant: Carlton McCrary
4700 West Village Crossing, #5513, Smyrna

Facts: According to the District inventory sheet, this dwelling was constructed between 1910 and 1930 and is contributing to the District. The interior lot is located on the west side of Lawton Street.

At this time, the Applicant is proposing the following components to their project:

1. Paint / pressure wash exterior of the house;
2. Replace front porch bead board ceiling;
3. Install a new wood railing on both front porches;
4. Install cedar shake siding in the front gable;
5. Repair / replace rotted soffit and fascia with matching material;
6. Repair / replace 3-over-1 wood windows;
7. Repair / replace / remove left front door and replace right front door;
8. Remove side doors and close off openings;
9. Build a deck at the rear of the house; and
10. Re-pour driveway / apron.

Substantial additional interior work is also proposed as part of the project but is not subject to review by the Commission.

The Commission deferred this application allow time for the Applicant to address the concerns of the Staff. The Applicant has subsequently revised their proposed project to only include work on the windows. This revised scope of work is reflected in this revised Staff Report.

Analysis: The following code sections apply to this application:

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

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

- (1) Certificates of Appropriateness: Certificates of appropriateness within this district shall be required as follows:
 - (a) When required:
 - (i) To change the exterior appearance of any portion of a structure within the district, when said change can be seen from the public right-of-way;
 - (b) Type required:
 - (v) The following Type II Certificates of Appropriateness shall be review by the commission and shall be required for any of the following to the extent they are visible from a public street:
 - a. Alterations to any façade of any principal structure; and
- (2) The Compatibility Rule: The compatibility rule is a method of ensuring that alterations to existing structures and the design of proposed new construction are sensitive to and sympathetic toward existing elements of design, proportions, scale, massing, materials, and general character of the contributing buildings in the immediately adjacent environment of the block face. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The elements in question (roof form, architectural trim, etc.) shall match that which predominates on the contributing buildings of the same block face, or where quantifiable (i.e., buildings height and width as measured at front façade, floor height, lot dimensions, etc.), shall be no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same block face." Those elements to which the compatibility rule applies are specified in these regulations by reference to "compatibility rule."

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

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

- (1) Generally: The following building elements and architectural features shall be considered when applying section 16-20.009 of this chapter to the West End Historic District: doors, windows, foundations, finished floor elevations, roofs, roof features, gutters, downspouts, cornices, siding, porches, steps, terraces, dormers, shutters, awnings, gateways, archways, louvres, walls, fences, and gates.
- (2) Building Façades:
 - (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.
- (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.
 - (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.

- (5) Foundations:
- (a) Foundation materials, including infill materials, shall replicate the original materials in size, shape, color, texture and mortar, and shall be installed using construction techniques similar to the original.
 - (b) New foundations shall be of masonry or concrete construction. Other foundation materials are permitted provided they are appropriate to the building on which they are located and in scale, materials and style with adjacent and surrounding buildings.
 - (c) Slab on grade is not permitted.
 - (d) Lattice, painted concrete block, brick or stucco shall be used as infill between foundation masonry piers when infill is otherwise required.
- (8) Decks: Decks shall be constructed to the rear of the structure and shall not extend beyond the sides of the structure. Decks on the corner lots shall be screened with fencing or vegetation to reduce visibility from the public street.
- (9) Porches:
- (a) Architecturally significant porches, including their component features, steps and stoops shall be retained.
 - (b) Replacement porches, steps and stoops shall match the original in size, style and materials. All front porch steps shall have closed risers and ends.
 - (c) Porches may be enclosed with screen wire or glass provided that the main characteristics of a front porch are maintained.
 - (d) New or replacement porches shall contain balustrades, columns and other features consistent with the architectural style of the house or other original porches in that block. The height of the top rail shall be no more than 33 inches above the finish porch floor, except as required by the City's building code.
- (12) Paved Surfaces:
- (a) The original layout, patterns and paving materials of sidewalks, driveways, alleyways, curbs and streets shall be retained. The design and material of new replacement paving materials shall be subject to the compatibility rule.
 - (b) The design and material of new paved surfaces areas, other than those specified in subsection (a) above, including driveways, walkways, and patios, or portions thereof, shall be subject to the compatibility rule.
 - (c) New driveways shall not exceed a width of ten feet not including the flare at the street.
- (13) Off-Street Parking Requirements:
- (a) Off-street parking shall not be permitted in the front yard or half-depth front yard.
 - (b) Carports and garages shall be behind the rear of the main structure. If the main structure is located on a corner lot, the front yard setback for that side street shall apply to the construction of a carport or garage.
 - (c) The use of alleys for access to such parking is permitted. No variance is required for driveways accessed from an alley.
- (16) Ornaments:
- (a) Architecturally significant ornaments, such as corner boards, cornices, brackets, downspouts, railings, columns, steps, doors and window moldings, shall be retained.
 - (b) Replacement ornaments shall be permitted only when originals cannot be rehabilitated.
 - (c) Installation of new ornaments, where none previously existed, shall be permitted only when it is in accordance with the architectural style of the original structure.

Paint / pressure wash exterior of the house.

The Staff does have concerns about this component of the project as the primary exterior material for the house is brick. The Staff would recommend that no un-painted masonry surfaces be painted.

As this has been removed from the scope of the project, the Staff does not have any comments on this action. The Staff would recommend, however, that the final plans / supporting documentation eliminate this action from the project scope.

Replace front porch bead board ceiling.

Based on the photographs provided with the submission, the Staff finds the front porch ceiling does not need to be replaced, but rather properly scraped, prepped and re-painted. The Staff would recommend the front porch ceiling be retained and repaired in-kind as necessary.

As this has been removed from the scope of the project, the Staff does not have any comments on this action. The Staff would recommend, however, that the final plans / supporting documentation eliminate this action from the project scope.

Install a new wood railing on both front porches.

The original District inventory photograph shows open front porches with no railing or knee wall of any type. Given the height of the front porch floors above the surrounding grade (about 2 ft. or less), the Staff finds that the original design of the front porches likely did not have any railing.

The District regulations allow for front porch features that are “consistent with the architectural style of the house or other original porches in that block” and in which “the height of the top rail shall be no more than 33 inches above the finish porch floor, except as required by the City's building code.” Given the height of the front porch floors above the surrounding grade, it is likely that there would be no requirement for a true safety rail.

The Staff would recommend that the Applicant provide more information (including a detailed graphic) of the proposed front porch railings and such railings meet all of the District regulations.

As this has been removed from the scope of the project, the Staff does not have any comments on this action. The Staff would recommend, however, that the final plans / supporting documentation eliminate this action from the project scope.

Install cedar shake siding in the front gable.

Currently, there is diamond shaped asphalt shingles in the gable face. It is not clear what is underneath the shingles, if anything. In almost all cases, the Staff finds that cedar shingles in gable faces do not meet the District regulations as gable faces were usually sheathed with wood siding. The Staff would recommend the asphalt shingles in the front gable face be removed, the Applicant document the original sheathing material for the front gable face, retain any salvageable original sheathing material, and if necessary install new sheathing that is similar to that original material.

As this has been removed from the scope of the project, the Staff does not have any comments on this action. The Staff would recommend, however, that the final plans / supporting documentation eliminate this action from the project scope.

Repair / replace rotted soffit and fascia with matching material.

Based on the photographs provided with the submission, the Staff finds the soffits and fascia do not need to be replaced. The Staff would recommend the soffit and fascia be retained and repaired in-kind as necessary.

As this has been removed from the scope of the project, the Staff does not have any comments on this action. The Staff would recommend, however, that the final plans / supporting documentation eliminate this action from the project scope.

Repair / replace 3-over-1 wood windows.

Based on the photographs provided with the submission, the Staff finds that only one or two of the windows on the house need to be replaced. The Staff would recommend the Applicant provide a complete photographic window inventory identifying the location and condition of each window. The Staff would further recommend that based on the window inventory, only those windows which cannot be repaired be replaced and be replaced in-kind as to material, design, function, light pattern, size, construction technique, and proportions.

In the revised scope of work, the Applicant noted that the following about the windows: “They aren't functioning, they aren't energy efficient and the old paint is lead paint.” No additional photographs or specific information was provided about the windows. The Staff would retain its previous recommendation.

Repair / replace / remove left front door and replace right front door.

The submitted materials include inconsistent actions for the left front door. The narrative notes removal of the front left door and opening, while the plans indicate it remaining. Further, the submission is not clear that if the opening were to remain, what would happen to the left front door itself. Lastly, the actions related to the right front door are unclear as well. The Staff finds that likely both front door openings are original to the house and that both front doors are likely original to the house, given their material and design.

The Staff would recommend that both front door openings and front doors be retained, and if necessary repaired in kind.

As this has been removed from the scope of the project, the Staff does not have any comments on this action. The Staff would recommend, however, that the final plans / supporting documentation eliminate this action from the project scope.

Remove side doors and close off openings.

Similar to the front door circumstances, the Staff finds that these too are original openings – one for each unit of the duplex. In this case though, the Staff also finds that the side doors themselves are not original or historic to the building and could be replaced with new, compatible doors. The District regulations only allow for an original window opening to be blocked and/or reduced in size is to accommodate a bathroom or kitchen situation. In the revised floor plan, neither of the door opening locations are in a kitchen or bathroom. The Staff would recommend the side door openings are retained and new, compatible side doors be installed in those same openings.

As this has been removed from the scope of the project, the Staff does not have any comments on this action. The Staff would recommend, however, that the final plans / supporting documentation eliminate this action from the project scope.

Build a deck at the rear of the house.

The District regulations allow for rear decks that are constructed to the rear of the structure and that do not extend beyond the sides of the structure. Further, the underlying zoning (R-4A) requires a seven (7) ft. side yard setback and a 15 ft. rear yard setback. Both of these distances are met by the proposed deck. However, while the proposed deck is shown on the floor plan it is not shown on the site plan. The Staff would recommend the deck be shown on the proposed site plan.

As this has been removed from the scope of the project, the Staff does not have any comments on this action. The Staff would recommend, however, that the final plans / supporting documentation eliminate this action from the project scope.

Re-pour driveway / apron.

At this time, the existing driveway does not extend 20 ft. beyond the front façade of the house. The Staff would recommend that if the driveway is replaced, it extend at least 20 ft. beyond the front façade of the house and be no more than 10 ft. wide. Further, the Staff would recommend the proposed driveway be shown in the proposed site plan.

As this has been removed from the scope of the project, the Staff does not have any comments on this action. The Staff would recommend, however, that the final plans / supporting documentation eliminate this action from the project scope.

Staff Recommendation: Based upon the following:

- a) The revised scope of work meet the regulations, with the exceptions noted in the above analysis, per Section 16-20G.006.*

Staff recommends *approval* of the application for an application for Type II Certificate of Appropriateness (CA2-16-351) for alterations and window/door replacement at **661 Lawton Street** - Property is zoned R-4A/West End Historic District, *with the following conditions:*

1. The Applicant shall provide a complete photographic window inventory identifying the location and condition of each window, per Section 16-20G.006(3)(a)-(e);
2. Based on the window inventory, only those windows which cannot be repaired shall be replaced and shall be replaced in-kind as to material, design, function, light pattern, size, construction technique, and proportions, per Section 16-20G.006(3)(a)-(e);
3. *The final plans / supporting documentation shall only include actions related to the windows, all other previously included actions shall be eliminated from the final plan / supporting documentation, and no other work that effects the exterior of the house or site shall be undertaken at the property without the proper certificate of appropriateness or building permit being issued; and*
4. *The Staff shall review, and if appropriate approve, the final plans and supporting documentation.*