



CITY OF ATLANTA

TIME KEANE
Commissioner

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

OFFICE OF DESIGN

STAFF REPORT December 14, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-509) for a new accessory structure at **678 Lexington Avenue** - Property is zoned R-4A / Adair Park Historic District (Subarea 1) / Beltline.

Applicant: Alysa Stafford
678 Lexington Avenue

Facts: According to the District inventory sheet this house is considered contributing to the District and was built in 1922. It is located on the south side of Lexington Avenue. The Applicant proposes to install a new accessory structure in the rear yard. No other work is proposed at this time.

Analysis: The following code sections apply to this application:

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

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

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

- (7) Wherever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.
- (8) Considerations on proposed moving of structures, in whole or in part, shall include the effect on the neighborhood from which the move is made. In general, where the structure forms a significant part of a complex of similarly meritorious buildings, preference shall be given to relocation on a site elsewhere in the district. Where the structure does not form part of such a complex, preference shall be given to removal to a location in which the addition will reinforce existing complexes of buildings of significant historic, architectural and/or cultural character.

Sec. 16-20I.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:
 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;
4. Architectural Standards:
 - h. Accessory structures: Accessory structures, such as carriage houses, smoke houses, greenhouses, tenant and alley houses, private garages, carports, electric vehicle charging stations equipped with Level 1 and/or Level 2 EVSE, air conditioners and heating units, can be located to the side or rear of the main structure within the buildable area of the lot and shall not project beyond the front of the main structure. In addition, said structures shall be located in the least visible location within permissible areas. Screening with appropriate plant or fence materials is required if said structure is visible from the public right-of-way.

The proposed shed is located in the rear yard, conforms to the rear and side yard setback requirements, and does not project beyond the front façade of the main structure. Further, it is located in the least visible location possible as it is in the middle of the rear portion of the rear yard.

Though not specifically required by the District regulations, the Staff would suggest the proposed shed have a simple gable roof to increase its compatibility with the District.

Staff Recommendation: Based upon the following:

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

Staff recommends approval of the application for a Type III Certificate of Appropriateness (CA3-16-509) for a new accessory structure at **678 Lexington Avenue** - Property is zoned R-4A / Adair Park Historic District (Subarea 1) / Beltline.



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OFFICE OF DESIGN

STAFF REPORT December 14, 2016

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-16-511) for window replacement and a revision to plans at **943 White St.** Property is zoned R-4A / West End Historic District / Beltline.

Applicant: Mario Mcmichael
681 Mt. Zion Rd. J-2, Jonesboro

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

At the November 23, 2016 Commission meeting, the Commission approved application CA2-16-418 for alterations with the following conditions:

1. The Applicant shall clarify the extent of the porch flooring which was replaced, per Sec. 16-20G.006(2)(d);
2. The original four over one double hung windows shall be retained and repaired in-kind, per Sec. 16-20G.006(3)(a); and,
3. Staff shall review and if appropriate, approve the final plans and documentation.

In December of 2015 Staff Reviewed and approved application CA2S-15-477 for a deck addition to the rear of the property.

In June of 2016 Staff reviewed application CA2S-16-296 for a fence, paving, and the replacement of windows on the rear façade of the structure.

Staff was notified in June of 2016 that two windows on the rear of the left side façade. The property was visited by an Inspector from the Office of Buildings who confirmed this violation. The current application is to correct this violation and for the addition of steps on the front façade/porch.

Analysis: The following Code sections apply to this application:

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

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

- (1) *Certificates of Appropriateness*: Certificates of appropriateness within this district shall be required as follows:
 - (b) *Type required*:
 - (v) The following Type II Certificates of Appropriateness shall be review by the commission and shall be required for any of the following to the extent they are visible from a public street:
 - a. Alterations to any façade of any principal structure; and
 - b. All site work, except as noted in Section 16-20G.005(b)(4).
- (2) *The Compatibility Rule*: The compatibility rule is a method of ensuring that alterations to existing structures and the design of proposed new construction are sensitive to and sympathetic toward existing elements of design, proportions, scale, massing, materials, and general character of the contributing buildings in the immediately adjacent environment of the block face. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The elements in question (roof form, architectural trim, etc.) shall match that which predominates on the contributing buildings of the same block face, or where quantifiable (i.e., buildings height and width as measured at front façade, floor height, lot dimensions, etc.), shall be no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same block face." Those elements to which the compatibility rule applies are specified in these regulations by reference to "compatibility rule."

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

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

- (1) *Generally*: The following building elements and architectural features shall be considered when applying section 16-20.009 of this chapter to the West End Historic District: doors, windows, foundations, finished floor elevations, roofs, roof features, gutters, downspouts, cornices, siding, porches, steps, terraces, dormers, shutters, awnings, gateways, archways, louvres, walls, fences, and gates.
- (3) *Windows and Doors*:
 - (a) Architecturally significant windows and doors, including details, trimwork, and framing, shall be retained.
 - (b) Original window and door openings shall not be blocked or enclosed, in whole or in part.
 - (c) Replacement windows and doors shall be permitted only when originals cannot be rehabilitated. Replacement windows and doors shall match the original in style, materials, shape and size, with no more than a one-inch width or height difference from the original size. The use of simulated divided lite windows is permitted.
 - (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.
- (6) *Chimneys*:
 - (a) Chimneys shall match original materials, mortar, color and pattern whenever possible.
 - (b) New chimneys shall be faced with brick or stucco.
 - (c) Siding on chimneys is prohibited.
 - (d) When any portion of a chimney is visible from a public street as a façade element, the chimney shall originate at grade.

- (7) *Roofs:*
 - (a) Replacement roofing materials shall be of the same size, texture and material as existing, exposed roofing materials when the existing, exposed roofing materials constitute a significant architectural feature of the structure.
 - (b) Cold-rolled roofing is permitted only on flat roofs. Corrugated metal and corrugated fiberglass roofs are not permitted.
 - (c) The use of synthetic roofing materials is permitted if not visibly distinguishable from the original as viewed from the public street.
 - (d) The shape and pitch of roofs for new construction shall be subject to the compatibility rule.
 - (e) Skylights, solar panels and communication equipment, when otherwise allowed by these or other regulations, are permitted on roofs of buildings provided they are not visible from any public right-of-way.
- (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.
- (15) *Retaining Walls:*
 - (a) The height of existing retaining walls located adjacent to a public right-of-way shall be maintained. New or replacement retaining walls shall be constructed of or faced with concrete stucco, natural stone or brick.
 - (b) The height and materials of retaining walls located in the side or rear yards shall not be restricted. Concrete block may be used, provided a veneer of stone, brick, or concrete stucco is applied.

The Applicant is proposing to replace two original four over one windows on the rear portion of the left side façade with one over one wood windows. According to the Applicant, these windows were broken in a burglary of the property. No police report or photographic documentation regarding this burglary has been received. Regardless, the original windows are likely no longer on site, Staff finds the requirement of their retention infeasible. As a result, Staff recommends the two replacement windows contain lite division patterns matching the original windows. If simulated divided lite windows are used, Staff recommends the muntins be integral to the sash and permanently affixed to the exterior face of glass.

The second alteration proposed by the Applicant is the addition of new stairs at the front base of the house. No information regarding the location of these proposed stairs has been received. Since such an alteration could have a considerable effect on the character of the structure as seen

from the street, Staff finds the current proposal does not contain sufficient information for a proper review. As such, Staff recommends the Applicant provide elevations detailing the location of the proposed steps on the front façade.

CA2-16-551:

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 an Application for a Type II Certificate of Appropriateness (CA2-16-511) for window replacement and a revision to plans at **943 White St.** to allow the Applicant time to address the following concerns of Staff:

1. The two replacement windows shall contain lite division patterns matching the original windows, per Sec. 16-20G.006(3)(c);
2. If simulated divided lite windows are used, the muntins shall be integral to the sash and permanently affixed to the exterior face of glass, per Sec. 16-20G.006(3)(d);
3. The Applicant provide elevations detailing the location of the proposed steps on the front façade, per Sec. 16-20G.005(1);
4. Updated materials shall be submitted no less than 8 days before the deferred meeting date.



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OFFICE OF DESIGN

STAFF REPORT December 14, 2016

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-16-515) for alterations and site work at **805 Joseph E Lowery Blvd.** Property is zoned R-4A / West End Historic District / Beltline.

Applicant: Mario Mcmichael
681 Mt. Zion Rd. J-2, Jonesboro

Facts: This existing single family residence was constructed between 1922 to 1923 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:
 - (a) *When required:*
 - (i) To change the exterior appearance of any portion of a structure within the district, when said change can be seen from the public right-of-way;
 - (b) *Type required:*
 - (v) The following Type II Certificates of Appropriateness shall be review by the commission and shall be required for any of the following to the extent they are visible from a public street:
 - a. Alterations to any façade of any principal structure; and
 - b. All site work, except as noted in Section 16-20G.005(b)(4).

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

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

- (1) *Generally:* The following building elements and architectural features shall be considered when applying section 16-20.009 of this chapter to the West End Historic District: doors, windows, foundations, finished floor elevations, roofs, roof features, gutters, downspouts, cornices, siding, porches, steps, terraces, dormers, shutters, awnings, gateways, archways, louvres, walls, fences, and gates.
- (3) *Windows and Doors:*
 - (a) Architecturally significant windows and doors, including details, trimwork, and framing, shall be retained.
 - (b) Original window and door openings shall not be blocked or enclosed, in whole or in part.
 - (c) Replacement windows and doors shall be permitted only when originals cannot be rehabilitated. Replacement windows and doors shall match the original in style, materials, shape and size, with no

more than a one-inch width or height difference from the original size. The use of simulated divided lite windows is permitted.

- (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.
- (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.
- (7) *Roofs:*
- (a) Replacement roofing materials shall be of the same size, texture and material as existing, exposed roofing materials when the existing, exposed roofing materials constitute a significant architectural feature of the structure.
 - (b) Cold-rolled roofing is permitted only on flat roofs. Corrugated metal and corrugated fiberglass roofs are not permitted.
 - (c) The use of synthetic roofing materials is permitted if not visibly distinguishable from the original as viewed from the public street.
 - (d) The shape and pitch of roofs for new construction shall be subject to the compatibility rule.
 - (e) Skylights, solar panels and communication equipment, when otherwise allowed by these or other regulations, are permitted on roofs of buildings provided they are not visible from any public right-of-way.
- (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.
- (15) *Retaining Walls:*
- (a) The height of existing retaining walls located adjacent to a public right-of-way shall be maintained. New or replacement retaining walls shall be constructed of or faced with concrete stucco, natural stone or brick.
 - (b) The height and materials of retaining walls located in the side or rear yards shall not be restricted. Concrete block may be used, provided a veneer of stone, brick, or concrete stucco is applied.

Site work

The Applicants scope of work mentions a brick wall and driveway work. No site plan showing this work has been received. Staff finds that there is not sufficient information to review the proposed changes. As such, Staff recommends the Applicant submit a properly scaled site plan showing the proposed brick wall and driveway improvements. Further, Staff recommends the brick wall and driveway meet the District regulations.

Windows

The Applicant's scope of work mentions "renovations to front windows" but the submitted plans do not detail the plans for the windows on the front façade of the structure. Staff finds that there is not sufficient information to review the proposed changes. Staff recommends the Applicant clarify the work proposed on the front façade windows.

Porch

The Applicant is proposing to replace the existing front porch railing. No information regarding the need for the front porch railing to be replaced as opposed to repaired has been received. Staff finds that there is not sufficient information to review the proposed changes. As such, Staff recommends the Applicant provide information detailing the need for the front porch railing to be replaced as opposed to repaired.

Rear foundation

The plans indicate the foundation of the rear bump out which partly comprises the rear of the right side façade. Staff recommends the Applicant clarify the plans for the foundation and provide information regarding any replacement of the existing visible foundation material.

Deck

Per the regulations, the proposed deck is placed to the rear of the structure and does not project beyond the side façade of the structure.

CA2-16-515:

Staff Recommendation: Based upon the following:

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

Staff recommends deferral of an Application for a Type II Certificate of Appropriateness (CA2-16-515) for alterations and site work at **805 Joseph E Lowery Blvd.** to allow the Applicant to address the following concerns of Staff:

1. The Applicant shall submit a properly scaled site plan showing the proposed brick wall and driveway improvements, per Sec. 16-20G.006(12);
2. The brick wall and driveway shall meet the District regulations, per Sec. 16-20G.006(15);
3. The Applicant shall clarify the work proposed on the front façade windows, per Sec. 16-20G.006(3);
4. The Applicant shall provide information detailing the need for the front porch railing to be replaced as opposed to repaired, per Sec. 16-20G.006(9);
5. All updated materials shall be submitted no less than 8 days before the scheduled meeting date.



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KASIM REED
MAYOR

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STAFF REPORT

December 14, 2016

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-15-520) for alterations at **2696 Baker Ridge Drive**- Property is zoned R-4/Collier Heights Historic District.

Applicant: John Sweeney
1426 Gold Link Drive

Facts: According to the District inventory sheet, this single family “American Small House” was built in 1948 and is considered contributing to the District. The 2008 and 2012 (no difference was observed in 2013) photographs show the house with much of its original fabric and components, including the symmetrical front façade with paired windows (wood, double hung, six-over-six) flanking a central door, asbestos siding, no front eaves, and small side porch / sun room on the rear, left hand corner of the house.

At some point prior to the District’s designation, a shed roof enclosure was added in front of the side porch / sun room and a rear addition was built. At some point after the District’s designation, extensive alterations were begun on the house without building permits, including complete demolition on the interior of the house (which is not subject to review by the Commission, but does require a building permit), removal of all the windows and the installation of six-over-six vinyl windows in the original openings, removal of the front porch stoop columns, installation of a new front stoop railing, installation of new exterior doors (including the front door), and creation of a side porch from the previous enclosure.

At this time, the Applicant is requesting approval of the removal of all the six-over-six vinyl windows and installation of wood six-over-six windows in the original openings, removal of the asbestos (i.e. “concrete”) siding and repair of the original wood siding, installation of wood siding on the previous rear addition, and reroofing of the house.

The District regulations only address alterations to the front and side facades of a house on an interior lots, therefore Staff will only make comments regarding the front and side facades.

Analysis: The following code sections apply to this application:

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

The following general regulations shall apply to all properties located within the Collier Heights Historic District.

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

The following general regulations shall apply to the Collier Heights Historic District.

(1) General criteria.

- a. Except as otherwise provided herein, the procedures for determining the appropriate type of certificate of appropriateness shall be those specified in section 16-20.008 of the Zoning Code.
- b. In the Collier Heights Historic District, the Commission shall apply the standards referenced below only if the standards set forth elsewhere in this Chapter 20Q do not specifically address the application including but not limited to multifamily residential, institutional, commercial and mixed use structures:
 - 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. Distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall not be removed.
 - 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 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.

(2) Certificates of appropriateness. Certificates of appropriateness within this district shall be required as follows:

- (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.
- (c) The following work requires a certificate of appropriateness:
 - (i) To alter the front or side façades and front or side roof planes of a structure;
- (d) Type required.
 - (i) Except as otherwise provided herein, the procedures for determining the appropriate type of certificate of appropriateness shall be those specified in section 16-20.008 of the Code of Ordinances.
 - (ii) Notwithstanding any other provision herein, no certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
- (iv) The following shall require a Type II certificates of appropriateness which shall be reviewed by the director of the commission:
 - (f) Replacement of non-original, non-historic or missing elements with elements that otherwise meet the regulations, including but not limited to siding, windows, porch railings, porch columns, porch flooring and exterior doors;
 - (g) Replacement or renovation of the following original or historic elements with elements that otherwise meet the regulations: porch elements, windows, siding and exterior doors; and
- (v) The following shall require a Type II certificates of appropriateness which shall be reviewed by the commission:
 - (a) To alter a principal structure, except as noted in section I6-20Q.005 (2)(d)(iv);
 - (b) Revisions to Type II certificate of appropriateness applications previously approved, conditionally or otherwise, by the commission; and

- (c) All site work, except as noted in section 16-20Q.005(1)(b)(iv).
- (vi) The following shall require a Type III certificates of appropriateness which shall be reviewed by the commission:
 - (a) All new principal structures;
 - (b) Additions to principal structure;
- (3) The compatibility rule. In general, the intent of the regulations and guidelines is to ensure that alterations to existing structures and new construction are compatible with the design, proportions, scale, massing, and general character of the contributing buildings in the immediately adjacent environment of the block face, the entire block, or the district as a whole. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The element in question (i.e. roof form, architectural trim, façade material, window type and material, etc.) shall match that which predominates on the contributing buildings of the same architectural style and like use on that block face or, where quantifiable (i.e., buildings height, setbacks, lot dimensions, etc.), no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same architectural style and like use on that block face."
 - (a) For the purposes of the compatibility rule, height and width shall be measured at the front façade.
 - (b) Those elements to which the rule applies are noted in the regulations by a reference to the "compatibility rule."
 - (c) When no structure exists on a block face that would qualify as a comparable structure under the compatibility rule, the comparisons shall be made to a qualifying structure(s) on the block, and if no such structure exists on the block, the comparison shall be made to a qualifying structure(s) on an adjacent block race or block, and if no such structure exists on an adjacent block face or block, the comparison shall be made to a qualifying structure(s) located in the district.

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

In addition to the general regulations set forth in section 16-20Q.005, and any other applicable regulations, the following regulations shall apply to all properties in the District:

- (1) Building façades, materials, and massing.
 - (b) Front, side and rear yard setbacks for all new principal structures shall be subject to the compatibility rule. The front and rear yard setbacks of additions shall be subject to the compatibility rule. The side yard setbacks of additions shall not be subject to the compatibility rule but shall be no closer than the side yard setbacks of the existing principal structure.
 - (e) The compatibility rule shall apply to the overall design, size, scale, massing and width of new principal structures and additions.
 - (g) The compatibility rule shall apply to all building façade materials on all façades, and in addition to all other applicable regulations, as follows:
 - (h) The presence and dimensions of the exposed face of lap siding and wood shingles.
 - (i) The presence and type of brick and pattern of brickwork.
- (2) Windows and doors.
 - (a) Original or historic windows and exterior doors shall be retained.
 - (b) Replacement windows or exterior doors shall be permitted only when the original or historic windows and exterior doors cannot be rehabilitated.
 - (c) If original or historic windows or exterior doors cannot be rehabilitated, replacement windows and doors shall match the original or historic in light design, function, materials, shape, and size.
 - (d) Replacement windows and doors for non-original or non-historic windows and doors shall be compatible with the architectural style of the structure or shall be subject to the compatibility rule.
 - (e) On existing principal structures, new doors and windows in new openings, when permitted, shall be compatible in scale, size, proportion, placement and style to existing windows and doors.
 - (f) On the front and side façades of new principal structures and additions, the ratio of openings to solid; the scale, size, proportion, and location of all openings; and the design, light patterns, and material of windows and doors shall be established by the compatibility rule.
- (10) Porches and stoops.
 - (a) Original or historic porches or stoops, including their component features shall be retained.
 - (b) Replacement porches or stoops or their component features shall be permitted only when the original or historic porch or stoop or their component feature(s) cannot be rehabilitated.
 - (c) If the original or historic porch or stoops or their components cannot be rehabilitated, the replacement porch or stoop or their component features shall match the original in shape, size, internal proportions, and materials.
 - (d) Porches or stoops shall be a part of new principal structures or additions based on the compatibility rule and if present the front or side façade shall contain railings and decorative features consistent with the architectural style of the principal structure or shall be subject to the compatibility rule.
 - (e) Porches may be enclosed with screen wire or glass if the character defining features of the porch are maintained.

- (21) Design criteria for alterations and additions to contributing structures. Alterations and additions to contributing structures requiring a certificate of appropriateness shall be consistent with and reinforce the historic architectural character of the entire existing contributing structure, shall comply with the applicable regulations for in subsection 16-20Q.006; and shall 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 shall be compatible with the massing, size, scale and architectural features of the property and environment.

The current Applicant is responsible for all work undertaken on the property since the beginning of the designation process of the District that was not otherwise properly approved by the Commission and permitted by the City of Atlanta. This includes all of the work noted above in the Facts section of this Staff Report.

Windows

Given the original windows were in place at the time of the District's designation, their removal and subsequent replacement with the vinyl windows is subject to review by the Commission vs. the Director.

As the original windows are not on site anymore, the Staff finds that requiring their retention is infeasible at this time. However, the District regulations require that the replacement of any original or historic windows "match the original or historic in light design, function, materials, shape, and size." As such, the proposed six-over-six wood windows could meet the District regulations if more detail is known about them. The Staff would recommend that on the front and side facades, the currently installed vinyl windows be removed, and windows and exterior trim that match the original windows and exterior trim on the house and otherwise meet the District regulations be installed.

Siding Work

The Applicant is proposing to remove the asbestos (i.e. "concrete") siding and repair the original wood siding. The Staff does not have any concerns about this component of the project, but is concerned that due to the covering of the original siding, neglect and water damage, some of the wood siding might have to be replaced. The Staff would recommend that all repairs to the wood siding on the original house be done in kind and any replacement siding be limited to those areas that are visibly damaged or deteriorated and such replacement be in kind. The Staff would further recommend that the new wood siding on the previous rear addition be similar to the wood siding on the original house.

Re-roofing Work

The Staff has no concerns about the proposed roof work.

Side Enclosure / Porch

While the previous side enclosure existed prior to the District's designation, the Staff finds that it was likely not original or historic to the house and thus the retention of the side porch created out of the previous enclosure by the current Applicant would not result in the loss of historic fabric or integrity. However, the retained side porch must meet the District regulations for porches. While the Staff finds that having such side porches does meet the compatibility rule, the specific design of the side porch does not. In other examples on the block face, the predominant form is that of a side facing gable that is either fully integrated into the main, side gable roof form or a secondary, but similarly sloped side facing gable. In this case, the roof could be configured to create a side facing gable that incorporates the existing side facing gable of the original left hand wing on the house.

Further, the side-nailed picket railing does not meet the compatibility rule.

The Staff would recommend the side porch roof and railing be re-constructed / reconfigured to meet the District regulations, including but not limited to creation of a side gable roof form and compatible railing.

Other Un-Permitted, Previous Alterations to the House

While not described in the Applicant's narrative, there are previous alterations that do not meet the District regulations: front porch stoop railing, removal of the front porch stoop columns, and new exterior doors, including the front door.

The Staff would recommend that the existing front stoop railing be replaced with a wood railing that meets the District regulations, including but not limited to the use of butt jointed pickets.

The Staff would recommend that front stoop roof columns are installed that meet the District regulations.

The Staff would recommend that a new exterior doors be installed that meet the District regulations.

The Staff would recommend that except as otherwise modified by the conditions contained herein, all other exterior features and architectural components on the front and side facades of the house that exist as this time be retained and repaired in-kind.

Staff Recommendation: Based upon the following:

(a)The plans do not currently meet the regulations per Section 16-20Q.006, with the exceptions noted above;

Staff recommends approval of the application for a Type II Certificate of Appropriateness (CA2-15-520) for alterations at **2696 Baker Ridge Drive**- Property is zoned R-4/Collier Heights Historic District, with the following conditions:

1. On the front and side facades, the currently installed vinyl windows shall be removed, and windows and exterior trim that match the original windows and exterior trim on the house and otherwise meet the District regulations shall be installed, per Section 16-20Q.006(2)(c) and (21);
2. All repairs to the wood siding on the original house be done in kind and any replacement siding shall be limited to those areas that are visibly damaged or deteriorated and such replacement shall be in kind, per Section 16-20Q.006(1)(h) and (21);
3. The new wood siding on the previous rear addition shall be similar to the wood siding on the original house, per Section 16-20Q.006(1)(h) and (21);
4. The side porch roof and railing shall be re-constructed / reconfigured to meet the District regulations, including but not limited to creation of a side gable roof form and compatible railing, per Section 16-20Q.006(10) and (21);
5. The existing front stoop railing shall be replaced with a wood railing that meets the District regulations, including but not limited to the use of butt jointed pickets, per Section 16-20Q.006(10) and (21);
6. Front stoop roof columns shall be installed that meet the District regulations, per Section 16-20Q.006(10) and (21);
7. New exterior doors shall be installed that meet the District regulations, per Section 16-20Q.006(2) and (21);
8. Except as otherwise modified by the conditions contained herein, all other exterior features and architectural components on the front and side facades of the house that exist as this time shall be retained and repaired in-kind, per Section 16-20Q.006(21); and
9. The Staff shall review and if appropriate, approve the final plans and documentation.



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

TIME KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT December 14, 2016

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-16-523) for alterations and window replacement at **735 Brookline Street** - Property is zoned R-4A / Adair Park Historic District (Subarea 1) / Beltline.

Applicant: Michael Pondiscio

Facts: According to the District inventory sheet this house is considered contributing to the District and was built in 1922. It is located on the north side of Brookline Street. The house has a 2/3 width, projecting front porch with a non-historic, plywood bulkhead / railing and screening.

The Applicant proposes the following actions at this time:

1. Remove the non-historic, plywood bulkhead / railing and install a wood, picket style railing “matched to period design”;
2. Remove the front porch screening; and
3. Remove the vent covers in the front gables and install fixed windows found in the house.

Analysis: The following code sections apply to this application:

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

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

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

features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (7) Wherever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.
- (8) Considerations on proposed moving of structures, in whole or in part, shall include the effect on the neighborhood from which the move is made. In general, where the structure forms a significant part of a complex of similarly meritorious buildings, preference shall be given to relocation on a site elsewhere in the district. Where the structure does not form part of such a complex, preference shall be given to removal to a location in which the addition will reinforce existing complexes of buildings of significant historic, architectural and/or cultural character.

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

Sec. 16-20I.002. - Scope of regulations.

- (a) The existing zoning map and regulations governing all properties within the Adair Park Historic District shall remain in full force and effect. The following zoning regulations shall be overlaid upon, and shall be imposed in addition to, said existing zoning regulations. Whenever the following overlay regulations are at variance with said existing zoning regulations, the following regulations (chapter 20I) shall apply. All other statutes, rules, regulations, ordinances, or other governmentally adopted regulations pertaining to properties within this district shall continue to apply; and any variance between said other regulations and these overlay district regulations (chapter 20I) shall be governed by the interpretation provision set forth in section 16-20.011(c) of the code of ordinances.
- (b) Except when otherwise explicitly provided, the provisions of chapter 20 of this part shall apply to this district.

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;
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.
 - (b) Windows and Doors:
 1. Architecturally significant windows and doors, including details, trimwork, and framing, shall be retained.
 2. Original window and door openings shall not be blocked or enclosed, in whole or in part.
 3. Replacement windows and doors shall be permitted only when originals cannot be rehabilitated. Replacement windows and doors shall match the original in style, materials, shape and size with no more than a one-inch width or height difference from the original size.
 4. Dropped ceilings, when located below the head of a window, shall be sufficiently recessed from the window opening to maintain the original exterior appearance.
 5. New doors and windows, when permitted, shall be compatible in scale, size, proportion, placement, and style to existing windows and doors.

6. The ratio of openings to solid for all new construction (for example, windows to wall) shall be established by the compatibility rule, with a permitted differential of ten (10) percent.
 7. The scale, size, and proportion of all openings in new construction shall be established by the compatibility rule with a permitted differential of ten (10) percent.
 8. New windows or doors added to existing structures shall be located on sides or to the rear of buildings, rather than on the front.
- (c) Foundations:
- (d) Storm doors, storm windows, shutters and awnings:
- (e) Chimneys:
- (f) Roofs:
- (g) Porches:
1. Architecturally significant porches, steps and stoops shall be retained.
 2. Replacement porches, steps and stoops shall match the original in size, style and materials.
1. Porches shall contain balustrades, columns and other features consistent with porches in that block.
- (i.) Fences:
- (k) Ornaments:
1. Architecturally significant ornaments, such as corner boards, cornice, brackets, downspouts, railings, columns, steps, doors and windows moldings, shall be retained.
 2. Replacement ornaments shall be permitted only when originals cannot be rehabilitated.
 3. Installation of new ornaments, where none previously existed, shall be permitted only when it is in accordance with the architectural style of the original structure.

Remove the non-historic, plywood bulkhead / railing and install a wood, picket style railing “matched to period design”.

The Staff has no concerns about the removal of the contemporary plywood bulkhead / railing. Further, it finds that a wood picket railing would be appropriate for this front porch and house. A detail drawing was included in the submission for the front porch railing, but the Staff finds the railing detail doesn't include enough information to confirm the compatibility of the proposed railing, including a two part top rail, square pickets and butt jointed picket attachment. The Staff would recommend the front porch railing detail include more information about the railing design and document its compatibility with the existing house and the District regulations.

Remove the front porch screening.

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

Remove the vent covers in the front gables and install fixed windows found in the house.

The Staff has no concerns about the removal of the contemporary vent covers in the front gables and finds that in general having a small window or windows in the gables would be appropriate. However, it is not clear if the windows found in the house are in fact the windows that were in the front gables. Given the other windows on the house have a multiple light pattern for their upper sash one might expect a similar pattern in the former gable windows. Further, the existing and proposed elevations show a reduction in the height of the opening into which the windows would go, suggesting changes to the framing and the need for siding repair work. Lastly, the proposed elevation shows two paired windows in each gable and it is not clear that there are four identical windows to be installed that would actually fit side by side.

The Staff would recommend the Applicant provide more information and details about the windows found in the house, the existing and proposed openings in the gables, and the compatibility of the proposed design to the existing house.

Staff Recommendation: Based upon the following:

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

Staff recommends approval of the application for an application for a Type II Certificate of Appropriateness (CA2-16-523) for alterations and window replacement at **735 Brookline Street** - Property is zoned R-4A / Adair Park Historic District (Subarea 1) / Beltline, with the following conditions:

1. The front porch railing detail shall include more information about the railing design and shall document its compatibility with the existing house and the District regulations, per Section 16-20I.006(4)(a), (g) and (k);
2. The Applicant shall provide more information and details about the windows found in the house, the existing and proposed openings in the gables, and the compatibility of the proposed design to the existing house, per Section 16-20I.006(4)(a), (b), and (k); and
3. The Staff shall review, and if appropriate, approve the final plans, specifications, and supporting materials.



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KASIM REED
MAYOR

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

TIM KEANE
Commissioner
CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT December 14, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-526) for alterations and additions at **1444 Fairview Rd.** Property is zoned Druid Hills Landmark District.

Applicant: Chris Hamilton
1095 Zonolite Rd.

Facts: This existing single family residence was designed by Neel Reid, constructed in 1914 and is considered contributing to the District.

Analysis: The following Code sections apply to this application:

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

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

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

- (h) Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
 - (i) New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
 - (j) New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
- (2) *Certificates of appropriateness.*
- (a) Except as otherwise provided herein, the procedures for determining the correct type of certificate of appropriateness shall be those specified in section 16-20.008 of the Zoning Ordinance.
 - (b) Notwithstanding any other provision herein, no certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - (g) Type III certificates of appropriateness shall be reviewed and decided by the commission and shall be required for:
 - (ii) All additions to existing principal structures and accessory buildings, including decks.
- (4) *Minimum landscape requirements:* The overall quality of the landscaped area visible from public right-of-ways should be preserved as an integral part of the historic character of the District. Any major alteration to the landscape or topography visible from the public right-of-way in the District shall maintain the general landscaping scale and character reflected in the original development of Druid Hills in order to preserve the historic landscape character of the District. Any major alteration to the landscape or topography visible from the public right-of-way shall:
- (a) Follow the standards set forth in 16-20B.003(1);
 - (b) Be consistent and compatible with the overall landscape plan and design on the property and block;
 - (c) Maintain the spatial organization of an open space in front of the house, asymmetrical plantings on the sides of the principal structure and a rear tree canopy;
 - (d) Not excessively or unnecessarily alter the natural topography of the site, with the exception of grading necessary to protect and preserve the integrity of a structure;
 - (e) Ensure that any new grades shall meet the existing topography in a smooth transition;
 - (f) Retain any existing historic circulation systems, including driveways, walkways and paths;
 - (g) Ensure that any new circulation systems and substantial reconstruction of existing circulation systems is consistent and compatible with the existing circulation systems on the property and block with respect to layout, scale, materials, and topographic siting;
 - (h) Ensure that any off-street parking be constructed of a material which will assure a surface resistant to erosion, have adequate access to a public street and have adequate circulation space; and
 - (i) Comply with the provisions of the City of Atlanta Tree Ordinance with the following exceptions:
 - i. When the removal of trees is permitted by the commission, each tree removed shall be replaced with a tree of an appropriate species having a minimum caliper of two-and-one-half inches; and
 - ii. Taking into account the site density and tree spacing regulations of the City of Atlanta Tree Ordinance, any replacement trees and placement of said trees shall comply with (a)—(g) above.
 - iii. Compliance with (i) above shall not eliminate any additional recompense or tree replacement that otherwise may be required by the City of Atlanta Tree Ordinance.
- (6) *Minimum architectural controls:* Any new construction, additions, renovations or alterations in the District shall maintain the general architectural scale and character reflected in the original development of Druid Hills in order to preserve the historic character of the district and shall follow the standards set forth by section 16-20B.003(1).
- (7) *Fences, walls and retaining walls:* Subject to the provisions of section 16-28.008(5) and the following limitations:
- (a) Fences and walls are not permitted in the front yard, yards adjacent to public streets, or between any principal structure and a public street.
 - (b) Fences and walls not exceeding six feet in height may be erected in the side or rear yard.
 - (c) Fences and walls shall be constructed of vertical iron pickets, brick, stucco, vertical wood pickets, or coated chain link.

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

Porch alteration and addition

The Applicant is proposing to convert an existing screened porch into a sunroom and mudroom. The proposed space retains the main characteristics of the existing porch, namely the columns and railing. The design of the windows on both the sunroom and mudroom are consistent with those on the existing structure. As such, Staff has no concerns with the proposed alteration.

On the rear of the structure, a new screened porch is proposed. The new porch will contain columns and other details similar to those found on original portions of the structure, but with sufficient differentiation on elements such as the columns and trim to allow for accurate historic interpretability. Staff finds this method to be appropriate, and has no concerns with the proposed porch addition.

Dormer and kitchen additions

The Applicant is proposing three hipped dormer additions, two on the side roof planes and one on the front roof plane. To support their request, the Applicant has submitted photographic documentation of Neel Reid designed structures which contain dormers on the front and side façades. While Staff has no concerns with the dormer additions on the side roof planes, Staff is concerned that the new front roof plane dormer will introduce an incompatible element to the house's architectural style. The simple, uninterrupted front facing roof plane is a significant characteristic of the existing house. The addition of a dormer on the front roof plane would add a stark element to that and would create a "stacked" effect to the center of the house given the mimicking of the window pattern from below. Further, the lack of a dormer on the front roof plane was a deliberate decision by the designer. While other Neel Reid designed homes may have dormers on the front façade, Staff finds it would be conjectural to add such an element to the front façade of this structure. Staff recommends the front dormer be eliminated from the design.

A new once story addition is proposed for the left side of the structure and will allow for an extension of the existing kitchen. The new addition will contain ornamentation, such as dentils, matching that of an existing bump out on the left rear of the structure, as well as columns matching the details of the existing side porch columns which will be used in place of corner boards. The addition will be capped with an extension of the existing hipped roof located on the rear bump out. Windows, which are slightly shorter but still proportional and matching the designs of the original windows on the structure, will be placed on the left side façade of the addition. Given that the left side façade of the kitchen addition will be flush with the existing side porch, and that the columns and trim will be sufficiently differentiated to allow for accurate historic interpretation, Staff has no concerns with the proposed addition.

Window, door, and chimney alterations

On the sides and rear of the structure, several sets of windows are proposed which will either be installed in areas currently without windows or in areas where windows which are incompatible

with the existing structure were added in the past. All windows proposed for use will be wood and will contain slight differentiation in the trim to allow for accurate historic interpretation. Staff has no concerns with the proposed window additions.

New doors are proposed on the rear façade to allow access to the proposed rear porch. The doors are similar in design and detail to the windows on the proposed structure. In general, Staff finds the design of the doors appropriate and has no concerns with their use.

The original chimney on the right façade will be raised comply with building code requirements. Staff recommends the brick and mortar for the chimney extension match the color and composition of the existing chimney. The Applicant is also proposing to remove the non-original sided chimney from the rear façade. Staff has no concerns with the removal of this chimney.

Ridgeline alteration

The Applicant is proposing to raise the ridgeline of the rear portion of the principal roof. The extension will allow for greater head height in the proposed attic addition. The alteration will still maintain the “stepped” character of the original roof composition and will be minimally visible from the public right of way. As such, Staff has no concerns with the proposed alteration.

CA3-16-526:

Staff Recommendation: Based upon the following:

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

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-16-526) for alterations and additions at **1444 Fairview Rd.** with the following conditions:

1. The front dormer shall be eliminated from the design, per Sec. 16-20B.003(1)(c);
2. the brick and mortar for the chimney extension match the color and composition of the existing chimney, per Sec. 16-20B.003(1)(i); and,
3. Staff shall review and if appropriate, approve the final plans and documentation.



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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

TIME KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT December 14, 2016

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-16-527) for alterations and site work at **716 Elbert Street** - Property is zoned R-4A / Adair Park Historic District (Subarea 1) / Beltline.

Applicant: Jason McMillian
230 Nacoochee Drive, Woodstock

Facts: According to the District inventory sheet this house is considered contributing to the District and was built in 1921. It is located on the southeast corner of Elbert Street and Mayland Avenue. The house has a full width front porch with brick railing and a front to back gable roof. Prior to the District's designation, new wood siding was added to the house and appears to have been installed over other layers of siding. At some point after the District's designation, at least some if not all the windows and doors were replaced. Earlier this year, the Staff received complaints about un-permitted work on the property. After a general repair permit was issued, it received further complaints that work was taking place that exceeded the scope of the general repair permit.

The Applicant proposes the following actions at this time:

1. Repair existing windows and replace broken window panes;
2. Repair existing siding and replace any un-repairable siding with siding that has the same material and design as the existing;
3. Repair existing trim and replace any un-repairable trim with trim that has the same material and design as the existing;
4. Repair front porch foundation with matching masonry material;
5. Replace front door with wood, Craftsman-style door;
6. Replace asphalt shingle siding in front gable with cedar shake siding;
7. Paint exterior of the house; and
8. Install a 6 ft. high privacy fence / wall along the Mayland Avenue side of the property.

Based on the photographs provided with the application, the Staff finds the following exterior work has already occurred at the property:

1. Complete removal of at least the left hand section of the front porch floor and brick railing;
2. Removal of the left hand front porch column; and

3. Removal of the brick front porch stairs and cheek walls and their replacement with a wider set of concrete stairs.

Analysis: The following code sections apply to this application:

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

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

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

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

Sec. 16-20I.002. - Scope of regulations.

- (a) The existing zoning map and regulations governing all properties within the Adair Park Historic District shall remain in full force and effect. The following zoning regulations shall be overlaid upon, and shall be imposed in addition to, said existing zoning regulations. Whenever the following overlay regulations are at variance with said existing zoning regulations, the following regulations (chapter 20I) shall apply. All other statutes, rules, regulations, ordinances, or other governmentally adopted regulations pertaining to properties within this district shall continue to apply; and any variance between said other regulations and these overlay district regulations (chapter 20I) shall be governed by the interpretation provision set forth in section 16-20.011(c) of the code of ordinances.
- (b) Except when otherwise explicitly provided, the provisions of chapter 20 of this part shall apply to this district.

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;
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.
 - (b) Windows and Doors:
 1. Architecturally significant windows and doors, including details, trimwork, and framing, shall be retained.
 2. Original window and door openings shall not be blocked or enclosed, in whole or in part.
 3. Replacement windows and doors shall be permitted only when originals cannot be rehabilitated. Replacement windows and doors shall match the original in style, materials, shape and size with no more than a one-inch width or height difference from the original size.
 4. Dropped ceilings, when located below the head of a window, shall be sufficiently recessed from the window opening to maintain the original exterior appearance.
 5. New doors and windows, when permitted, shall be compatible in scale, size, proportion, placement, and style to existing windows and doors.
 6. The ratio of openings to solid for all new construction (for example, windows to wall) shall be established by the compatibility rule, with a permitted differential of ten (10) percent.
 7. The scale, size, and proportion of all openings in new construction shall be established by the compatibility rule with a permitted differential of ten (10) percent.
 8. New windows or doors added to existing structures shall be located on sides or to the rear of buildings, rather than on the front.
 - (c) Foundations:
 - (d) Storm doors, storm windows, shutters and awnings:
 - (e) Chimneys:
 - (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.
 - (g) Porches:
 1. Architecturally significant porches, steps and stoops shall be retained.
 2. Replacement porches, steps and stoops shall match the original in size, style and materials.
 4. Porches shall contain balustrades, columns and other features consistent with porches in that block.
 - (i.) Fences: Fences shall be fabricated of brick, cast iron, wrought iron, stone and wood pickets. Fence lines shall follow the property line. Fences shall not obscure the front façade of the building. Chain link type of fencing shall be located to the rear of the lot and shall not extend beyond the front façade of the main structure into the front yard.
 - (k) Ornaments:
 1. Architecturally significant ornaments, such as corner boards, cornice, brackets, downspouts, railings, columns, steps, doors and windows moldings, shall be retained.
 2. Replacement ornaments shall be permitted only when originals cannot be rehabilitated.
 3. Installation of new ornaments, where none previously existed, shall be permitted only when it is in accordance with the architectural style of the original structure.

Repair existing windows and replace broken window panes.

While the Staff has no concerns about the replacement of broken window panes, it is not clear what the rest of the repairs will consist of and on which windows the repairs will take place. If the repair work will be done on any remaining original or historic windows that work must be done in kind. The Staff would recommend that no original or historic windows are replaced, any repair work on original or historic windows be done in-kind and repair work on any non-original or non-historic windows meets the District regulations.

Repair existing siding and replace any un-repairable siding with siding that has the same material and design as the existing.

In the submission, the Applicant provided some photographs of some damage to the existing siding, but the Staff finds that this would only be in selected areas and on a limited basis. The Staff would recommend the Applicant provide more information about the location and amount of siding to be repaired and/or replaced.

Repair existing trim and replace any un-repairable trim with trim that has the same material and design as the existing.

In the submission, the Applicant provided some photographs of some damage to the existing trim, but the Staff finds that this would only be in selected areas and on a limited basis. The Staff would recommend the Applicant provide more information about the location and amount of trim to be repaired and/or replaced.

Repair front porch foundation with matching masonry material

(Complete removal of at least the left hand section of the front porch floor and brick railing).

(Removal of the left hand front porch column.)

(Removal of the brick front porch stairs and cheek walls and their replacement with a wider set of concrete stairs.)

The most significant work proposed and the most significant work already underway involves the front porch. The Staff's understanding of the front porch related work is summarized above. The work that has already been completed removed four components of the house's historic fabric related to the front porch: the concrete floor, the brick railing, the column, and the stairs. The Staff would recommend the front porch floor, column, railing, and stairs be rebuilt to match the previously existing components in material, size, design, location, and relationship to other components of the house.

Replace front door with wood, Craftsman-style door.

The Staff has no concerns about this action item as the existing front door is a non-historic slab front door with a diamond shaped light.

Replace asphalt shingle siding in front gable with cedar shake siding.

It is possible that the asphalt shingle siding is original or at least historic to the house and thus its removal would be effecting the historic fabric of the house. Further, if the removal of the asphalt shingle siding is warranted, its replacement with cedar shake siding is not compatible with the existing house, the District, or the District regulations. The Staff would recommend the Applicant document whether the existing asphalt shingle siding is original or historic to the house. The Staff would further recommend that if the asphalt shingle siding is original or historic to the house it be repaired in-kind and if it is not original or historic to the house, the new siding be wood clapboard siding with the same profile and reveal as the existing wood siding on the house.

Paint exterior of the house.

The Staff has no concerns about this action item as the exterior masonry is already painted on the house.

Install a 6 ft. high privacy fence / wall along the Mayland Avenue side of the property.

Though not mentioned in the District regulations, the height and type of fence is regulated by the underlying zoning (R-4A) which in this case limits fences in the yards along a public street to 4 ft. in height and precludes privacy fences. The Staff would recommend the proposed fence along Mayland Avenue meet the R-4A zoning requirements or the Applicant apply for a variance / special exception from the Board of Zoning Adjustment to construct the currently proposed fence.

Staff Recommendation: Based upon the following:

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

Staff recommends approval of the application for an Application for a Type II Certificate of Appropriateness (CA2-16-527) for alterations and site work at **716 Elbert Street** - Property is zoned R-4A / Adair Park Historic District (Subarea 1) / Beltline, with the following conditions:

1. No original or historic windows shall be replaced, any repair work on original or historic windows shall be done in-kind and repair work on any non-original or non-historic windows shall meet the District regulations, per Section 16-20I.006(4)(b);
2. The Applicant shall provide more information about the location and amount of siding and trim to be repaired and/or replaced, per Section 16-20I.006(4)(a) and (k);
3. The front porch floor, column, railing, and stairs shall be rebuilt to match the previously existing components in material, size, design, location, and relationship to other components of the house, per Section 16-20I.006(4)(g);
4. The Applicant shall document whether the existing asphalt shingle siding is original or historic to the house, per Section 16-20I.006(4)(a) and (k);
5. If the asphalt shingle siding is original or historic to the house it shall be repaired in-kind and if it is not original or historic to the house, the new siding shall be wood clapboard siding with the same profile and reveal as the existing wood siding on the house, per Section 16-20I.006(4)(a) and (k);
6. The proposed fence along Mayland Avenue shall meet the R-4A zoning requirements or the Applicant shall apply for a variance / special exception from the Board of Zoning Adjustment to construct the currently proposed fence;
7. The Staff shall review, and if appropriate, approve the final plans and specifications.



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STAFF REPORT December 14, 2016

Agenda Item: Review and Comment (RC-16-529) for alterations and site work at **1063 North Highland Avenue (Fire Station #19)** - Property is zoned R-4.

Applicant: Thomas Little
675 Ponce de Leon Avenue

Facts: Fire Station #19 is located in the Virginia Highland neighborhood just north of Virginia Avenue. It is one of the oldest operating fire stations in the City of Atlanta and a contributing property to the Virginia Highland neighborhood listing in the National Register of Historic Places. The proposal before the Commission at this time is a comprehensive renovation of the property and site to both retain the property's historic character and modernize the property in terms of occupant comfort, functionality, air handling, energy performance, and storm water management.

The Staff has been extensively involved in the discussions about the proposed renovations.

Analysis: The following code sections apply to this application.

Per Section 6-4043 of the Atlanta City Code:

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

Per Section 16-20.009. Same; further standards.

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

- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (7) Whenever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

The Staff finds that the proposed alterations to the property have been developed according to accepted historic preservation principles, including *The Secretary of the Interior's Standards for Restoration and Standards for Rehabilitation*. This is particularly important in this proposal as there have been previous renovations which have altered and/or replaced historic elements of the building which will be altered again to re-establish that lost historic character. For example, the non-historic and incompatible windows will be replaced with new windows that will re-create the historic appearance, all based on historic documentation. Similarly, the previously removed, distinctive arch over the equipment bay front entrance will be re-created also using historic documentation and physical evidence as the basis for the design.

While the Staff supports the proposed renovations, it does have some comments about some details of the proposed work. First, the Staff would recommend the new fence around the rear perimeter of the property be a metal picket fence (as noted in the narrative) vs. a wood fence (as noted on the side elevation). The Staff finds that given the institutional nature of the property, a wood fence (which typically implies a residential use) isn't appropriate for the property. Further, a metal picket fence would allow more visibility into and out of the property and at the same time reduce its visual presence directly adjacent to the sidewalk.

Second, the Staff would recommend that the new ADA compliance ramp and handrails at the front of the building be contemporary in design so as to not create a false sense of development or time period to its existence.

Third, the Staff would recommend that the program include some form of interpretive signage and information in a publically available location, preferably outside the building. The Staff would note that in addition to a history of the building and its role in the community, this should also include information about the physical evolution of the station, including the current renovation and modernization work.

Lastly, the Staff would recommend that all repair work and replacement work related to historic materials be done in kind to the great extent possible.

In conclusion, the Staff fully supports the proposed alterations and site work improvements to this important City of Atlanta asset and community landmark.

Staff Recommendation: The Staff recommends that the Commission confirm that it has delivered its comments to the Applicant at the Commission meeting regarding Review and Comment (RC-16-529) for alterations and site work at 1063 North Highland Avenue (**Fire Station #19**) - Property is zoned R-4.



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Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-532) for a variance to reduce the left side yard setback from 25 ft. (required) to 19.5 ft. (proposed) and to reduce the right side yard setback from 25 ft. (required) to 10.9 ft (proposed); and (CA3-16-531) for alterations, additions, and site work at **808 Lullwater Rd.** Property is zoned Druid Hills Landmark District.

Applicant: Anthony Rueden
4905 Whispering Pines Way, Cumming

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

Prior to the preparation of this Staff report, Staff determined that due to the scope of work proposed on the accessory structure (namely the replacement and repair of existing porch features) the right side yard setback variance request was requested was unnecessary. As such, Staff will address the left side yard setback variance request only.

Analysis: The following Code sections apply to this application:
Sec. 16-20B.003. - General regulations.

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

- (1) *General standards.* In the Druid Hills Landmark District, the Commission shall apply the following general standards only if the standards set forth elsewhere in this chapter 20B do not specifically address the application:
 - (a) A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
 - (b) The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.
 - (c) Each property shall be recognized as a physical record of its time, place, and use. Changes shall not be undertaken that create a false sense of historical development, such as adding conjectural features or elements from other historic properties.

- (d) Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
 - (e) Distinctive materials, features, finishes, and construction techniques, or examples of craftsmanship that characterize a property, shall be preserved.
 - (f) Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and, where possible, materials.
 - (g) Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
 - (h) Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
 - (i) New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
 - (j) New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
- (2) *Certificates of appropriateness.*
- (a) Except as otherwise provided herein, the procedures for determining the correct type of certificate of appropriateness shall be those specified in section 16-20.008 of the Zoning Ordinance.
 - (g) Type III certificates of appropriateness shall be reviewed and decided by the commission and shall be required for:
 - (i) All new principal structures.
 - (ii) All additions to existing principal structures and accessory buildings, including decks.
 - (iii) All new accessory structures.
 - (iv) Subdivision, aggregation, consolidation or replatting of lots.
 - (v) The conversion of any existing building to a nonresidential permitted principal use or use permitted by special use permit.
- (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).

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

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

- (1) *Permitted principal uses and structures:*
 - a. Single-family dwellings.
 - b. Parks, playgrounds and community buildings owned and operated by a governmental
- (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:
 - 5. West side of Lullwater Road, Ponce de Leon Avenue to city limit:
 - Front yard: 125 feet.
 - Side yards: 25 feet.
 - Rear yards: 100 feet.
- (6) *Maximum height:* No building shall exceed a height of 35 feet.

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

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

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

In their variance request, the Applicant states that the property is 100 ft wide at the street, which is the minimum lot width, and that the existing structure sits over the side yard setback. Staff finds that the placement of the structure over the side yard setbacks is not a unique configuration in the District. Further, Staff finds that the 100 ft minimum lot width is not a hardship. As such, Staff finds that the Applicant has not presented sufficient information to support a hardship. Staff recommends the Applicant provide additional information detailing the hardship presented by the shape or topography of the lot.

Additions

The Applicant is proposing a rear addition on the left side façade of an existing rear bump out. This addition will be faced with brick, and contain windows consistent with those on the existing structure, and two sets of rear french doors. The materials for the proposed windows and doors are not mentioned on the plans. As such, Staff recommends the windows and doors on the proposed addition be made of wood and contain true divided lites. Staff appreciates that the addition has a separate hipped roof from the existing rear bump out to allow for minimal modification of the existing roof structures. In general Staff finds the design of the proposed addition to be compatible with the existing structure, but finds that the new addition lacks differentiation and could be mistaken for an original portion of the house. As such, Staff recommends the proposed addition use control joints to allow for sufficient differentiation from the existing structure.

A new brick chimney is proposed for installation on the left side façade of the proposed structure. The proposed chimney will have a similar design to the existing chimney, but will be tucked behind the principal roof allowing for minimal visibility from the public right of way. As such, Staff has no concerns with the proposed chimney.

A new screened porch is proposed for the rear of the structure and will replace an existing balcony and covered patio area. The porch will extend into the left side yard setback approximately 5 feet. Given Staff's previous comments regarding the variance request, Staff finds this portion of the project cannot be properly reviewed until the variance request has been fully reviewed.

Alterations

On the existing rear façade, the Applicant is proposing to flip the fenestration pattern of the rear entry door and window to accommodate an expanded kitchen. The Applicant is also removing

an existing screened area on the right side façade. Lastly, The Applicant is proposing to replace the door on the existing rear façade balcony with a window. In general, Staff finds the design of the proposed alterations to be appropriate, but suggests the proposed doors and windows on the existing portions of the structure be made of wood and contains true divided lites.

CA3-16-532:

Staff Recommendation: Based upon the following:

- 1) The request does not meet the variance criteria, per Sec. 16-26.003;

Staff recommends deferral of an Application for a Type III Certificate of Appropriateness (CA3-16-532) for a variance to reduce the left side yard setback from 25 ft. (required) to 19.5 ft. (proposed) and to reduce the right side yard setback from 25 ft. (required) to 10.9 ft (proposed) at **808 Lullwater Rd.** to allow the Applicant time to address the following Staff concerns:

1. the Applicant provide additional information detailing the hardship presented by the shape or topography of the lot, Per Sec. 16-26.003;
2. All new materials shall be submitted no less than 8 days before the scheduled meeting date.

CA3-16-531:

Staff Recommendation: Based upon the following:

- 1) The project meets the regulations with the exceptions noted above, per Sec. 16-20B.003;

Staff recommends deferral of an Application for a Type III Certificate of Appropriateness (CA3-16-531) for alterations, additions, and site work at **808 Lullwater Rd.** to allow the Applicant time to address the following Staff concerns:

1. The windows and doors on the proposed addition shall be made of wood and contain true divided lites, per Sec. 16-20B.003(1)(i);
2. The proposed addition shall use control joints to allow for sufficient differentiation from the existing structure, per Sec. 16-20B.003(1)(c);
3. The proposed doors and windows on the existing portions of the structure shall be made of wood and contains true divided lites, per Sec. 16-20B.003(1)(i);
4. Staff shall review and if appropriate, approve the final plans and documentation.



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STAFF REPORT December 14, 2016

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-16-534) for alterations at **381 Kendrick Ave.** Property is zoned R-5 / Grant Park Historic District (Subarea 1) / Beltline.

Applicant: Adam Stillman
350 Sinclair Ave.

Facts: This existing

Analysis: The following Code sections apply to this application:

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

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

(2) *Certificates of Appropriateness.*

(B) Type II Certificates of Appropriateness shall be required for: Minor alterations to those façades of any contributing principal structure that face public streets; fences; walls; accessory structures; decks; and paving. If the proposed alteration meets the requirements of section 16-20K.007, then the director of the commission shall issue the Type II Certificate. If the proposed alteration does not meet the requirements of section 16-20K.007, the director of the commission shall deny the application. Appeals from said decision of the director regarding the issuance and/or denial of Type II Certificates may be taken by any aggrieved person by filing said appeal in the manner prescribed in the appeals section of Chapter 16-20.008(a) for Type I Certificates.

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

(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.*

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.
 11. Any façades that face a public street shall consist of fenestration that is either: 1) substantially consistent with fenestration on contributing structures of like use in the district, or 2) shall be no less than 15 percent and no greater than 40 percent of the total surface wall area. Windows may be individual or grouped. No individual window unit shall exceed 28 square feet. Within each individual window unit, no individual window sash, either fixed or operable, shall exceed 16 square feet.
 15. On those façades of any structure that face a public street, the following regulations on building materials shall apply. Alternate materials may be submitted for review by the commission.
 - c. Siding/veneer: Horizontal lap siding, vinyl siding, aluminum siding, shingles, brick, hard stucco, and stone shall be permitted. Stacked stone is prohibited.
- (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.

The District regulations allow two criteria for reviewing alterations to a contributing structure. Staff finds the first criteria to be appropriate for application on this project.

The Applicant is proposing three alterations to the existing structure. The first alteration consists of the raising of a rear window to accommodate an interior kitchen remodeling. Staff finds the proposed replacement window to be proportional to the design of the existing windows and therefore has no concerns with the propose alteration. The second alteration consists of repairs to the front porch slab. From the pictures provided the existing front porch slab is deteriorated, cracked, and in need of repair. The plans do not mention the replacement of any portion of the slab. If replacement of portions of the slab is warranted Staff recommends the replacement be done in-kind. The third alteration consists of the repointing of the front porch brick. Staff has no general concerns with the proposed work, but suggests that the Applicant consider the use of a mortar of similar color and consistency to the original.

CA2-16-543:

Staff Recommendation: Based upon the following:

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

Staff recommends approval of an Application for a Type II Certificate of Appropriateness (CA2-16-543) for alterations at **381 Kendrick Ave.** with the following conditions:

1. If replacement of portions of the slab is warranted the replacement shall be done in-kind, per Sec. 16-20K.007(15);
2. Staff shall review and if appropriate, approve the final plans and documentation.



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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 December 14, 2016

Agenda Item: Application for Type III Certificates of Appropriateness (CA3-16-535) for partial demolition and rebuilding, and alterations at **528 Irwin Street** - Property is zoned Martin Luther King, Jr. Landmark District (Subarea 2)/Beltline.

Applicant: Angela Win
528 Irwin Street

Facts: The property is located on the northwest corner of Irwin Street and Howell Street, and contains two shotgun houses. The subject of this application is the western of the two shotguns – the house farther away from the street corner. Both houses have previous rear additions, as evidenced by the different roof forms in the rear portions of the houses.

In April, 2015, the Commission approved with several conditions (CA3-15-080-125 and 127) the complete renovation of the eastern most shotgun house, closest to the street corner. This renovation is not related to the subject of this application.

In August, 2015, the Staff approved renovations to the western shotgun (CA2S-15-316) including all of the work shown in the current submission not related to the proposed partial demolition and rebuilding of the rear portion of the structure. This includes all of the alterations to the front and side facades of the house.

In February, 2016, the Staff approved the replacement of the siding on the western shotgun (CA2S-16-073).

Taking into account all of these previous reviews, what is before the Commission at this time is the demolition of what appear to be previous additions to the rear of the western of the two shotguns on the property and the construction of new “additions” that would replicate the appearance of those additions with the exception of the use of cementitious siding (vs. wood siding) for the exterior sheathing.

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.
3. Certificates of Appropriateness.
 - a. General Provisions.
 - i. The procedures for determining the correct type of Certificate of Appropriateness shall be those specified in Section 16-20.008, except as otherwise provided herein.
 - ii. No certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - c. Type III Certificates of Appropriateness. The following Type III Certificates of Appropriateness shall be reviewed by the Commission and shall be required for:
 - i. All new principal structures;
 - ii. Additions;
 - v. Variances, special exceptions and administrative appeals.
 - 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.
8. Time period of historical significance. Where referenced in this chapter, the time period of historical significance for the district shall be the lifetime of Martin Luther King, Jr. (1929-1968).

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

1. The following Lot Controls and Building Heights provisions shall apply to Subareas 1 and 2.
 - a. Lot controls.
 - i. The compatibility rule shall apply for the purposes of determining permitted lot coverage.
 - b. Building heights.
 - iii. For all other areas, the height of any alteration, addition, or new construction shall be established through the compatibility rule.

- iv. Notwithstanding the height requirements of this district, previously existing structures in existence before 1967 but no longer in existence may be reconstructed to their original footprints and height where the applicant shows by archived evidence or sworn affidavit(s), and the commission finds, that such structural dimensions previously existed on the proposed site.

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.
 - 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.

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.
 - b. Fenestration.
 - i. The compatibility rule shall apply to the following aspects of fenestration:
 - (1) The style and material of the individual window or door.
 - (2) The size and shape of individual window and door openings.
 - (3) The overall pattern of fenestration as it relates to the building façade.
 - (4) The use of wood or aluminum for exterior framing, casing, and trim for windows and doors, and the use of wood, aluminum, brick, or stone for bulkheads.
 - ii. Painted glass and reflective glass, or other similarly treated fenestration, are not permitted.
 - iii. Except as otherwise provided in 16-20C.008(2), if muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
- 2. The following Design Standards provisions shall apply to Subareas 1 through 2.
 - a. Windows and Doors.
 - i. Simulated divided light windows or plain sash windows shall be authorized as replacement materials when replacement is warranted, and materials for new construction within these subareas.
 - ii. Windows shall be predominantly vertical in proportion, shall not be constructed in combination of more than two (2) units, and shall be double-hung.
 - b. Front Yard Porches.
 - 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.
 - i. Siding shall exhibit a horizontal, clapboard profile. Siding shall have no less than a four (4) inch reveal and no more than a six (6) inch reveal.

The Staff finds that the central question with this application is whether the partial demolition of the rear portions of the building would require a Type IV Certificate of Appropriateness because the demolition would “result in the loss of significant architectural features that destroys the structure’s historic or cultural interpretability or importance.”

For several reasons the Staff finds that the proposed partial demolition does not meet the standard for requiring a Type IV Certificate of Appropriateness. First, the Staff finds that the partial demolition would affect an addition to the structure, not the original structure. Second, the Staff finds that this addition to the structure was built during a more contemporary time frame given the use of modern 2 in. x 4 in. framing members, modern plywood sheathing and what appears to be a modern slab on grade foundation. Third, even if the portions of the building to be removed were in fact historic or

original to the building, the rebuilding of these components to their previous footprint, height, massing, and design would re-establish the visual composition of the house, including the incremental nature of its development. Fourth, the partial demolition would affect the rear of the structure, which is a portion of a house frequently renovated, added to, and/or otherwise altered.

In conclusion, the Staff finds that the partial demolition and rebuilding will not result in the loss of significant architectural features that would destroy the structure's historic or cultural interpretability or importance

As to the use of cementitious siding for the rebuilt portions of the structure, the Staff finds that given the condition of the siding, such replacement generally meets the District regulations. However, the Staff would recommend that the new cementitious siding have a smooth finish and have the same reveal and similar profile of the existing, original wood siding.

The Staff would further recommend that the new windows and doors meet all of the District regulations, including but not limited to the use of simulated divided light windows.

Other than the two concerns noted above, the Staff finds the proposed additions meet the District regulations, including but not limited to the provisions to re-build previously existing buildings.

Staff Recommendations: Based upon the following:

- a) Except as noted above, the proposed project meets the regulations, except as noted above, per Section 16-20C.004, and .008.

Staff recommends approval of an application for Type III Certificates of Appropriateness (CA3-16-535) for partial demolition and rebuilding, and alterations at **528 Irwin Street** - Property is zoned Martin Luther King, Jr. Landmark District (Subarea 2)/Beltline, with the following conditions:

1. The new cementitious siding shall have a smooth finish and have the same reveal and similar profile of the existing, original wood siding, per Section 26-20C.008(2)(c)(i);
2. The new windows and doors shall meet all of the District regulations, including but not limited to the use of simulated divided light windows, per Section 26-20C.008(1)(b) and (2)(a); and
3. The Staff shall review, and if appropriate approve, the final plans, elevations, and supporting materials.



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KASIM REED
MAYOR

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

TIM KEANE
Commissioner
CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT July 13, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-537) for alterations, additions, and site work at **1272 Fairview Rd.** Property is zoned Druid Hills Landmark District

Applicant: Karen Soorikian
659 Auburn Ave.

Facts: This existing single family residence was constructed in 1922 and is considered contributing to the District.

Analysis: The following Code sections apply to this application:

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

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

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

- (h) Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
 - (i) New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
 - (j) New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
- (2) *Certificates of appropriateness.*
- (a) Except as otherwise provided herein, the procedures for determining the correct type of certificate of appropriateness shall be those specified in section 16-20.008 of the Zoning Ordinance.
 - (b) Notwithstanding any other provision herein, no certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - (g) Type III certificates of appropriateness shall be reviewed and decided by the commission and shall be required for:
 - (ii) All additions to existing principal structures and accessory buildings, including decks.
- (4) *Minimum landscape requirements:* The overall quality of the landscaped area visible from public right-of-ways should be preserved as an integral part of the historic character of the District. Any major alteration to the landscape or topography visible from the public right-of-way in the District shall maintain the general landscaping scale and character reflected in the original development of Druid Hills in order to preserve the historic landscape character of the District. Any major alteration to the landscape or topography visible from the public right-of-way shall:
- (a) Follow the standards set forth in 16-20B.003(1);
 - (b) Be consistent and compatible with the overall landscape plan and design on the property and block;
 - (c) Maintain the spatial organization of an open space in front of the house, asymmetrical plantings on the sides of the principal structure and a rear tree canopy;
 - (d) Not excessively or unnecessarily alter the natural topography of the site, with the exception of grading necessary to protect and preserve the integrity of a structure;
 - (e) Ensure that any new grades shall meet the existing topography in a smooth transition;
 - (f) Retain any existing historic circulation systems, including driveways, walkways and paths;
 - (g) Ensure that any new circulation systems and substantial reconstruction of existing circulation systems is consistent and compatible with the existing circulation systems on the property and block with respect to layout, scale, materials, and topographic siting;
 - (h) Ensure that any off-street parking be constructed of a material which will assure a surface resistant to erosion, have adequate access to a public street and have adequate circulation space; and
 - (i) Comply with the provisions of the City of Atlanta Tree Ordinance with the following exceptions:
 - i. When the removal of trees is permitted by the commission, each tree removed shall be replaced with a tree of an appropriate species having a minimum caliper of two-and-one-half inches; and
 - ii. Taking into account the site density and tree spacing regulations of the City of Atlanta Tree Ordinance, any replacement trees and placement of said trees shall comply with (a)—(g) above.
 - iii. Compliance with (i) above shall not eliminate any additional recompense or tree replacement that otherwise may be required by the City of Atlanta Tree Ordinance.
- (6) *Minimum architectural controls:* Any new construction, additions, renovations or alterations in the District shall maintain the general architectural scale and character reflected in the original development of Druid Hills in order to preserve the historic character of the district and shall follow the standards set forth by section 16-20B.003(1).
- (7) *Fences, walls and retaining walls:* Subject to the provisions of section 16-28.008(5) and the following limitations:
- (a) Fences and walls are not permitted in the front yard, yards adjacent to public streets, or between any principal structure and a public street.
 - (b) Fences and walls not exceeding six feet in height may be erected in the side or rear yard.
 - (c) Fences and walls shall be constructed of vertical iron pickets, brick, stucco, vertical wood pickets, or coated chain link.

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

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

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

(5) *Minimum yard requirements:*

a. Setbacks:

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

Front yard: 50 feet.

Side yards: 25 feet.

Rear yard: 100 feet.

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

The Applicant is proposing three dormer additions as well as a kitchen addition to the rear of the structure. The proposed dormers match the design and roof pitch of an existing dormer to the rear of the structure, and will use shingle siding to match that found on the existing dormer. As the material of the shingle siding is not stated, Staff recommends the proposed shingle siding be wood. Due to the elevation of the home and the sloping of the site towards the sidewalk Staff finds that the proposed additions will be minimally visible from the public right of way, if at all. In general, Staff finds the design of the additions to be appropriate as they are clearly secondary additions to the structure and they follow the design and massing of earlier additions. As such, Staff has no concerns with the proposed dormer additions.

An extension of the kitchen is proposed for installation in the location of a non-historic screened porch addition. The proposed addition will be sided with lap siding and will line up with the rear façade of the master bedroom bump out. Due to the location of the addition, the addition will not be visible from the public right of way.

The material of the windows proposed for use on the additions is not noted on the plans. As such, Staff recommends the windows be wood, true divided lite, windows. In general, Staff finds the design of the windows to be appropriate and compatible with the existing structure.

The Applicant is proposing a bronze finished aluminum fence to be installed in the existing porte cochere. Staff finds that this proposed material does not meet the District regulations. As such, Staff recommends the material of the proposed fence be changed to meet the District regulations. Additionally, Staff recommends the proposed fence be no higher than 6'.

CA3-16-537:

Staff Recommendation: Based upon the following:

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

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-16-537) for alterations, additions, and site work at **1272 Fairview Rd.** with the following conditions:

1. The proposed shingle siding shall be wood, per Sec. 16-20B.003(1)(i);
2. The windows shall be wood, true divided lite, windows, per Sec. 16-20B.003(1)(i);
3. The material of the proposed fence shall be changed to meet the District regulations, per Sec. 16-20B.005(7)(c);
4. The proposed fence shall be no higher than 6', per Sec. 16-20B.005(7)(b); and,
5. Staff shall review and if appropriate, approve the final plans and documentation.



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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 December 14, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-538) for variance to allow a 6' high privacy fence/wall in the half-depth front yard; a variance to allow a fence higher than 4' in the front yard, and a variance to allow a driveway that does not extend 20' past the front façade of the structure at **906 Beecher St.** Property is zoned R-4A / West End Historic District / Beltline.

Applicant: Mario McMichael
681 Mt. Zion Rd. J-2, Jonesboro

Facts: According to the West End Historic District photographic inventory, this single-family house was built in 1907 and is considered contributing to the West End Historic District. The lot is essentially flat and located on the southeast corner of Beecher Street and Joseph E. Lowery Boulevard. The Applicant has applied for variances / special exceptions for three projects that have already been built without a building permit or Certificate of Appropriateness:

- A 6' tall privacy fence in the half-depth front yard along Joseph E. Lowery Boulevard (where only a 4' high regular fence would be allowed);
- An arbor in the front yard that is over 4' tall (this is the portion of the fence referred to in the project description); and
- A driveway from Joseph E. Lowery Boulevard that does not project at least 20' past the side façade of the house along Joseph E. Lowery Boulevard.

In addition, the Applicant has also built a new deck in the rear yard, though that project component can retroactively be reviewed under the Type II Staff Review process. If any of the requested variances / special exceptions are approved by the Commission, the actual design / construction of the site features that are the subject of the variances / special exceptions could be reviewed under the Type II Staff Review process as well.

Analysis: The following code sections apply to this application:

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

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

- (1) Certificates of Appropriateness: Certificates of appropriateness within this district shall be required as follows:
 - (a) When required:
 - (i) To change the exterior appearance of any portion of a structure within the district, when said change can be seen from the public right-of-way;
 - (ii) To erect a new structure or to make an addition to any structure within the district, when said addition can be seen from public right-of-way; and
 - (iii) To demolish or move any contributing structure, in whole or in part, within the district.
 - (b) Type required:
 - (vi) The following Type III Certificates of Appropriateness shall be reviewed by the commission and shall be required for:
 - d. Variances.
- (3) Variances: The urban design commission shall have the power to hear, grant and deny variances from the provisions of this chapter (20G) when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, criteria, and appeal provisions for decisions regarding such variances shall be the same as those specified in chapter 26 of this part 46, which provisions are hereby incorporated herein.

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

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.
- (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.
- (14) Fences:
 - (a) Fences shall be fabricated of brick, iron, 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 façade 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 six feet or less in height.

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.

Sec. 16-28.008. - Required yards and open space, detailed limitations on occupancy.

In addition to general limitations on yard or open space occupancy set forth herein, the following limitations and requirements shall apply:

- (5) Walls or fences in required yards; height limits: Fences, walls or hedges may occupy required yards as follows; provided, however, that such fence, wall or hedge shall be maintained in a safe and sightly condition and that no such walls or fences create substantial impediments to visibility as prohibiting at section 16-28.008(9). The height of a retaining wall shall be measured as the greatest vertical length from one side of finished grade to the top of said adjacent retaining wall unless specified below.
 - (e) Special exceptions on greater height of walls or fences in required yards: The board of zoning adjustment may grant special exceptions in any district for greater heights only upon finding that:
 - 1. Such wall or fence is justified by reason of security or privacy and will not unduly prevent passage of light and air to adjoining properties and is not incompatible with the character of the neighborhood;
 - 2. Such greater height is justified by requirements for security of persons or property in the area;
 - 3. Such greater height is justified for topographic reasons; or
 - 4. Such greater height, in the yard or yards involved, is not incompatible with the character of the surrounding neighborhood.

Variance / Special Exception for Half Depth-Front Yard Privacy Wall / Fence

The Staff finds that the Applicant’s response, which mentions security (from people and dogs), privacy and the corner lot location as concerns, does somewhat apply to the installation of a 6’ tall privacy wall / fence in the half-depth front yard, though it is not clear that a 4 ft. regular fence could not have a similar effect. Further, in general the Staff finds that the existence of dogs around the subject property is not a sufficient, stand-alone justification for a special exception for a 6’ privacy wall / fence.

Regarding the lack of security, no information regarding crime in the general area which would cause concern over a lack of backyard security has been received at this time. The Staff recommends the Applicant provide information documenting a pattern of crime or vandalism in the area that would justify a non-compliant fence height.

The Staff would also note that the existence of 6’ high privacy fences in the District does not satisfy the special exception criteria in and of itself.

The Staff finds that the Applicant’s argument does not contain enough information for the Staff to support the request at this time and as such the Staff would recommend denial of this portion of the variance / special exception request.

Variance / Special Exception for Front Yard Fence

At issue with the fence in the front yard is the arbor that has been built over the front walkway from the public sidewalk to the front porch. The Staff finds that the Applicant's response, which mentions security (from people and dogs), privacy and the corner lot location as concerns, does not apply to the installation of an arbor over the front walkway because a arbor does not increase the security of or the privacy within the property.

The Staff finds that the Applicant's argument does not contain enough information for the Staff to support the request at this time and as such the Staff would recommend denial of this portion of the variance / special exception request.

Variance for Driveway

The Staff finds that the Applicant's response, which mentions security (from people and dogs), privacy and the corner lot location as concerns, does not apply to the installation of a driveway that does not project at least 20' beyond the façade of the house. The Staff considers the 20' distance the required depth to avoid parking in the half-depth front yard. In fact, the Staff would argue that a longer driveway could increase both the security and privacy of the user of the driveway by allowing them to pull further into their property and farther away from Joseph E. Lowery Boulevard. Further, the Applicant has not shown that there are any physical characteristics of the property which would prevent the driveway from going further into the property, such as topography, the size / shape of the lot, or other particular circumstances.

The Staff finds that the Applicant's argument does not contain enough information for the Staff to support the request at this time and as such the Staff would recommend denial of this portion of the variance / special exception request.

Staff Recommendation: Based upon the following:

- a) As noted in this Staff Report, the variances / special exceptions do not meet the pertinent criteria, per Section 16-20G.006.

Staff recommends denial of the application for a Type III Certificate of Appropriateness (CA3-16-538) for variance to allow a 6' high privacy fence/wall in the half-depth front yard; a variance to allow a fence higher than 4' in the front yard, and a variance to allow a driveway that does not extend 20' past the front façade of the structure at **906 Beecher St.** Property is zoned R-4A / West End Historic District / Beltline.



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 December 14, 2016

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-16-539) for alterations and additions at **1006 Lawton Ave.** Property is zoned R-4A / Oakland City Historic District / Beltline.

Applicant: Juan A. Banos
2327 Demeyer St., New York

Facts: This existing single family residence was constructed in 1920 and is considered contributing to the District.

Analysis: The following Code sections apply to this application:

Sec. 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.

Sec. 16-20M.007. - Certificates of appropriateness.

- (2) Type II certificates of appropriateness shall be required for: minor alterations to any principal structure when the alterations are visible from a public street; and the construction of fences, walls, accessory structures, decks, and paving. If the proposed alteration meets the requirements of section 16-20M.007, then the director of the commission shall issue the Type II certificate of appropriateness within 14 days of application for such certificate. If the proposed alteration does not meet the requirements of section 16-20M.012 and .013, the director of the commission shall deny the application. Appeals from said decision of the director regarding the issuance and/or denial of Type II certificates of appropriateness may be taken by any aggrieved person by

filing said appeal in the manner prescribed in the appeals section of Chapter 16-20.008(a) for Type I certificates of appropriateness.

Sec. 16-20M.013. - Architectural standards.

(2) *Design standards and criteria for new principal structures.*

- (j) Decks are permitted only when located to the rear of the principal structure and such decks shall be no wider than the width of the principal structure.
- (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.
- (o) Window and door casing widths and depths:
 - 1. Replacement windows units shall maintain the size and shape of the original window opening.
 - 2. 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.
- (r) 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:
 - 1. The dimensions of the exposed face of lap siding and wood shingles.
 - 2. The type of brick and pattern of brickwork.
 - 3. The type of stone and pattern of stonework.
 - 4. The material and texture of stucco.
 - 5. The size and type of exterior doors. Notwithstanding the compatibility rule, exterior doors shall be wood panel or fixed glass panel in wood frame.
 - 6. The materials and pattern of roofing.
 - 7. Gables and gable returns.
 - 8. Dormers
 - 9. Paving materials for walks and drives.

Sec. 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.
- (2) An increase in floor area otherwise authorized in the district shall not constitute grounds for denial of a certificate of appropriateness

The District regulations allow two criteria for reviewing alterations to contributing structures. Because the propose alterations involve the removal of historic windows, Staff finds the first criteria to be appropriate for application on this property.

Rear roof plane alteration

The Applicant is proposing to remove the existing rear roof structures on a non-historic addition, consisting of two gables and several shed roofs, and replace these features with a single hipped roof. Staff finds that the proposed change to be consistent with the architecture of the existing

structure. Further, as the alterations are located to the rear of the structure and the hipped roof will be inset from the sides of the house, Staff finds that the effect on the public right of way view shed will be minimal. As such, Staff has no concerns with this proposed alteration.

Window replacement

In general, Staff finds the design of the windows to be consistent with the existing features. Further, the windows will use the existing openings as required by the District regulations. It is unclear whether the proposed windows will be true divided lite or simulated divided lite. If simulated divided lites are used on the proposed replacement windows, Staff recommends that the muntins be integral to the sash and permanently affixed to the exterior face of glass.

Siding and trim replacement

From the pictures provided, there appear to be several areas where the existing trim and siding is deteriorated on every façade. The elevations provided note that the existing siding and trim will be repaired where possible and replaced in-kind where necessary. Staff has no concerns with this proposed method.

Rear deck

A new deck is proposed for the rear of the structure to replace a previously existing deck which was removed at some time in the past. Per the regulations, the deck is placed to the rear of the principal structure and does not extend past the sides of the structure. As such, Staff has no concerns with the proposed deck.

Front porch alterations

The Applicant is proposing new brick columns, new railing, and new concrete steps to replace and match the existing features on the front façade. The new features will match the design and material of the existing features. As such, Staff finds the alterations to be consistent with and reinforce the existing architecture and therefore has no concerns with the proposed alterations.

CA2-16-539:

Staff Recommendation: Based upon the following:

1) The project meets the regulations with the exceptions noted above, per Sec. 16-20M.013;

Staff recommends approval of an Application for a Type II Certificate of Appropriateness (CA2-16-539) for alterations and additions at **1006 Lawton Ave.** with the following conditions:

1. If simulated divided lites are used on the proposed replacement windows, the muntins shall be integral to the sash and permanently affixed to the exterior face of glass, per Sec. 16-20M.013(2)(n)(2); and,
2. Staff shall review and if appropriate, approve the final plans and documentation.



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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 December 14, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-540) for alterations and partial demolition / additions at **756 Bonnie Brae Avenue** - Property is zoned R4-A/Adair Park Historic District.

Applicant: Serge Charles
756 Bonnie Brae Avenue

Facts: According to the District inventory sheet this house is considered contributing to the District and was built in 1899. The gabled-ell house has a full width front porch. The driveway is located on the left side of the house. There is a short retaining wall and steps along the front property line leading to a walkway to the front porch. The house appears relatively intact from its original condition.

The proposed project consists of the following components:

1. Renovate / repair the front porch, including removing the screening, restoring historic detail, and cleaning and repairing the deck, posts, and roof;
2. Front porch steps to be repaired or replaced to match existing;
3. Clean and repair the existing cmu foundation;
4. Clean and repair the roof or install new asphalt shingle roof;
5. Repair and paint or replace in kind existing wood trim;
6. Repair and paint or replace in kind existing wood siding;
7. On the east elevation, relocate one full-size double hung window, replace one half-size window with a new half-size window with a slightly different shape, and add two new full size double hung windows;
8. On the west elevation, replace a half-size window with a paired full size window unit, and add a full size double hung window;
9. On the west elevation, add a side facing gable near the rear of the existing portion of the house;
10. Demolish previous rear additions and wood deck
11. Build a new rear addition with a multipart gable / shed roof form, deck, double hung windows, and siding;

No site work is proposed at this time.

Analysis: The following code sections apply to this application:

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

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

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

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

Sec. 16-20I.002. - Scope of regulations.

- (a) The existing zoning map and regulations governing all properties within the Adair Park Historic District shall remain in full force and effect. The following zoning regulations shall be overlaid upon, and shall be imposed in addition to, said existing zoning regulations. Whenever the following overlay regulations are at variance with said existing zoning regulations, the following regulations (chapter 20I) shall apply. All other statutes, rules, regulations, ordinances, or other governmentally adopted regulations pertaining to properties within this district shall continue to apply; and any variance between said other regulations and these overlay district regulations (chapter 20I) shall be governed by the interpretation provision set forth in section 16-20.011(c) of the code of ordinances.
- (b) Except when otherwise explicitly provided, the provisions of chapter 20 of this part shall apply to this district.

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

- (d) Storm doors, storm windows, shutters and awnings:
- (e) Chimneys:
- (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.
- (g) Porches:
 1. Architecturally significant porches, steps and stoops shall be retained.
 2. Replacement porches, steps and stoops shall match the original in size, style and materials.
 3. Porches may be enclosed with screenwire or glass if the main characteristics of a front porch are maintained.
 4. Porches shall contain balustrades, columns and other features consistent with porches in that block.
- (i.) Fences: Fences shall be fabricated of brick, cast iron, wrought iron, stone and wood pickets. Fence lines shall follow the property line. Fences shall not obscure the front façade of the building. Chain link type of fencing shall be located to the rear of the lot and shall not extend beyond the front façade of the main structure into the front yard.
- (j.) Walls: Concrete block may be used in retaining walls, but stone or brick facing material is required.
- (k) Ornaments:
 1. Architecturally significant ornaments, such as corner boards, cornice, brackets, downspouts, railings, columns, steps, doors and windows moldings, shall be retained.
 2. Replacement ornaments shall be permitted only when originals cannot be rehabilitated.
 3. Installation of new ornaments, where none previously existed, shall be permitted only when it is in accordance with the architectural style of the original structure.

Apart from the concerns noted below about the proposed project, the Staff finds that the submitted plans are not internally consistent regarding the windows and the elevations. The placement of the windows on the proposed floor plan does not match the proposed locations shown on the elevations. Also, on the right side elevation, the wall is shown as continuous but in fact the wall of the addition steps in from the wall of the original house. The Staff would recommend the plans are revised to be internally consistent in all aspects.

Renovate / repair the front porch, including removing the screening, restoring historic detail, and cleaning and repairing the deck, posts, and roof.

While the Staff does not have concerns about the removal of the screening or cleaning of the front porch elements, it is not clear to the Staff what the repairs and restoring the historic detail will consist of. The Staff finds that beyond the screening the majority of the front porch elements are historic or original to the house. These elements should be retained and repaired in kind and only after documenting to the Staff the need for replacement, replaced in kind. The Staff would recommend that additional detail and information be submitted to the Staff describing and supporting the proposed work on the front porch.

Front porch steps to be repaired or replaced to match existing.

It is not clear to the Staff the current condition of the front porch stairs and how the repair vs. replacement of the front porch stairs will be determined. The Staff finds that the front porch stairs are historic or original to the house. This element should be retained and repaired in kind and only after documenting to the Staff the need for replacement, replaced in kind. The Staff would recommend that additional detail and information be submitted to the Staff describing and supporting the proposed work on the front porch stairs.

Clean and repair the existing cmu foundation.

While the Staff does not have concerns about the cleaning of the foundation, it is not clear to the Staff what the repairs will consist of. The Staff would recommend that additional detail and information be submitted to the Staff describing and supporting the proposed repair work on the foundation.

Clean and repair the roof or install new asphalt shingle roof.

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

Repair and paint or replace in kind existing wood trim.

While the Staff does not have concerns about the painting of the wood trim, it is not clear to the Staff what the repairs will consist of and how the repair vs. replacement of the wood trim will be determined. The Staff finds that the wood trim is historic or original to the house. These elements should be retained and repaired in kind and only after documenting to the Staff the need for replacement, replaced in kind. The Staff would recommend that additional detail and information be submitted to the Staff describing and supporting the proposed work related to the wood trim.

Repair and paint or replace in kind existing wood siding.

While the Staff does not have concerns about the painting of the wood siding, it is not clear to the Staff what the repairs will consist of and how the repair vs. replacement of the wood siding will be determined. The Staff finds that the wood siding is historic or original to the house. These elements should be retained and repaired in kind and only after documenting to the Staff the need for replacement, replaced in kind. The Staff would recommend that additional detail and information be submitted to the Staff describing and supporting the proposed work related to the wood siding.

On the east elevation, relocate one full-size double hung window, replace one half-size window with a new half-size window with a slightly different shape, and add two new full size double hung windows.

On the west elevation, replace a half-size window with a paired full size window unit, and add a full size double hung window.

The Staff finds that only the full size windows on the house are original or historic to the house. Therefore, it does not have concerns about the removal and/or replacement of the non-full size windows but does find that the proposed replacement half-size window on the east elevation is not compatible with the existing house. The Staff would recommend that the new half-size window on the east elevation be more vertically proportioned and compatible with the existing house.

Given that the full size windows are original or historic to the house, the Staff is concerned about their removal and/or relocation. The Staff would recommend that all full size windows be retained in place and repaired in kind as necessary.

Further, the Staff finds that the proposed new full size windows are appropriate to and compatible with the existing house assuming they are the same design, style, size, and proportion as the original and historic windows on the house. The Staff would recommend that all new full size windows have the same design, style, size, proportion, and trim as the original and historic windows on the house. The Staff would also recommend that any new paired windows have the appropriate trim design between the individual window units.

On the west elevation, add a side facing gable near the rear of the existing portion of the house.

While the Staff does not have a concern about the use of a side gable on this type / form of house, the Staff is concerned about the large integral overhang it creates along the west elevation of the house. This apparent cantilevered roof form is not compatible with the existing house and does not meet the District regulations. The Staff would recommend the side gable on the west elevation be moved slightly forward to eliminate the cantilevered portion of its base.

Demolish previous rear additions and wood deck.

While the Staff would agree that some portions of the previous rear additions have structural problems, the Staff finds that at least the forward-most rear additions are either not additions at all (i.e. original to the house) or at least historic to the house, having been added shortly after the house was built. As a result, the demolition of all the previous rear additions could result in the loss of significant historic components of the house and could result in the loss of significant architectural features which destroy the structure's historic interpretability or importance. The Staff would recommend that additional information be submitted to the Staff that documents the history and condition of the previous rear additions.

Build a new rear addition with a multipart gable / shed roof form, deck, double hung windows, and siding.

Generally speaking, the proposed rear addition is compatible with the existing house as to its location, size, massing, and architectural elements. The proposed addition also meets the setback requirements. However, the Staff does have concerns about the proposed addition.

First, no documentation has been provided that the proposed addition meets the District regulations regarding height or the underlying zoning regulations regarding floor area ratio or lot coverage. The Staff would recommend the Applicant document compliance with the District height requirements, as well as the underlying zoning's floor area ratio and lot coverage requirements.

Second, the District regulations require that decks not be visible from a public street. The Staff is concerned that the proposed deck will be visible from the public street looking down the left side of the house. The Staff would recommend the rear deck be eliminated from the proposed design or otherwise re-designed to be compliant with the District regulations.

Third, it appears to the Staff that the proposed roof form of the addition (combined with the new side gable on the west elevation of the house) would create a roof valley completely surrounded by roof peaks. While there is not necessarily a stylistic or architectural issue with this roof form, the Staff is concerned that it would quickly lead to water damage to the central portion of the house and thus endanger the house's long term integrity. The Staff would recommend the roof form of the proposed addition be re-designed to appropriately shed water and maintain the integrity of the house.

Fourth, along the west elevation of the addition, it is not clear where the proposed addition starts and the original house stops (on the east side the addition is inset even though this doesn't graphically show on the elevation drawing). The Staff would recommend that the addition be delineated along the west elevation.

Fifth, the Staff would recommend all of the architectural elements of the addition (including but not limited to the windows, siding, and trim) be detailed on the plans and be compatible with the existing house and meet the District regulations.

Staff Recommendation: Based upon the following:

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

Staff recommends deferral of the application for a Type III Certificate of Appropriateness (CA3-16-540) for alterations and partial demolition / additions at **756 Bonnie Brae Avenue** - Property is zoned R4-A/Adair Park Historic District, to allow time for the Applicant to address the following concerns and comments:

1. The plans shall be revised to be internally consistent in all aspects;
2. Additional detail and information shall be submitted to the Staff describing and supporting the proposed work on the front porch, per Section 16-20I.006(4)(a), (g), and (k);
3. Additional detail and information shall be submitted to the Staff describing and supporting the proposed work on the front porch stairs, per Section 16-20I.006(4)(a), (g), and (k);
4. Additional detail and information shall be submitted to the Staff describing and supporting the proposed repair work on the foundation, per Section 16-20I.006(4)(c);
5. Additional detail and information shall be submitted to the Staff describing and supporting the proposed work related to the wood trim, per Section 16-20I.006(4)(a) and (k);
6. Additional detail and information shall be submitted to the Staff describing and supporting the proposed work related to the wood siding, per Section 16-20I.006(4)(a) and (k);
7. The new half-size window on the east elevation shall be more vertically proportioned and compatible with the existing house, per Section 16-20I.006(4)(a), (b), and (k);
8. All full size windows shall be retained in place and repaired in kind as necessary, per Section 16-20I.006(4)(a), (b), and (k);
9. All new full size windows shall have the same design, style, size, proportion, and trim as the original and historic windows on the house, per Section 16-20I.006(4)(a), (b), and (k);
10. Any new paired windows shall have the appropriate trim design between the individual window units, per Section 16-20I.006(4)(a), (b), and (k);
11. The side gable on the west elevation shall be moved slightly forward to eliminate the cantilevered portion of its base, per Section 16-20I.006(4)(a)(5);
12. Additional information shall be submitted to the Staff that documents the history and condition of the previous rear additions, per Section 16-20I.006(1)(b)(2);
13. The Applicant shall document compliance with the District height requirements, as well as the underlying zoning's floor area ratio and lot coverage requirements, per Section 16-20I.006(4)(a)(6);
14. The rear deck shall be eliminated from the proposed design or otherwise shall be re-designed to be compliant with the District regulations, per Section 16-20I.006(4)(f);
15. The roof form of the proposed addition shall be re-designed to appropriately shed water and maintain the integrity of the house, per Section 16-20I.006(4)(f);
16. The addition shall be delineated along the west elevation, per Section 16-20I.006(4)(a)(5);
17. All of the architectural elements of the addition (including but not limited to the windows, siding, and trim) shall be detailed on the plans and shall be compatible with the existing house and meet the District regulations, per Section 16-20I.006(4)(a)(5);
18. The Applicant shall submit any revised materials (including the required number of copies) at least eight (8) days prior to the meeting to which this application is deferred.



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 December 14, 2016

Agenda Item: Application for a Review and Comment (RC-16-546) for alterations at **119 Brighton Rd.** Property is zoned R-4 / Brookwood Hills Conservation District / Beltline.

Applicant: Renee Valgoi
119 Brighton Rd.

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

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

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

Sec. 16-20.009. Same; further standards.

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

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

The Applicant is proposing to preform two alterations to an existing historic accessory structure. First, the Applicant is proposing to replace the two non-historic plywood automobile doors with one garage door. Staff finds the design of the proposed door to be appropriate but the information given does not indicate the material of the proposed door. Staff suggests the Applicant consider using a wood door. Secondly, the Applicant is proposing to replace the siding on the front and rear facades of the accessory structure with either wood or cementitious siding. Given that the existing siding appears to be salvageable, Staff suggests the Applicant consider the re-use of the existing siding with replacement of siding in-kind where needed due to rot.

Staff recommends a letter with the comments of Staff and the Commission be sent to the Applicant.



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404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT December 14, 2016

Agenda Item: Application for a Review and Comment (RC-16-547) on V-16-314 for a variance to reduce the front yard setback from 35 feet (required) to 28 feet (proposed) at **24 Wakefield Dr.** Property is zoned R-4 / Brookwood Hills Conservation District / Beltline.

Applicant: Barbara Hunt
24 Wakefield Dr.

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

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

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

Sec. 16-20.009. Same; further standards.

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

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

While the variance application is not under the purview of the Commission, Staff finds that an approval of the front yard setback variance would be problematic from a preservation standpoint due to the design of the addition which necessitates the request.

The preferred method for massing an addition on a historic home is to place the bulk of the addition to the rear of the house so as to lessen the visual impact on the public right of way. This helps to preserve a sense of place as well as the history of the structure and neighborhood. The addition as currently proposed would redefine the structure and result in the loss of the existing spatial relationship of the property. Further, the proposed addition is designed to mimic a previous addition on the right hand side of the structure. While the existing addition itself is likely historic and shows the pattern of historic development on the property, a mimicking addition on the left would diminish the interpretation the structure by further obscuring the building's original composition. Staff would further note that regardless of whether the existing addition to the right of the structure was original or added later, a new addition to the left of the structure would still present an issue due to the loss of the building's original character. As a result, Staff cannot support the variance request as currently proposed.

For the benefit of the Applicant, Staff would note that the design of the proposed addition and alterations to the principal structure would require a separate Review and Comment application before a permit could be applied for.

Staff recommends a letter with the comments of Staff and the Commission be sent to the Applicant.



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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 14, 2016

Updated

December 14, 2016

(Updated text shown in italic.)

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.

Since September 14th, the Applicant has prepared a multi-part response to the Staff Report, which is taken into account in this updated Staff Report. In the additional materials submitted by the Applicant they corrected their earlier statement about the occupancy of the buildings (occupied last in 1982, not 2003). They also asserted that they are one building, though they Staff would still maintain that they were built as two buildings immediately adjacent to each other and then joined functionally to create the current arrangement. The Applicant also included an excerpt from a 26 year old, City of Atlanta planning report.

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.

In the additional materials submitted by the Applicant, they provided copies of the materials previously submitted as well as a wide variety of documents. In its analysis below, the Staff will focus on those documents and that information which relate to the deficiencies in the application outlined in the original Staff Report.

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.

In the additional materials submitted by the Applicant, they have included reports from asbestos testing agency and a biohazard / mold testing agency. Both reports noted that their respective hazards existed in the building and would have to be remediated. The Staff would note that in the case of the asbestos, that remediation would likely have to happen regardless of whether the buildings were retained and repaired, partially retained, or demolished.

The Applicant also included an extensive list of police activity along or near Bell Street (the vast majority of which were traffic stops unrelated to the property itself), information about a shooting at the nearby street intersection, crime statistics for all of Police Zone 5, and letters from the Georgia State University Police Department, a property owner across the street, a nearby property owner, and a concerned citizen (some which were previously submitted. All of these letters describe criminal activity, junk and debris, and unhealthy conditions associated with the property.

They also included a report from a registered architect with historic building experience with their analysis of the buildings. In their analysis they concluded that the buildings were not historically significant even though they are consisted contributing to the District. They also noted the extensive problems with the buildings, including severe fire damage, rot and deterioration due to water infiltration, mold and vandalism, instability of the vertical walls, too low ceiling height, not strong enough roof to support new roofing and systems, damage to the foundation due to tree roots, and lack of any usable electrical, mechanical, plumbing and HVAC systems. They concluded that the building should be demolished.

Lastly, the Applicant included a financial statement listing the operating and maintenance expenses for the last two years, which amounted to \$7,300 in 2015 and about \$26,600 in 2016.

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.

In the additional materials submitted by the Applicant, they included statements from commercial real estate professional, an unattributed real estate value estimate, a Realtor who helped the current owner buy the property, and a contractor with an estimate of rehabilitation / build back scenarios. The commercial real estate professional noted it was “impractical to repair/renovate the structure for commercial use” due to ADA, structural, ceiling height, systems, and land size issues. In the Realtor’s statement, they outline concerns about the impact of the current property on the neighborhood, the “Atlanta Trolley”, and the benefits of demolishing the buildings. In the contractor’s statement they noted that demolition and build back scenario would cost about \$261,000, which is about \$80,000 more than the rehabilitation estimate previously provided. They do not provide an estimate for nor recommend undertaking a rehabilitation project, partial or otherwise.

They also included a report from a registered architect with historic building experience with their analysis of the buildings. In their analysis they concluded that the buildings were not historically significant even though they are consisted contributing to the District. They also noted the extensive problems with the buildings, including severe fire damage, rot and deterioration due to water infiltration, mold and vandalism, instability of the vertical walls, too low ceiling height, not strong enough roof to support new roofing and systems, damage to the foundation due to tree roots, and lack of any usable electrical, mechanical, plumbing and HVAC systems. They concluded that the building should be demolished.

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.

In the additional materials provided by the Applicant, they included information about the annual gross and net income from the property for the previous three years (none); itemized operating and maintenance expenses for the previous three years (2015 = \$73,00 and 2016 = \$26,600) and depreciation deduction and annual cash flow before and after debt service (none described). They also included a letter they sent to the previous property owner requesting the same information from them, but did not receive any reply.

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.

In the additional materials submitted by the Applicant, they provided information about their attempt to document the fair market value prior to the designation and the lack of information available at the Fulton County Tax Assessor's office for tax years before 2000.

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.

In the additional materials submitted by the Applicant, they included a report from a registered architect with historic building experience with their analysis of the buildings. In their analysis they concluded that the buildings were not historically significant even though they are consisted contributing to the District. They also noted the extensive problems with the buildings, including severe fire damage, rot and deterioration due to water infiltration, mold and vandalism, instability of the vertical walls, too low ceiling height, not strong enough roof to support new roofing and systems, damage to the foundation due to tree roots, and lack of any usable electrical, mechanical, plumbing and HVAC systems. They concluded that the building should be demolished.

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.

In the additional materials submitted by the Applicant, they included statements from commercial real estate professional, an unattributed real estate value estimate, a Realtor who helped the current owner buy the property, and a contractor with an estimate of rehabilitation / build back scenarios. The commercial real estate professional noted it was “impractical to repair/renovate the structure for commercial use” due to ADA, structural, ceiling height, systems, and land size issues. In the Realtor’s statement, they outline concerns about the impact of the current property on the neighborhood, the “Atlanta Trolley”, and the benefits of demolishing the buildings. In the contractor’s statement they noted that demolition and build back scenario would cost about \$261,000, which is about \$80,000 more than the rehabilitation estimate previously provided. They do not provide an estimate for nor recommend undertaking a rehabilitation project, partial or otherwise.

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.

In the additional materials provided by the Applicant, the Applicant provided a market value after complete demolition / rebuilding of \$50,000 based on a comparable property along Martin Luther King, Jr. Drive near Oakland Cemetery. As the contractor’s analysis included in this submission did not recommend rehabilitation (partial or otherwise), no valuations were provided for those scenarios by the Applicant. However, the Staff would note that in the original submission, a rehabilitation estimate was provided by the Applicant.

- 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.

In the additional materials submitted by the Applicant, they included a report from a registered architect with historic building experience with their analysis of the buildings. In their analysis they concluded that the buildings were not historically significant even though they are consisted contributing to the District. They also noted the extensive problems with the buildings, including severe fire damage, rot and deterioration due to water infiltration, mold and vandalism, instability of the vertical walls, too low ceiling height, not strong enough roof to support new roofing and systems, damage to the foundation due to tree roots, and lack of any usable electrical, mechanical, plumbing and HVAC systems. They concluded that the building should be demolished.

- 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.

In the additional materials submitted by the Applicant, they referred to the analysis provided by the contractor and architect in response to this question. In the architect's analysis they provide a brief summary of the potential benefit of the transfer of development rights, though it would appear that additional excess development rights could be transferred then indicated by the architect's analysis.

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.

In the additional materials submitted by the Applicant, they provided a brief assessment of the potential value / impact of the various financial incentive programs, including some not related to historic preservation. The Staff is concerned that this analysis isn't internally consistent. For example the statement about the Georgia Preferential Property Tax Assessment program mentions a tax credit which does not occur with this program. The statement about the federal rehabilitation program questions the eligibility of the property for the program even though it is already considered contributing to the Sweet Auburn National Register Historic District.

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.

In the additional materials submitted by the Applicant, they have included photographs of the interiors and exteriors of both buildings from various professionals who visited the property.

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.

While the Staff finds that portions of the additional materials submitted by the Applicant are not pertinent to the demolition criteria to be assessed by the Staff and Commission, the Staff also finds that the materials that were pertinent do show that the proposed demolition meets the criteria for a threat to public health and safety. The Staff would specifically note the extensive additional photography which documents severe deterioration inside the buildings, the additional analysis from the registered architect regarding the structural stability of the buildings, and the estimated costs for either a rehabilitation and demolition / new construction approach in relationship to the potential value of the property and potential income from the property.

However, given the building is a contributing building to the District and to mitigate the loss of the contributing structure, the Staff would recommend: the buildings and property are cleaned of any debris, junk, personal items, and loose materials; the building and property are then documented using archival photography keyed to a site plan and floor plan; such documentation is provided to the Staff for approval; and such documentation is provided to the City for future reference.

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.

On October 31, 2016, the Staff received the Office of Buildings inspection report which recommended denial of the demolition request based on a site visit and an exterior inspection.

Staff Recommendation: Based upon the following:

- a) *Based on the information provided with this application to date, the proposed demolition does meet 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 *approval* 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), with the following conditions:

1. *The buildings and property shall be cleaned of any debris, junk, personal items, and loose materials; the building and property shall then be documented using archival photography keyed to a site plan and floor plan; such documentation shall be provided to the Staff for approval; and such documentation shall be provided to the City for future reference; and*
2. *The Staff shall review, and if appropriate approve, all final documentation and materials.*



KASIM REED
MAYOR

CITY OF ATLANTA
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303
404-330-6145 – FAX: 404-658-7491
<http://www.atlantaga.gov/Government/Planning.aspx>

TIM KEANE
COMMISSIONER

CHARLETTA WILSON JACKS
Director, Office of Zoning and
Development

MEMORANDUM

TO: Douglas Young, Director, Atlanta Urban Design Commission
Assistant Director, Historic Preservation, Office of Design

FROM: Karl Smith-Davids, Principal Planner, Office of Zoning and Development

RE: 670-690 Dekalb Avenue
CA3-16-408 and 409
Zoning: I-2 / Inman Park Historic District (Subarea 3) / Beltline

DATE: December 14, 2016

Per the Inman Park Historic District Regulations, Section 16-20L.005(1)(e), the Office of Planning (now the Office of Zoning and Development) is required to review plans for new developments located in Subarea 2 and 3 to determine compliance with the zoning requirements of the subarea of the Inman Park Historic District in which the project is located. The proposed project is located in Subarea 3. The plans and project data sheet received by the Urban Design Commission Staff have been reviewed, taking into account some of the requirements in the Beltline Overlay District supersede the Inman Park Historic District regulations and that only a portion of the project is within the Inman Park Historic District. Below is the Staff's zoning analysis:

- The proposal exceeds the total open space and usable open space requirements for the proposed amount of residential FAR, per Section 16-20L.008(2). The proposal is not required to provide public open space for the commercial FAR, per Section 16-20L.008(2). No open space is proposed for relocation, per Section 16-20L.008(4).
- The property is adjacent to the railroad corridor (i.e. the Beltline), per Section 16-20L.008(5) and has about an 18 ft. set back from the rail corridor.
- The public sidewalk and street furniture zone dimensions and physical characteristics meet the regulations though some tree and street light details are not indicated on the plans at this stage of design, per Section 16-20L.008(6).

- The proposed project is located on an existing block that will not contain a block face of more than 600 ft. in length given the Beltline corridor and transit corridor runs north-south through the middle of the project, per Section 16-20L.008(7).
- The height of the buildings in the project meet the minimum height requirements, per Section 16-20L.008(8). The height of a portion of the buildings exceeds the maximum height and height ranges outside the 150 ft. distance from an R-1 through R-5 zoning district. The Applicant has requested a variance from the Urban Design Commission related to this requirement, per Section 16-20L.008(8).
- The proposal meets the front, side, and rear yard setback requirements, per Section 16-20L.008(9). Near the pedestrian ramp down from Edgewood Avenue, the proposal does not appear to meet the side/rear yard setback requirements.
- The proposal meets the pertinent District requirements related to sidewalk paving materials, driveways, circular drives, curb cuts, parking areas and driveways, parking decks, and drop off lanes, per Section 16-20L.008(10), though some details are not indicated on the plans at this stage of design. The proposal does not specify the minimum lighting intensity in the parking deck or the “visibility” requirements for lighting fixtures, per Section 16-20L.008(11). No parking lots are proposed, per Section 16-20L.008(12).
- The proposal includes permitted uses, though the maximum sizes are not stipulated, per Section 16-20L.008(13).
- The proposal has less commercial FAR than the permitted base amount (1.0 net lot area), per Section 16-20L.008(14). The proposal has more residential FAR than the permitted base amount (.696 gross lot area), per Section 16-20L.008(14). However, the project has been approved for a transfer of development rights (TDR) increasing the amount of allowable residential FAR on the site and is utilizing the ground floor commercial (one for one) and open space (two for one) bonuses permitted under this same section to increase their residential FAR to 1.39 within the District.
- The proposal meets most of the off-street parking requirements, including minimum amounts (though internal discrepancies need to be resolved in the data sheet), electric vehicle charging stations, and overall design, per Section 16-20L.008(15) though some details are not indicated on the plans at this stage of design. Similarly, at this stage of design, it is not clear if the minimum bicycle parking requirements have been met, per Section 16-20L.008(16).
- The Urban Design Commission shall determine if the standards found in per Section 16-20L.005(1)(b) and (c) have been met, per Section 16-20L.008(18).
- Current City of Atlanta noise ordinances apply to this project, per Section 16-20L.008(19).
- No previous zoning variances are being utilized as part of the proposal, per Section 16-20L.008(20).
- No buildings are being rebuilt nor are any “minor alterations” being proposed, per Section 16-20L.008(21) and (22).



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404-330-6145 – FAX: 404-658-7491
<http://www.atlantaga.gov/Government/Planning.aspx>

TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT
September 28, 2016
UPDATED
December 14, 2016
(Updated text shown in italic.)

Agenda Item: Applications for Type III Certificates of Appropriateness (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.

On September 28, 2016, the Commission deferred these applications to allow for other companion zoning actions to take place, including a transfer of development rights (TDR) into the site. On October 26th, the Commission reviewed and commented on the TDR (RC-16-458) and approved a lot consolidation for the project (CA3-16-407). Before the Commission at this time is the request for the height variance (CA3-16-408) and the overall design review of the project (CA3-16-409). The overall design of the project (but not the heights and height variance request) has been slightly revised since September 28, 2016. This revised design is the subject of this revised Staff Report.

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 Office of Zoning and Development (formerly the Office of Planning) or their designee has prepared 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.

CA3-16-408 - 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.

As the building heights and height variance request has not changed in the revised design, the Staff would retain its previous recommendation.

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.

In the revised submission, the data sheet includes the now approved transfer of development rights (TDR). Taking into account these TDR rights, the Staff finds the project meets the FAR requirements of the District. However, the Staff would recommend that the Applicant document that the ground floor retail is at least 20% of the building footprint within the District to qualify for the ground level retail bonus.

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.

In reviewing the data sheet in the revised submission, it appears that there is an internal inconsistency. The Staff would retain its previous recommendation.

Regarding the setbacks of the project, the Staff would recommend that the Applicant document compliance with the side / rear setback requirements for all portions of the project.

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.

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.

CA3-16-408 - 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 that apply to the Inman Park Historic District portion of the project, except as noted above; and*
- 2) *The project 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 document that the ground floor retail is at least 20% of the building footprint within the District to qualify for the ground level retail bonus, per Section 16-20L.008(14)(c) ;*
3. 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;
4. *The Applicant shall document compliance with the side / rear setback requirements for all portions of the project, per Section 16-20L.008(9);*
5. 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);
6. The Applicant shall confirm the use of tree grates and their compliance with the District regulations, per Section 16-20L.008(6)(e);
7. The driveways have the textured bands on either side as required by the District regulations, per Section 16-20L.008(10)(b);
8. 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);
9. 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);
10. 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);
11. 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);
12. 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);
13. 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
14. 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.



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 December 14, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-433) for an addition, an accessory structure, and site work at **636 Atwood St.** Property is zoned R-4A / West End Historic District / Beltline

Applicant: Ian S. Tolbert
636 Atwood St.

Facts: This existing single family residence was constructed between 1924-1925 and is considered contributing to the District.

At the November 21, 2016 meeting the Commission heard RC-16-503 on V-16-291 for a variance to reduce the north side yard setback from 7' (required) to 4' 6" (proposed).

The Board of Zoning Adjustment heard V-16-291 at their Dec 8, 2016 meeting, where the north side yard setback variance was approved.

Analysis: The following Code sections apply to this application:

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

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

- (1) Certificates of Appropriateness: Certificates of appropriateness within this district shall be required as follows:
 - (a) When required:
 - (i) To change the exterior appearance of any portion of a structure within the district, when said change can be seen from the public right-of-way;
 - (b) Type required:
 - (i) Except as otherwise provided herein, the procedures for determining the appropriate type of certificate of appropriateness shall be those specified in section 16-20.008 of the Code of Ordinances.
 - (ii) Notwithstanding any other provision herein, no certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - (vi) The following Type III Certificates of Appropriateness shall be reviewed by the commission and shall be required for:
 - b. Additions that are visible from a public street or park.

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

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

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

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

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

- (b) The design and material of new paved surfaces areas, other than those specified in subsection (a) above, including driveways, walkways, and patios, or portions thereof, shall be subject to the compatibility rule.
 - (c) New driveways shall not exceed a width of ten feet not including the flare at the street.
- (13) Off-Street Parking Requirements:
- (a) Off-street parking shall not be permitted in the front yard or half-depth front yard.
 - (b) Carports and garages shall be behind the rear of the main structure. If the main structure is located on a corner lot, the front yard setback for that side street shall apply to the construction of a carport or garage.
 - (c) The use of alleys for access to such parking is permitted. No variance is required for driveways accessed from an alley.
- (16) Ornaments:
- (a) Architecturally significant ornaments, such as corner boards, cornices, brackets, downspouts, railings, columns, steps, doors and window moldings, shall be retained.
 - (b) Replacement ornaments shall be permitted only when originals cannot be rehabilitated.
 - (c) Installation of new ornaments, where none previously existed, shall be permitted only when it is in accordance with the architectural style of the original structure.

Section 16-20.009:

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

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

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

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

- (1) Front yard: There shall be a front yard having a depth of not less than 30 feet.

- (2) Side yard: There shall be two side yards, one on each side of the main building, each having a width of not less than seven feet.
- (3) Rear yard: There shall be a rear yard of not less than 15 feet.
- (4) Accessory structures: Accessory structures, when permitted, shall be placed to the side or rear of the main structure within the buildable area of the lot so as not to project beyond the front of the main structure. For fences, see section 16-28.008(5).
- (5) Maximum floor area within this district:
 - a. For a lot which meets the minimum lot area requirement described in section 16-06A.007(1): The maximum floor area ratio shall not exceed 0.50 of the net lot area.
- (6) Maximum lot coverage: Maximum lot coverage within this district shall not exceed 55 percent of the net lot area.

Sec. 16-28.004. - Accessory uses and structures.

The following regulations and requirements apply to accessory uses and structures:

- (1) Except as otherwise specifically provided in this part, use of accessory buildings as dwellings or lodgings is prohibited.
- (2) Accessory buildings shall be constructed concurrent with or after construction of principal buildings.
- (3) Accessory buildings in R-1 through R-5 districts shall not exceed 20 feet in height, shall not cover more than 25 percent of the area of the rear yard, shall not contain a total floor area greater than 30 percent of the main structure.

Siteplan

The maximum FAR (floor area ratio) allowed for this property is 50% of the net lot area. At this time, no FAR calculations have been received. Staff Recommends the site plan note the existing and proposed FAR for the property. Per the regulations, the maximum lot coverage allowed is 55% of the net lot area. At this time no lot coverage calculations have been received. Staff Recommends the site plan note the existing and proposed lot coverage for the property.

The BZA has approved a variance for the north side yard setback, reducing it from 7' to 4'6". Staff finds that the south side yard setback for the proposed addition is 4' 6" and therefore meets the approved variance.

The Applicant is proposing new paving to the rear of the structure including an extension of the driveway and the installation of a courtyard and patio area. Per the regulations new paving is subject to the compatibility rule with regards to design and materials. Staff recommends the Applicant submit compatibility information detailing the design and materials of historic paved surfaces on the block face.

Addition

The proposed second story addition is placed to the rear of the structure and contains a ridgeline higher than that of the principal structure. Staff finds that the use of a higher ridgeline than that of the principal structure is inappropriate for an addition to a historic building. As such, Staff recommends the proposed addition contain a ridgeline equal to or lesser than the ridgeline of the existing structure.

The proposed addition consists of second story side facing gables which are flush with the existing side facades. The existing structure utilizes a hipped roof with a front facing gable. As such, Staff finds the installation of a side facing gable to be inappropriate as the overall roof form of the structure will be altered. Staff finds that the use of dormers as opposed to a full gable

addition would allow for living space to be added while maintaining the overall character of the existing structure. As such, Staff recommends the plans be changed to utilize hipped dormers on the side facades.

The plans indicate wood windows matching the style and size of the original windows on the structure will be used on the proposed addition. Staff finds the proposed windows to be appropriate.

Alterations

The Applicant is proposing to replace the asphalt shingles in the front facing gables with cedar shake. As the asphalt shingles are non-original and likely a replacement of a previous material, Staff has no concerns with this proposed alteration.

The Applicant is also proposing to repair the existing siding in kind. Staff has no concerns with the proposed method.

The Applicant is also proposing to remove two doors on the north side façade of the structure and cover the affected area with wood lap siding to match the reveal of the existing. No pictures of these doors have been received. However, based on their location and spacing Staff finds the doors are likely non-historic. As such, Staff has no concerns with the proposed alteration.

Accessory Structure

Only the south elevation of the proposed accessory structure has been received. Staff finds the placement of the structure to be appropriate per the regulations. The maximum height allowed for accessory structures is 20'. The regulations do not specify how this measurement is to be taken, so Staff finds the standard measurement method for building height to be appropriate for use. Staff finds that the height of the structure meets the regulations when this method is applied. From the elevation provided, the accessory structure appears to contain livable space. Per the regulations, livable space in an accessory structure is limited to no more than 30% of the livable space in the principal structure. Staff recommends the site plan note the floor area of the proposed accessory structure.

From the elevation provided, the design of the proposed accessory structure appears to be of a slightly higher style than the existing principal structure. Due to the hierarchy of structures on a site, the accessory structure will typically be of equal to lower style than the principal structure in order to indicate that the structure is a secondary building. While not under the purview of the Commission, Staff suggests the Applicant consider redesigning the accessory structure to be clearly secondary and incidental to the principal structure.

CA3-16-433:

Staff Recommendation: Based upon the following:

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

Staff recommends deferral of an Application for a Type III Certificate of Appropriateness (CA3-16-433) for an addition, an accessory structure, and site work at **636 Atwood St.** to allow the Applicant time to address the following concerns of Staff:

1. The site plan shall note the existing and proposed FAR for the property, per Sec. 16-06A.008(5)(a);
2. The site plan shall note the existing and proposed lot coverage for the property, per Sec. 16-06A.008(6);
3. The Applicant shall submit compatibility information detailing the design and materials of historic paved surfaces on the block face, per Sec. 16-20G.006(12)(b);
4. The proposed addition shall contain a ridgeline equal to or lesser than the ridgeline of the existing structure, per Sec. 16-20.009(2);
5. The plans shall be changed to utilize hipped dormers on the side facades, per Sec. 16-20.009(2);
6. The site plan shall note the floor area of the proposed accessory structure, Per Sec. 16-28.005(3); and,
7. Staff shall review and if appropriate, approve the final plans and documentation.



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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
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TIM KEANE
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OFFICE OF DESIGN

STAFF REPORT November 9, 2016

Agenda Item: Application for Type III Certificates of Appropriateness (CA3-16-504) for a variance to allow an independent driveway not connected to the public street; and (CA3-16-438) for a special exception to allow a 6' high privacy fence/wall in the half depth front yard where otherwise a 4' high fence is permitted at **372 Atlanta Ave.** Property is zoned R-5 / Grant Park Historic District (Subarea 1)

Applicant: Shona Griffin
4000 Ferry Heights Dr.

Facts: This existing single family residence was constructed in 1921 and is considered contributing to the District.

On December 1, 2016 approved special exception V-16-276 to allow active recreation (swimming pool) in the half-depth front yard of this property. The subsequent variance and special exception requests are related to this approval.

Analysis: The following Code sections apply to this application:

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

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

(2) *Certificates of Appropriateness.*

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

1. All new principal structures;
2. All major alterations and additions to existing structure, with respect to any façade that faces a public street.

(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.*

(D) *Off-street parking and driveway requirements:*

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.

(2) *Architectural Standards.*

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

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:
 - 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.

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.

Sec. 16-28.008. - Required yards and open space, detailed limitations on occupancy.

In addition to general limitations on yard or open space occupancy set forth herein, the following limitations and requirements shall apply:

- (5) *Walls or fences in required yards; height limits:* Fences, walls or hedges may occupy required yards as follows; provided, however, that such fence, wall or hedge shall be maintained in a safe and sightly condition and that no such walls or fences create substantial impediments to visibility as prohibiting at section 16-28.008(9). The height of a retaining wall shall be measured as the greatest vertical length from one side of finished grade to the top of said adjacent retaining wall unless specified below.
 - (e) Special exceptions on greater height of walls or fences in required yards: The board of zoning adjustment may grant special exceptions in any district for greater heights only upon finding that:
 1. Such wall or fence is justified by reason of security or privacy and will not unduly prevent passage of light and air to adjoining properties and is not incompatible with the character of the neighborhood;
 2. Such greater height is justified by requirements for security of persons or property in the area;
 3. Such greater height is justified for topographic reasons; or
 4. Such greater height, in the yard or yards involved, is not incompatible with the character of the surrounding neighborhood.

The Applicant is requesting a variance from the requirement that an independent driveway be connected to a public street. While the lot size and shape of this property are typical, Staff finds that the location of an alley to the rear of the lot creates a condition whereby the property could have vehicular access without the need for an additional curb cut off either Atlanta Ave. or Rawlins St. Additionally, Staff finds that the proposed placement of the driveway off of the existing alley is encouraged by the District regulations. As such Staff has no concerns with the proposed driveway and finds that it meets the criteria for granting a variance.

The Applicant is also requesting a special exception to allow a 6' high privacy fence/wall in the half depth front yard of the lot. In their justification, the Applicant cites the proposed swimming pool as the contributing factor to their need for a higher fence than the Zoning Ordinance would allow. Staff finds that in general, it is the homeowner's responsibility to provide adequate screening and protection for a swimming pool to deter its use by the public. Approval of this special exception would allow for this screening with the added benefit of screening the proposed site work and carport from public view. As such, Staff finds that the request meets the Special Exception criteria and has no concerns with the request.

CA3-16-438:

Staff Recommendation: Based upon the following:

- 1) The project meets the special exception criteria, per Sec. 16-28.008;

Staff recommends approval of an Application for a Type III Certificate of Appropriateness (CA3-16-438) for a special exception to allow a 6' high privacy fence/wall in the half depth front yard where otherwise a 4' high fence is permitted at **572 Atlanta Ave.**

CA3-16-504:

Staff Recommendation: Based upon the following:

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

Staff recommends approval of an Application for a Type III Certificate of Appropriateness (CA3-16-504) (CA3-16-504) for a variance to allow an independent driveway not connected to the public street at **572 Atlanta Ave.**



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MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-030
404-330-6145 – FAX: 404-658-7491

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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT

November 9, 2016

REVISED

December 14, 2016

(Revised text shown in italic.)

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-473) for a revision of plans and a rear porch addition at **1024 Allene Ave.** Property is zoned R-4A / Adair Park Historic District (Subarea 1) / Beltline.

Applicant: Terica Kindred
1024 Allene Ave.

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

An application was reviewed and approved on September 28, 2016 under (CA3-16-341) for alterations, window replacement and a new front porch. Prior to the submission of that initial application, Staff received multiple complaints of window replacement without a building permit or UDC approval. Subsequent to the submission of the application, but before the Commission meeting, Staff again began receiving complaints regarding the removal of two original windows on the Brookline Street façade. At the meeting on September 28, 2016, the Commission approved the application 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;
17. The Brookline elevation door shall be returned to a window and the window opening shall be the same size as the original opening; and ,
18. Staff shall review and if appropriate, approve the final plans.

Shortly after the approval of that application, Staff began receiving complaints of vinyl windows, incorrect window trim, a non-wood front door, and a rear deck being installed without proper permitting or without proper UDC review. In the case of the rear deck, this was installed in violation of the conditions approved by the Commission.

At this time the Applicant is proposing to: cover the rear deck and turn it into a porch, use vinyl windows, use lite divisions which do not match the original lite division pattern, install a chimney, and allow the foundation to be wrapped in siding.

Staff would note that complaints regarding work on this property continue to be received.

At the November 9, 2016 meeting, the Commission deferred this application to allow time for the Applicant to produce a validate sign posting affidavit and to address the concerns noted in the Staff Report. On December 9, 2016, the Applicant provided revised plans in response to the Staff Report, which are taken into account in this revised Staff Report.

Analysis: The following Code sections apply to this application:

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."
- (2) Variances: The urban design commission shall have the power to hear, grant and 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, which provisions are hereby incorporated herein.
- (3) Signs: General advertising signs shall not be permitted in the historic district.

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.
- (4) Architectural Standards:
 - a. Building façades:
 1. All new construction shall conform to the existing building orientation (setbacks) by having sidewalks, front yards, porches and front doors facing and parallel to the street, and if located on a corner, the main façade shall face the principal street whenever possible.
 2. At a minimum, the front of all new construction, including any portion thereof, shall be placed at the distances from the street determined by the compatibility rule. This requirement shall also apply to those sides of corner lots which also face a street.
 3. All building materials which upon completion are visible from the public right-of-way, shall be compatible with those which predominate in the subarea.
 4. Siding repair or replacement shall match the original materials in scale and direction. Wood clapboard, if original is preferred; however, aluminum, masonite vinyl or other horizontal siding is permitted if window trim, cornerboards, and fascia/bargeboards are left in place or replaced with new material to match the original.
 5. Contemporary design of new construction, compatible with adjacent and surrounding structures, is permitted.
 6. No structure shall exceed that height established by the compatibility rule, with a permitted differential of ten (10) percent.
 - b. Windows and Doors:
 1. Architecturally significant windows and doors, including details, trimwork, and framing, shall be retained.
 2. Original window and door openings shall not be blocked or enclosed, in whole or in part.
 3. Replacement windows and doors shall be permitted only when originals cannot be rehabilitated. Replacement windows and doors shall match the original in style, materials, shape and size with no more than a one-inch width or height difference from the original size.
 4. Dropped ceilings, when located below the head of a window, shall be sufficiently recessed from the window opening to maintain the original exterior appearance.
 5. New doors and windows, when permitted, shall be compatible in scale, size, proportion, placement, and style to existing windows and doors.
 6. The ratio of openings to solid for all new construction (for example, windows to wall) shall be established by the compatibility rule, with a permitted differential of ten (10) percent.
 7. The scale, size, and proportion of all openings in new construction shall be established by the compatibility rule with a permitted differential of ten (10) percent.
 8. New windows or doors added to existing structures shall be located on sides or to the rear of buildings, rather than on the front.
 - c. Foundations:
 1. Foundation materials, including infill materials, shall replicate the original materials in size, shape, color, texture and mortar, and shall be installed using construction techniques similar to the original.

2. New foundations shall be of masonry or concrete construction. Other foundation materials are permitted provided they are appropriate to the building on which they are located and in scale, materials, and style with adjacent and surrounding buildings.
 3. Slab on grade is not permitted.
 4. Lattice, painted concrete block, brick or stucco shall be used as infill between foundation masonry piers when infill is otherwise required.
- d. Storm doors, storm windows, shutters and awnings:
1. Shutters shall be operable or appear operable, and shall fit the size of the window.
 2. Replacement shutters shall match the original shutters in design, materials and configuration.
 3. Storm doors, screen doors or storm windows shall be of compatible design and shall not cover, obscure or dominate significant architectural details.
 4. Fabric and metal awnings are permitted. All other types of canopies and awnings are prohibited.
- e. Chimneys:
1. Chimneys shall match original materials, mortar, color and pattern whenever possible.
 2. New chimneys shall be faced with brick or stucco.
 3. Siding on chimneys is prohibited.
- 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.
- g. Porches:
1. Architecturally significant porches, steps and stoops shall be retained.
 2. Replacement porches, steps and stoops shall match the original in size, style and materials.
 3. Porches may be enclosed with screenwire or glass if the main characteristics of a front porch are maintained.
 4. Porches shall contain balustrades, columns and other features consistent with porches in that block.
- i. Fences: Fences shall be fabricated of brick, cast iron, wrought iron, stone and wood pickets. Fence lines shall follow the property line. Fences shall not obscure the front façade of the building. Chain link type of fencing shall be located to the rear of the lot and shall not extend beyond the front façade of the main structure into the front yard.
- k. Ornaments:
1. Architecturally significant ornaments, such as corner boards, cornice, brackets, downspouts, railings, columns, steps, doors and windows moldings, shall be retained.
 2. Replacement ornaments shall be permitted only when originals cannot be rehabilitated.
 3. Installation of new ornaments, where none previously existed, shall be permitted only when it is in accordance with the architectural style of the original structure.

Plans

The submitted existing elevations do not accurately reflect the existing state of the property. Further, no pictures have been received as requested by the Commission in their previous approval. Staff recommends the existing elevations be re-drawn to accurately reflect the existing state of the property. Further Staff recommends the elevations be accompanied by photographs which show all four facades of the structure in their entirety.

Lastly, the proposed elevations do not fully conform to the conditions previously approved by the Commission. As such, staff recommends the plans be redrawn to fully reflect the Commission's previous approval of the project, per CA3-16-341.

In the December 9th submission, the plans still do not reflect the existing conditions at the property at this point in time or prior to any of the un-permitted work beginning. The plans appear to mix some of both time periods and include, for example on the Brookline elevation, a chimney that never existed and what appears to be a porch column near the side door that never existed.

Further, no current photographs were included of the current state of the property.

Lastly, while some of the conditions of the Commission's previous approval have been reflected in the December 9th submission, half of them have not, including:

- *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); -- The use of simulated divided light windows is noted on the plans.*
- *The Applicant shall submit recent pictures of all exterior elevations; -- No photographs were submitted.*
- *The Applicant shall document the proposed half depth front yard meets the requirements, per Section 16-20I.006(4)(a)(2); -- No information was provided documenting compliance.*
- *The plans shall indicate all material details, per Section 16-20I.006(4)(a)(3); -- No all design details and materials are noted on the plans.*
- *The stair material shall be consistent with other similar historic porches on the block, per Section 16-20I.006(4)(g); -- No information was provided documenting compliance.*
- *The railing design shall be consistent with other similar historic porches on the block, per Section 16-20I.006(4)(g); -- No information was provided documenting compliance.*
- *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); -- The use of simulated divided light windows is noted on the plans.*
- *The Applicant shall submit clear and accurate elevations that reflect the existing and proposed conditions; -- The Staff finds the December 9th submission is still not clear and accurate as indicated in this Staff Report.*
- *The Applicant shall submit a detailed scope of work that indicates all proposed work; - No scope of work was submitted.*

The Staff would retain its previous conditions.

Rear Porch

The Applicant is proposing to convert the previously constructed rear deck into a rear porch. The proposed porch will have wood pier foundation, a shed roof, and narrow boxed columns. In general, Staff finds that the use of wood piers as a foundation material is not appropriate for porches on either this block of Allene Ave. or this block of Brookline St. The predominate porch foundation material along both Allene Ave. and Brookline St. is masonry. Further, as the foundation material of the front porch is brick, Staff finds that the rear porch foundation material should match. As such, Staff recommends the rear porch foundation material be brick. With regards to the proposed rear porch roofs, Staff recommends the Applicant provide documentation showing that shed roofs, such as the one proposed, are consistent with historic rear porches on the block.

In the December 9th submission, the plans still reflect a design for the rear porch that does not meet the District regulations. Further, no additional information was provided supporting the design of the rear porch roof. Lastly, the foot print of the proposed rear porch on the proposed site plan does not match the proposed elevations (half-width vs. full width) and the location of the rear stair configuration

doesn't match between the rear elevation and the floor plan. The Staff would retain its previous recommendations.

Chimney

The Applicant is proposing the installation of a chimney on the Brookline St. façade. In previous reviews of the project Staff was unsure if this chimney was a previously existing condition, but can now confirm that the chimney does not appear in any record of the property since the District's designation. As such, Staff finds that the chimney is a proposed condition for which no information regarding materials has been given. Staff recommends the chimney be faced with brick, originate at grade, and that full drawings of the proposed chimney be included in the proposed elevations.

The December 9th submission does not include any additional information about the proposed chimney, which would be a new element for the house as one never previously existed. The Staff would retain its previous recommendations.

Foundations

The proposed elevations show siding to be used as the foundation material on the side and rear elevations. Staff finds that lap siding is not an appropriate foundation material for structures in the District. As such, Staff recommends the existing foundation material be retained.

In the December 9th submission, the plans still reflect the installation of siding over the existing brick / masonry foundation. The Staff would retain its previous recommendations.

Windows and doors

The Applicant is proposing to install vinyl windows with a Prairie style lite division. Staff finds that vinyl is not an appropriate window material. Further Staff finds that the proposed lite division pattern does not match the design of the previous windows, as was evidenced by photographs of the two windows removed from the Brookline St. façade. As such, Staff recommends the windows be wood and have a lite division pattern matching the original windows.

In the December 9th submission, the window light pattern matches that of the previous windows, but the window material is not indicated. Further, the windows are indicated as true divided lite or simulated divided light, which does not confirm to the conditions of the Commission's previous approval. The Staff would recommend the windows be wood and have true divided lite pattern that matches the original windows on the house.

The proposed front door material is not stated on the plans. Staff recommends the plans indicate a wood door and that any non-wood doors installed without a permit be removed and replaced with compliant doors as to both design and material.

In the December 9th submission, it is not clear if the proposed front door will be wood. The Staff would retain its previous recommendations.

Previous conditions

As the Commission has already approved portions of the proposed work and placed conditions on the project, Staff recommends that the proposed plans meet all previous conditions placed on the project per CA3-16-341.

The Staff would retain its previous recommendation regarding compliance with the conditions of the previous approval.

CA3-16-473:

Staff Recommendation: Based upon the following:

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

Staff recommends approval of an Application for a Type III Certificate of Appropriateness (CA3-16-473) for a revision of plans and a rear porch addition at 1024 Allene Ave. with the following conditions:

- 1. The existing elevations shall be re-drawn to accurately reflect the existing state of the property, per Sec. 16-20I.006;*
- 2. The elevations shall be accompanied by photographs which show all four facades of the structure in their entirety, per Sec. 16-20I.006;*
- 3. The plans shall be redrawn to fully reflect the Commission's previous approval of the project, per CA3-16-341, per Sec. 16-20I.006;*
- 4. The rear porch foundation material shall be brick, per Sec. 16-20I.006(4)(g)(4);*
- 5. The Applicant shall provide documentation that shed roofs, such as the one proposed, are consistent with historic rear porches on the block, per Sec. 16-20I.006(4)(g)(4);*
- 6. The proposed chimney shall be faced with brick, originate at grade, and that full drawings of the proposed chimney be included in the proposed elevations, per Sec. 16-20I.006(4)(e);*
- 7. The existing foundation material shall be retained, per Sec. 16-20I.006(4)(c);*
- 8. The windows shall be wood and have true divided lite pattern that matches the original windows on the house, per Sec. 16-20I.006(4)(b)(3);*
- 9. The plans shall indicate a wood door and any non-wood doors installed without a permit shall be removed and replaced with compliant doors as to both design and material, per Sec. 16-20I.006(4)(b)(3);*
- 10. The proposed plans shall meet all previous conditions placed on the project per CA3-16-341, per Sec. 16-20I.006; and,*
- 11. The Staff shall review, and if appropriate approve, the final elevations, site plan, and supporting materials.*