



# 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](http://www.atlantaga.gov)

**TIM KEANE**  
Commissioner

OFFICE OF DESIGN

## STAFF REPORT January 11, 2017

**Agenda Item:** Application for a Type II Certificate of Appropriateness (CA2-16-543) for alterations at **519 Cherokee Ave.** Property is zoned R-5 / Grant Park Historic District (Subarea 1).

**Applicant:** Celso Paez  
523 Cherokee Ave.

**Facts:** This existing single family residence was constructed in 1906 and is considered contributing to the District.

**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.
15. On those façades of any structure that face a public street, the following regulations on building materials shall apply. Alternate materials may be submitted for review by the commission.
  - a. Paving materials for walks and drives: Black asphalt is prohibited.
  - b. Visible foundation materials: Foundations shall constitute a distinct building design element and shall contrast with the front façade siding material. Brick, stone, concrete, stucco, and architectural concrete masonry units (C.M.U.) shall be permitted. Standard, unfinished concrete block and stacked stone is prohibited.
  - c. Siding/veneer: Horizontal lap siding, vinyl siding, aluminum siding, shingles, brick, hard stucco, and stone shall be permitted. Stacked stone is prohibited.
  - d. Roofing: Asphalt shingles, wood shingles, metal shingles, slate, and pre-finished metal panels shall be permitted.
  - e. Chimneys: Brick, stone, or architectural concrete masonry units (C.M.U.) shall be permitted. Siding is prohibited.
  - f. Fences: Brick, stone, wire mesh, architectural C.M.U., or vertical pickets made of ornamental metal, wood or simulated wood shall be permitted in the front yard and half depth front yard.
- (C) *Design Standards and Criteria for Alterations and Additions to Non-contributing Structures.* Alterations to non-contributing structures, for which a Certificate of Appropriateness shall be required, shall be consistent with and reinforce the architectural character of the existing structure or shall comply with the applicable regulations for new construction set forth in subsection 16-20K.007(2)(B) above.
- (D) *Design Criteria for Alterations and Additions to Contributing Structures.* Alterations and additions to contributing structures requiring a Certificate of Appropriateness shall comply with one of the following provided that the mere increase in floor area otherwise authorized in the district shall not constitute a standard for review:
  1. Alterations and additions shall be consistent with and reinforce the historic architectural character of the entire existing contributing structure and shall comply with the applicable regulations for new construction set forth in subsection 16-20K.007(2)(B) above; or
  2. New additions, exterior alterations, or related new construction will not destroy historic materials that characterize the property. The new work may differentiate from the old. To protect the historic integrity of the property and its environment, any new work will be compatible with the massing, size, scale and architectural features of the property and environment.

The Applicant is proposing to replace the existing wrought iron porch columns and railing with new wood boxed columns and wood railing. Given the age and style of the structure the wrought iron columns and railing are likely replacement of original wood features. In general, Staff finds the design of the proposed columns and railing to be consistent with the style, character, and materials of the structure. As such, Staff has no concerns with the proposed alterations.

**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 **519 Cherokee Ave.**



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**TIM KEANE**  
Commissioner

OFFICE OF DESIGN

## STAFF REPORT January 11, 2017

**Agenda Item:** Application for a Type II Certificate of Appropriateness (CA2-16-558) for a revision to plans at **96 Bradley St.** Property is zoned Martin Luther King, Jr. Landmark District (Subarea 2) / Beltline.

**Applicant:** Raymont Walker  
1244 Joseph E. Boone Blvd.

**Facts:** This is currently a vacant lot.

On October 26, 2016 the Commission reviewed and approved a Type III Certificate of Appropriateness (CA3-16-456) for a new single family residence at this address with the following conditions:

1. The Applicant provide compatibility information detailing the allowable front, side, and rear setback ranges, per Section 16-20C.007(2)(b);
2. If the sidewalk is damaged or destroyed during construction, the sidewalk shall be repaired or replaced as required by the regulations, per Section 16-20C.007(1)(a);
3. Any mechanical over 30” in height shall meet the setback requirement, per Section 16-20C.008(1)(d);
4. Any exterior mechanical equipment shall be appropriately screened as required by the regulations, per Section 16-20C.008(1)(d);
5. The Applicant shall submit compatibility information detailing the allowable height range, per Sec. 16-20C.006(1)(b)(iii);
6. The Applicant shall revise their drawings to show a porch which is integral to the front façade, per Sec. 16-20C.008(1)(a)(ii);
7. The Applicant shall provide compatibility information detailing the allowable first floor height range, per Section 16-20C.008(1)(a);
8. The Applicant shall revise their drawings to show a chimney which originates at grade, per Section 16-20C.008(4)(c)(ii);
9. The proposed chimney be comprised of brick, per Section 16-20C.008(4)(c)(ii);
10. the Applicant clarify whether the accessory structure will contain any heated space, per Sec. 16-20C.005(4)(b)(ii)(5);
11. The revised drawings and documentation shall be submitted no less than 8 days before the deferred meeting date.

After the approval of this application, the Applicant submitted drawings showing a different overall design of the structure which requires a review by the Commission to allow a change of plans.

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

Sec. 16-20C.004. General regulations

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

1. General criteria. The Commission shall apply the standards set forth below only when the standards set forth elsewhere in Chapter 20C do not specifically address the application in whole or in part:
  - a. A property shall be used for its historic purpose or be placed in a new use authorized in Section 16-20C.005 using minimal change to the defining characteristics of the building and its site and environment.
  - b. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
  - c. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
  - d. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
  - e. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
  - f. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
  - g. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
  - h. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
  - i. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
  - j. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
2. The compatibility rule.
  - a. Block definitions. The following words and terms, when used in this chapter, shall have the meanings ascribed to them in this section:
    - i. Block. An area of land located within a continuous perimeter of public streets. An individual block shall begin at the back edge of curb of the adjacent street. Interstate 75/85, when no intervening street exists, shall be permitted to count as an adjacent street for purposes of meeting this definition, beginning at the edge of the adjacent 75/85 right-of-way.
    - ii. Block face. One side of a block, located between two consecutive street intersections.
  - b. The intent of these regulations is to ensure that alterations to existing structures and new construction are compatible with the massing, size, scale, and architectural features of each Subarea and of the immediately adjacent environment of a particular block or block face. To further that intent and simultaneously retain flexibility, the regulations provide a "compatibility rule" which is: The element in question, such as roof form or architectural trim, shall match that which predominates:
    - i. On contributing buildings of like use along the same block face in Subareas 1 and 2.
  - c. Where quantifiable, such as building height or floor height, the element shall be no smaller than the smallest or larger than the largest such dimension of the contributing building(s) along the same block face in Subareas 1 and 2 and on individual blocks in Subareas 3 and 4.
  - d. Those elements to which the compatibility rule applies are specified in these regulations by reference to "compatibility rule."
  - e. Building height shall be measured on the front elevation from the average point of grade on the front elevation to the highest point of the roof or façade, whichever is higher.
  - f. For new construction of single-family or two-family dwellings, the final average finished grade of the lot shall be no higher than the highest grade level existing prior to such construction or related land disturbance

at any point along the front yard property line adjacent to the public right-of-way. The intent and purpose of this grade provision is to prevent manipulation of grade levels in order to construct a taller dwelling than would otherwise be authorized.

- g. Whenever individual block faces in Subareas 1 and 2 or individual blocks in Subareas 3 and 4 are void of contributing structures, the contributing structures located on the opposing block face shall be utilized for purposes of adhering to compatibility rule provisions. If the opposing block face is void of contributing structures, the contributing structures on the nearest block face along the same street frontage shall be utilized.
3. Certificates of Appropriateness.
    - a. General Provisions.
      - i. The procedures for determining the correct type of Certificate of Appropriateness shall be those specified in Section 16-20.008, except as otherwise provided herein.
      - ii. No certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
    - c. Type III Certificates of Appropriateness. The following Type III Certificates of Appropriateness shall be reviewed by the Commission and shall be required for:
      - i. All new principal structures;
      - v. Variances, special exceptions and administrative appeals.
  8. Variances, special exceptions and administrative appeals.
    - a. Variance applications and applications for special exceptions and administrative appeals from these regulations shall be heard by the Commission. The Commission shall have the authority to grant or deny variances from the provisions of this Chapter pursuant to the procedures, standards, and criteria specified in Section 16-26.001 through Section 16-26.006. The Commission shall have the authority to grant or deny applications for special exceptions from the provisions of this Chapter pursuant to the procedures, standards and criteria specified in Section 16-25.001 through Section 16.25.005. The Commission shall have the authority to grant or deny applications for administrative appeal pursuant to the standards in Section 16-30.010 (a) through (d).
    - b. Appeals from final decisions of the Commission regarding variances, special exceptions and administrative appeals shall be as provided for in Section 16-20.010.
  9. Prohibited variances. Notwithstanding any provision in this chapter or part to the contrary, no variance from this chapter's maximum building height requirements shall be permitted or authorized by the Commission, Commission Staff or any other Board, official or entity.
  10. Time period of historical significance. Where referenced in this chapter, the time period of historical significance for the district shall be the lifetime of Martin Luther King, Jr. (1929-1968).
- Sec. 16-20C.005. Permitted Principal Uses and Structures.
1. Permitted Principal Uses and Structures: The following permitted uses and restrictions apply to all Subareas within this District, except Subarea 5:
    - a. The permitted principal uses and special permit uses set forth in Table 1: Martin Luther King Jr. Landmark District Table of Uses shall be permitted only as listed within each Subarea within said table of uses and only in the manner so listed.
    - b. Permitted principal uses. A building or premises shall be used only for the principal uses indicated with a "P" in Table 1: Martin Luther King Jr. Landmark District Table of Uses, subject to further restrictions where noted.

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

2. The following additional Permitted Principal Use and Structures provisions shall apply to Subareas 1 and 2.
  - a. Previously-existing uses. Prohibited uses shall be permissible when granted a Certificate of Appropriateness by the Commission upon its finding that such use can be shown by archived evidence or sworn affidavit(s) to either previously or currently exist on the proposed site and that such use will be of an

- intensity and type that is no greater than that which previously or currently existed and otherwise meets the District regulations.
- e. Active uses. Ground floor, sidewalk-level uses are further regulated in this district for the purposes of creating vibrant and pedestrian-oriented sidewalks and streets. Active uses, where provided, shall be serviced by plumbing, heating, and electricity and are limited to the residential uses and non-residential uses designated in Table 1: Martin Luther King Jr. Landmark District Table of Uses, except that the following non-residential uses shall not be considered as active uses:
    - i. Drive-in and drive-through facilities.
    - ii. Parking and driveways.
    - iii. Accessory non-residential storage areas.
4. *Accessory uses and structures.*
- a. The following accessory uses and structures provisions shall apply to Subareas 1 through 4.
    - i. Accessory uses and structures shall be permitted in this district and shall include those customarily accessory and clearly incidental to permitted principal uses and structures, including accessory parking to serve authorized uses within the district and including devices for the generation of energy such as solar panels, and similar devices.
    - ii. Active recreation facilities in any yard, required or other, adjacent to a street shall require a special exception from the commission, which special exception shall be granted only upon finding that:
      - (1) The location will not be objectionable to occupants of neighboring property, or the neighborhood in general, by reason of noise, lights, or concentrations of persons or vehicular traffic;
      - (2) The area for such activity could not reasonably be located elsewhere on the lot; and
      - (3) The commission may further condition any special exception for such facilities based on concerns regarding fencing, screening or other buffering, existence and/or location of lighting, hours of use, and such other matters as are reasonably required to ameliorate any potential negative impacts of the proposed facility on adjoining property owners.
  - b. The following additional accessory uses and structures provisions shall apply to Subareas 1 and 2.
    - i. Accessory buildings and uses shall be permitted as specified in section 16-07.004 for single-family, two-family and authorized multiple-family property, subject to limitations and requirements set forth in this chapter or elsewhere in this part.
    - ii. Requirements for accessory buildings:
      - (1) Accessory buildings shall be constructed concurrent with or after construction of principal buildings.
      - (2) Carports or garages serving a single-family or two-family dwelling unit shall be detached from and located to the rear of the principal structure.
      - (3) The height of accessory buildings shall be a maximum of 20 feet, as measured from existing grade at such building's location.
      - (4) Accessory buildings shall not cover more than 25 percent of the area of the rear yard.
      - (5) Accessory buildings shall not contain a total floor area greater than 30 percent of the principal structure.
      - (6) The minimum rear yard setback for accessory structures shall be five feet.
      - (7) The minimum side yard setback for accessory structures shall be five feet.
      - (8) The compatibility rule shall apply regarding all other elements not specified in subsections 3(b)(iii)(3) through (7).

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

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

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

1. The following Sidewalks, Yards and Open Spaces provisions shall apply to Subareas 1 through 4.
  - a. Sidewalks.
    - i. Public sidewalks shall be located along all public streets and shall consist of two (2) zones: an amenity zone and a walk zone.
    - ii. The amenity zone shall be located immediately adjacent to the curb with a consistent cross-slope not to exceed two (2) percent. Width shall be measured from back (building side) of curb to the walk zone. This zone is reserved for the placement of street trees and street furniture including utility and light poles, public art, waste receptacles, fire hydrants, traffic signs, traffic control boxes, newspaper boxes, transit shelters and similar elements in a manner that does not obstruct pedestrian access or motorist visibility. Such elements, where installed, shall be of a type specified by the director in accordance with uniform design standards for placement of such objects in the public right-of-way.
    - iii. The walk zone shall be located immediately contiguous to the amenity zone and shall be a continuous hardscape, with a consistent cross-slope not exceeding two (2) percent. No fixed elements, including pole mounted signage, traffic control boxes or other utility structures, shall be placed above ground in the walk zone for a minimum height of eight (8) feet.
    - iv. New sidewalks and their corresponding zones shall be the same width as the sidewalk on abutting properties. If no sidewalk exists on abutting properties, the new sidewalk shall match sidewalk widths on the block. If no sidewalk exists on the block, the new amenity zone shall be a minimum of two (2) feet wide and the new walk zone shall be a minimum of five (5) feet wide.
    - v. Street trees shall be planted a maximum of 30 feet on-center within the amenity zone and shall be spaced equal distance between street lights.
    - vi. Any existing decorative hardscape treatment of sidewalks, including amenity zone or walk zone areas, shall be retained as part of any new development or replaced with materials that match in size, shape and color.
    - vii. Decorative pedestrian lights, where installed, shall be placed a maximum of 60 feet on center and spaced equidistant between required trees. Where installed, said lights shall be located within the amenity zone. Said lights shall be as approved by the Director. New developments shall match the light and tree spacing on blocks where existing Atlanta Type lights are installed.
    - viii. Changes or additions of planters, trash containers, street lighting, and similar elements, shall require a Certificate of Appropriateness by the Commission.
    - ix. Upon redevelopment of a parcel reasonable efforts shall be made to place utilities underground or to the rear of structures to allow for unobstructed use of sidewalks.
  - b. Yards. Notwithstanding the setback requirements of these Subareas, previously existing contributing structures may be reconstructed to their original footprints and setbacks upon a submittal of finding that such structural dimensions have been shown by archived evidence or sworn affidavit(s) to have previously existed on the proposed site, and as subsequently approved by the Commission.
  - c. Required Open Space.
    - i. Open Space shall be required only for multi-family uses. All other uses shall have no Open Space requirements.
2. The following additional Yards provisions shall apply to Subareas 1 and 2.
  - b. Subarea 2.
    - i. Except as provided below, all front, side and rear yard setbacks shall be established through utilization of the compatibility rule. All new construction shall maintain a minimum of 10 feet for rear yard setbacks where the compatibility rule would permit a smaller rear yard setback, except as otherwise provided for accessory structures.
    - ii. Within the portion of Subarea 2 lying along the southeastern side of Auburn Avenue east of Randolph Street, and along the eastern side of Randolph Street south of Auburn Avenue, the following development controls shall apply:
      - (1) Side yard: Three (3) feet.
      - (2) Front yard: Seven (7) feet.
      - (3) Rear yard: 25 feet.
    - iii. Within the portion of Subarea 2 lying along the southern side of Irwin Street and the eastern side of Boulevard, the following development controls shall apply:
      - (1) Side yard: Three (3) feet.
      - (2) Front yard: 12 feet.

(3) Rear yard: Six (6) feet.

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

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



- c. Siding and Foundations.
  - ii. Siding shall exhibit a horizontal, clapboard profile. Siding shall have no less than a four (4) inch reveal and no more than a six (6) inch reveal.
  - iii. Foundations shall be permitted to utilize brick, stone, smooth stucco, and smooth finish concrete as foundation-facing materials.
  - iv. When provided, chimneys shall be faced in brick and shall originate at grade.

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

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

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

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

**Site Plan**

The submitted site plans show a different front porch/front façade configuration than is proposed by the elevations. Staff recommends the proposed site plans be revised to match the proposed elevations.

**Site**

According to the site plan submitted, this interior lot fronts 49’ on the west side of Bradley St. and has a depth of 133’. Per regulations, the setbacks of new structures are based on the compatibility rule. The proposed structure has a front yard setback of 6’, a north side yard setback of 4’, a rear yard setback of 60’ and a south side yard setback of 12.9’. The Applicant has presented information showing the range of contributing structures on the block face which show the setbacks meet the Compatibility rule. As such, Staff has no concerns with the proposed setbacks.

Per regulations, the maximum lot coverage allowed is based on the compatibility rule. The proposed lot coverage is 53%. The Applicant has submitted information detailing the allowable lot coverage for the block face is 35% to 53%. As such, Staff finds the proposed lot coverage meets the District regulations.

As required by the regulations, an appropriate walkway from the front entryway to the sidewalk is indicated. It is possible the existing sidewalk may be damaged during construction. If the sidewalk is damaged or destroyed during construction, Staff recommends the sidewalk be repaired or replaced as required by the regulations.

Per regulations, the maximum width for driveways is 12'. The proposed ribbon strips are less than 12' and therefore meet the requirements.

There are no notations on the plans regarding mechanical equipment. Staff recommends any mechanical over 30" in height meet the setback requirement. Staff recommends any exterior mechanical equipment be appropriately screened as required by the regulations.

### **Massing and Building Height**

The proposed structure is defined by a 6 in 12 hipped roof, a ½ width gable, and a full width porch. Staff finds the overall height and massing appear to be similar to the other one story structures on the block face. Per regulations, the height is based on the compatibility rule. The proposed structure is 21' 1" tall. No information regarding the allowable height range has been received. Staff recommends the Applicant submit compatibility information detailing the allowable height range.

### **Overall Design**

Condition #6 of the Commission's original approval states the following: "The Applicant shall revise their drawings to show a porch which is integral to the front façade, per Sec. 16-20C.008(1)(a)(ii)." This condition was proposed by Staff in order to bring the property into compliance with the requirement that the design of the structure meet the compatibility rule. Staff determined that the contributing structure of like use which matched the original design of the proposed structure was the double-shotgun house at 108 Bradley St. which contained an integral front porch. After the approval of this application, the Applicant submitted drawings showing a different overall design which bases the design of the structure on the contributing structure at 100 Bradley St.

At this time the Applicant is proposing a hipped principal roof with a ½ width front facing gable over the entryway. The design of the structure will closely match the structure at 100 Bradley St. but will "flip" the orientation of the front façade with regards to the gable/entryway placement and have a slightly larger, but still proportionate, width. In general, Staff finds that the design of the proposed structure is sufficiently similar to the contributing structure at 100 Bradley St. and therefore meets the compatibility rule.

### **Fenestration**

Per regulations, the compatibility rule applies to the fenestration pattern. In comparing the proposed fenestration to the survey pictures, Staff finds the overall fenestration pattern is

compatible with the contributing structure at 100 Bradley St. and therefore meets the District regulations.

### **Porch**

In general, Staff finds the proposed porch and its architectural elements are similar to the house at 100 Bradley St. Staff finds the columns and railings are generally appropriate. Staff finds the design of the proposed porch stairs does not meet the compatibility rule as the majority of contributing structures on the block face have porch stairs containing a knee wall. As such, staff recommends the porch stairs contain a knee wall.

Per regulations, the first floor height is based on the compatibility rule. No information detailing the allowable first floor height range has been received. As such, Staff recommends the Applicant provide compatibility information detailing the allowable first floor height range.

Per regulations, the porch depth is based on the compatibility rule. The proposed front porch has a depth of 6'. No information detailing the allowable front porch depth has been received. As such, Staff recommends the Applicant provide compatibility information detailing the allowable porch depth.

### **Materials**

The materials on the plans are indicated as wood windows and doors, smooth cementitious siding with a 4.5" reveal, stucco foundation and chimney, and brick stairs. Staff finds these materials meet the District regulations.

### **Accessory structure**

The Applicant is proposing to add a detached garage to the rear of the proposed principal structure. From the site plan provided, Staff finds that the proposed structure meets the setback requirements for accessory structures in the Subarea. Staff Recommends the Applicant clarify whether the accessory structure will contain any heated space, and that any heated space be noted on the site plans.

Staff Recommendations: Based upon the following:

- 1) The plans do not meet the regulations, per Section 16-20C, with the exceptions of the comments noted above;

Staff recommends deferral of an Application for a Type III Certificate of Appropriateness (CA3-16-456) for a new single family residence at **96 Bradley St.**, to allow the Applicant time to address the following Staff concerns:

1. The proposed site plans shall be revised to match the proposed elevations, per Sec. 16-20C.004(3)(a)(i);
2. If the sidewalk is damaged or destroyed during construction, the sidewalk shall be repaired or replaced as required by the regulations, per Section 16-20C.007(1)(a);
3. Any mechanical over 30" in height shall meet the setback requirement, per Section 16-20C.008(1)(d);
4. Any exterior mechanical equipment shall be appropriately screened as required by the regulations, per Section 16-20C.008(1)(d);

5. The Applicant shall submit compatibility information detailing the allowable height range, per Sec. 16-20C.006(1)(b)(iii);
6. The Applicant shall provide compatibility information detailing the allowable first floor height range, per Section 16-20C.008(1)(a);
7. The porch stairs shall contain a knee wall Sec. 16-20c.008(2)(B)(ii);
8. The Applicant shall clarify whether the accessory structure will contain any heated space, and any heated space shall be noted on the site plans, per Sec. 16-20C.005(4)(b)(ii)(5); and,
9. 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](http://www.atlantaga.gov)

**TIM KEANE**  
Commissioner

OFFICE OF DESIGN

## STAFF REPORT January 11, 2017

**Agenda Item:** Application for a Type III Certificate of Appropriateness (CA3-16-562) for a new single family house at **686 Elbert Street** - Property is zoned R4-A/Adair Park Historic District.

**Applicant:** Jeffrey Faulkner  
265 Ponce de Leon Avenue

**Facts:** The vacant lot is located on the south side of Elbert Street between Metropolitan Parkway and Mayland Avenue. The lot is flat with a small retaining wall and stairs in the front yard. Previously a single family Queen Anne or New South Cottage house existed on the lot with a full width front porch. The front retaining wall and stairs remain from that house.

The Applicant proposes to build a new single-family, 1.5 story, gable front, full width porch bungalow. A driveway will be located in the left portion of the front yard, with a walkway connecting to the front porch of the house. A fence is proposed along the side and rear lot lines with returns on either side of the house that connect it to the sides of the front porch.

**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.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
  - (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.
- (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.
- (5) Paved Surfaces:
  - a. The original layout, patterns and paving materials of sidewalks, curbs and streets shall be retained.
  - b. Resurfacing or new installation of paved areas, other than those specified in subsection 16-20I.006(5)a. above, including driveways, walkways, and patios, or portions thereof, shall match the color and materials of the original surface whenever possible.
- (6) Off-Street Parking Requirements:
  - a. Off-street parking shall not be permitted in the front yard.

### **Compatibility Rule Analysis and Documentation**

The Applicant provided no compatibility rule information. The District regulations base the front yard setback, building height, roof form and pitch, front porch design / elements, and window size / patterns on the contributing buildings on the block, which include both sides of street between the next two intersections. In this case, the following addresses would be the points of comparison:

646, 650, 656, 672, 676, 682, 692, 696, 702, 706, 712, and 716  
649, 655, 671, 675, 681, 685, 691, 695, 701, and 711

The Staff would recommend the Applicant provide complete compatibility rule information.

### **Setbacks and Site Plan**

As noted above, the front yard setback is determined by the compatibility rule. Given no information was provided about the front yard setbacks on the block, the Staff cannot confirm that the proposed front yard setback of 39.12 ft. (as measured to the front edge of the front porch) meets the District regulations. The Staff would recommend the front yard setback meet the District regulations.

The side and rear yard setbacks meet the underlying zoning district regulations (R-4A).

The project includes a driveway that stops short of the front façade of the house and as such creates parking in the front yard. To avoid parking in the front yard, the driveway must proceed at least 20 ft. past the front façade of the house. The Staff would recommend the driveway proceed at least 20 ft. past the front façade of the house.

No information was provided about the fence height, design, or materials. The Staff would recommend the Applicant describe the fence height, material, and design and that the fence meet the District and underlying zoning regulations.

The Staff would also strongly suggest that in addition to the walkway from the front porch to the driveway, a walkway from the front porch to the site stairs and sidewalk be included in the site plan as well.

### **Massing and Building Height**

As noted above, the building height is determined by the compatibility rule. Given no information was provided about the building heights on the block, the Staff cannot confirm that the proposed approximately 25 ft. height (as measured to the peak of the front facing gable) meets the District regulations. The Staff would recommend the height meet the District regulations.

On the block there are an equal number of gable roofs and hipped roofs, making the proposed gable roof form compliant with the District regulations. However, as noted above, the roof pitch is determined by the compatibility rule. Given no information was provided about the roof pitches on the block, the Staff cannot confirm that the proposed 10:12 roof pitch meets the District regulations. The Staff would recommend the roof pitch meet the District regulations.

On the block face, the predominant front porch form for the cottage and bungalow form house a full width projecting front porch – that is a porch that is the full width of the front façade and have separate own projecting roof form. While the proposed front porch width meets the District regulations, the integral roof form does not. Further the Staff is concerned about the lack of depth to the right portion of the front porch, which is about 5.5 ft. deep. The Staff finds that this porch depth is not consistent with front porch depths on the block or in the District. The Staff would recommend the front porch roof form and depth be redesigned to meet the District regulations and be compatible with contributing houses on the block face.



Except for the concerns noted above, the Staff finds the overall massing consistent with the long, rectangular massing of houses on the block and in the District.

### **Building Facades**

In the District, the Commission reviews those facades or portions thereof visible from a public street.

### **Windows and Doors**

The District regulations require that the ratio of openings to solid for all new construction (for example, windows to wall) meet the compatibility rule, with a permitted differential of ten (10) percent. Further, they require that 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. As noted above, the almost all aspects of the fenestration are subject to the compatibility rule. Given no information was provided about the fenestration of the other contributing houses on the block, the Staff cannot confirm that the proposed fenestration pattern meets the District regulations. Regardless of what the compatibility rule analysis would show, the Staff has concerns about specific characteristics of the windows and front door. First, the paired and triple windows are not separated by the appropriate trim, and the trim around all the windows appears to be too thin. Second, the ‘half-size’ windows are too horizontally proportioned for this type of house. Third, there is too large of an area on left elevation (which is really the right elevation) without windows. Fourth, the front door is not centered on the front stairs or the center columns of the front porch.

The Staff would recommend the windows and doors are compatible with the house and meet the District regulations.

### **Porch**

The District regulations require that porches shall contain balustrades, columns and other features consistent with porches in that block. Given no information was provided about the front porch elements, the Staff cannot confirm that the proposed front porch elements meet the District regulations. Regardless of what the compatibility documentation would show, the Staff has concerns about specific characteristics of the front porch. The open ends of the front porch stairs, the pier foundation and are not compatible with other front porch stairs on the block. Second, it is not clear to the Staff the spacing of the front porch columns in relation to the façade articulation, windows, and front door. The Staff would recommend that the front porch elements meet the District regulations.

In addition, the Staff is concerned about the “deck” on the left side of the house off of the laundry room. This would be clearly visible from the street and the Staff finds it would not meet the District regulations. The Staff would recommend the side deck be redesigned into a side porch.

### **Building Materials**

The Staff is concerned about the wood front porch stairs and brick mold window details. The Staff would recommend that all the materials of the house 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 an application for a Type III Certificate of Appropriateness (CA3-16-562) for a new single family house at **686 Elbert Street** - Property is zoned R4-A/Adair Park Historic District, to allow time for the Applicant to address the following concerns and comments:

1. The Applicant shall provide complete compatibility rule information, per Section 16-20I.005(1);
2. The front yard setback shall meet the District regulations, per Section 16-20I.006(4)(a);
3. The driveway shall proceed at least 20 ft. past the front façade of the house, per Section 16-20I.006(6);
4. The Applicant shall describe the fence height, material, and design and that the fence shall meet the District and underlying zoning regulations, per Section 16-20I.006(4)(i);
5. The height shall meet the District regulations, per Section 16-20I.006(4)(a);
6. The roof pitch shall meet the District regulations, per Section 16-20I.006(4)(f);
7. The front porch roof form and depth shall be redesigned to meet the District regulations and shall be compatible with contributing houses on the block face, per Section 16-20I.006(4)(a), (g), and (k);
8. The windows and doors shall be compatible with the house and shall meet the District regulations, per Section 16-20I.006(4)(a), (b), and (k);
9. The front porch elements shall meet the District regulations, per Section 16-20I.006(4)(a), (g), and (k);
10. The side deck shall be redesigned into a side porch, per Section 16-20I.006(4)(a), (g), and (k);
11. All the materials of the house shall meet the District regulations, per Section 16-20I.006(4)(a)(3);
12. 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.



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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](http://www.atlantaga.gov)

**TIME KEANE**  
Commissioner

OFFICE OF DESIGN

## STAFF REPORT January 11, 2017

**Agenda Item:** Application for a Type III Certificate of Appropriateness (CA3-16-564) for site work and a new accessory structure at **691 Catherine Street** - Property is zoned R-4A / Adair Park Historic District (Subarea 1) / Beltline.

**Applicant:** Tiara Crumby  
691 Catherine Street

**Facts:** According to the District inventory sheet this house is considered contributing to the District and was built in 1915. It is located on the south side of Lexington Avenue. The Applicant proposes to install a new accessory structure in the rear yard and metal picket fencing in the front, side, and rear yards. 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.
  - 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.

The proposed shed is located in the rear yard, conforms to the side yard setback requirements (which are established by the R-4A underlying zoning), 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 very rear portion of the rear yard.

However, the R-4A rear yard setback requirement is 15 f t., which the proposed accessory structure does not meet. The Staff would recommend the rear yard setback of the proposed accessory structure meet the underlying zoning regulations.

Though not specifically addressed by the District regulations, the Staff is very concerned by the roof form of the proposed accessory structure. The Staff finds that the asymmetrical and very steep roof form will be incompatible with accessory structure in the District and even principal structures in the District. Further, the Staff is concerned that the accessory structure will be similar in height to the principal structure. The Staff would strongly suggest that the roof form be redesigned and the height lowered to increase the compatibility of the proposed accessory structure with the principal structure and the District as a whole.

The Staff has no concerns about the proposed fencing.

**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 III Certificate of Appropriateness (CA3-16-564) for site work and a new accessory structure at **691 Catherine Street** - Property is zoned R-4A / Adair Park Historic District (Subarea 1) / Beltline with the following conditions:

1. The rear yard setback of the proposed accessory structure shall meet the underlying zoning regulations; and
2. The Staff shall review, and if appropriate approve, the final plans and specifications.



# CITY OF ATLANTA

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MAYOR

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[www.atlantaga.gov](http://www.atlantaga.gov)

**TIM KEANE**  
Commissioner

OFFICE OF DESIGN

## STAFF REPORT January 11, 2017

**Agenda Item:** Application for a Type III Certificate of Appropriateness (CA3-16-566) for a variance to allow a reduction in the south side yard setback from 7' (required) to 0' (proposed) at **556 Boulevard SE**. Property is zoned R-5 / Grant Park Historic District (Subarea 1) / Beltline.

**Applicant:** Craig Rosenberg  
556 Boulevard SE

**Facts:** This existing single family residence was constructed in 1908 and is considered contributing to the District.

Prior to the submission of this application, the subject property received a Stop Work Order for the construction of a carport and covered walkway without a permit. The Applicant then submitted an application for a Type II Staff Review (CA2S-16-528) for a review of the completed work. During a review of this application, Staff found that the carport proposed/constructed violated the required side yard setback of 7', and no information was received showing the carport met any of the other methods for determining side yard setbacks listed by the District regulations.

**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.*

- (B) *Side Yards:* Side yards shall either: i) conform to the setback of the previously existing contributing building of like use; ii) conform to the setback of the existing building; iii) conform to any existing pattern of unequal side yard setbacks previously established by a majority of the contributing buildings of like use on that side of the block; or iv) be of a width of not less than seven feet.

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.

In their responses to the variance criteria, the Applicant states that the subject property has a frontage of 45' which is less than the required 50' of frontage for R-5 lots. The majority of the lots on this block face are compliant with, or exceed, the 50' minimum frontage required by the R-5 regulations. The Applicant also states that the carport meets the pattern of unequal side yard setbacks established by a majority of the contributing accessory structures on the block face. This documentation has not been submitted to Staff, and cannot be reviewed for accuracy or appropriateness. However, Staff finds that the proposed carport is 35'. The carport has a north side yard setback of 9'. If the property had a compliant 50' frontage, a 35' wide structure could be placed at least 7' from both side yard setbacks. However, the 45' frontage creates a situation where a structure 35' wide would violate one or both side yard setbacks depending on its placement. As such, Staff finds that the request meets the variance criteria.

**CA3-16-566:**

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

- 1) The project meets the regulations with the exceptions noted above, per Sec. 16-26.003;

**Staff recommends** approval of an Application for a Type III Certificate of Appropriateness (CA3-16-566) for a variance to allow a reduction in the south side yard setback from 7' (required) to 0' (proposed) at **556 Boulevard SE**.



## 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](http://www.atlantaga.gov)

**TIM KEANE**  
Commissioner  
  
OFFICE OF DESIGN

### **STAFF REPORT** **January 11, 2017**

**Agenda Item:** Review and Comment (RC-16-545) on additions to the Adams Park Recreation Center at **1690 Delowe Drive (Adams Park)** - Property is zoned R-3.

**Applicant:** Mike Brown, Brown Construction  
2470 St. Paul Avenue

**Facts:** Adams Park is located in the Adams Park neighborhood. All of the proposed work will at the existing recreation center which is located on the northwest corner of Delowe Drive and Boulevard Lorriane. The front of the recreation center faces west, towards the interior of the park and the parking lot. The Applicant is proposing to build a two-part addition on the front façade of the recreation center consisting of a new lobby and an extension to an existing meeting space.

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

Per Section 6-6043(e):

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

The recreation center at Adams Park is a contemporary design. No currently usable green space or passive park space will be taken up with the project. Regarding the design of the proposed addition, the Staff does have several comments and concerns as noted below.

First, the proposed addition will have a large expanse of flat roof. Given that the design carries the existing soffit line around the addition and on the existing building a pitched roof sheds water over the edge of the soffit, it is not clear to the Staff how the roof drainage on the addition will be handled. If the expectation is that the water will shed over the edge of the new soffit, the Staff very concerned about the water damage to the soffit that could result. If the expectation is that the water will collect into an internal drain or scupper system, without some way to contain the water at the edge of the roof it still could flow over the edge of the roof and down the soffit.

Second, the Staff is concerned about the windows on the addition. The windows on the front and side of the lobby appear to be different and there appear to be only a few high transoms for the extended meeting space. While the Staff understands that the high transom window system matches the existing pattern, the Staff finds that this addition is an opportunity to bring in more natural light and enhance the indoor / outdoor connections of the building.

Third, the use of the stucco in such small amounts as infill material will be incompatible with the existing stone work, which is one of the dominant architectural features of the building. Confining the stone to two columns will add to the awkwardness of the material palette.

Fourth, the Staff would suggest that the walkway and entry area just outside the proposed new entrance doors be reconfigured to align with the new front doors and provide more space for gathering / waiting outside the front doors.

Notwithstanding the comments above, the Staff supports the overall concept of the additions to the recreation center as they will improve its viability and functionality.

**Staff Recommendation:** The Staff recommends that the Commission confirm that it has delivered its comments to the Applicant at the Commission meeting regarding an application for a Review and Comment (RC-16-545) on additions to the Adams Park Recreation Center at **1690 Delowe Drive (Adams Park)** - Property is zoned R-3.





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MAYOR

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404-330-6145 – FAX: 404-658-7491  
[www.atlantaga.gov](http://www.atlantaga.gov)

**TIM KEANE**  
Commissioner  
OFFICE OF DESIGN

## STAFF REPORT January 11, 2017

**Agenda Item:** Application for Type III Certificates of Appropriateness (CA3-16-550) for alterations and an addition, and site work at **82 Hogue Street** - Property is zoned Martin Luther King, Jr. Landmark District (Subarea 2)/Beltline.

**Applicant:** Earl Jackson  
3094 Brook Drive, Decatur

**Facts:** The property is located on the west side of Hogue Street between Old Wheat Street and Irwin Street, and is contributing the District. It is a one-story, front gable, full width porch cottage with incompatible, contemporary addition on the rear façade. Given the off center location of the existing front door, the house was likely a double shotgun duplex originally or at some point in the past. The Applicant is proposing to:

1. Repair the existing porch (including moving and/or replacing the front porch columns and installing a new porch header);
2. Repair and replace rotten and damaged exterior elements needed for stability;
3. Update exterior buildings elements to meet historic preservation codes and requirements (including moving the front door to the center of the front façade and adding sidelights, re-sheathing the previous rear addition and the existing house with 8 in. cementitious siding, and adding a higher brick water table / foundation curtain wall);
4. Restore additional windows to historical condition with historically compatible trim (including four single windows on the front façade, three new windows on the north façade, and four new windows on the south façade);
5. Remove rear deck;
6. Add rear one-story addition with deck above and add openings to side of previous contemporary addition to allow access;
7. Re-pour the driveway in the existing location; and
8. Regrade the sides of the house.

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

Sec. 16-20C.004. General regulations

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

1. General criteria. The Commission shall apply the standards set forth below only when the standards set forth elsewhere in Chapter 20C do not specifically address the application in whole or in part:

- a. A property shall be used for its historic purpose or be placed in a new use authorized in Section 16-20C.005 using minimal change to the defining characteristics of the building and its site and environment.
  - b. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
  - c. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
  - d. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
  - e. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
  - f. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
  - g. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
  - h. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
  - i. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
  - j. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
2. The compatibility rule.
- a. Block definitions. The following words and terms, when used in this chapter, shall have the meanings ascribed to them in this section:
    - i. Block. An area of land located within a continuous perimeter of public streets. An individual block shall begin at the back edge of curb of the adjacent street. Interstate 75/85, when no intervening street exists, shall be permitted to count as an adjacent street for purposes of meeting this definition, beginning at the edge of the adjacent 75/85 right-of-way.
    - ii. Block face. One side of a block, located between two consecutive street intersections.
  - b. The intent of these regulations is to ensure that alterations to existing structures and new construction are compatible with the massing, size, scale, and architectural features of each Subarea and of the immediately adjacent environment of a particular block or block face. To further that intent and simultaneously retain flexibility, the regulations provide a "compatibility rule" which is: The element in question, such as roof form or architectural trim, shall match that which predominates:
    - i. On contributing buildings of like use along the same block face in Subareas 1 and 2.
  - c. Where quantifiable, such as building height or floor height, the element shall be no smaller than the smallest or larger than the largest such dimension of the contributing building(s) along the same block face in Subareas 1 and 2 and on individual blocks in Subareas 3 and 4.
  - d. Those elements to which the compatibility rule applies are specified in these regulations by reference to "compatibility rule."
  - e. Building height shall be measured on the front elevation from the average point of grade on the front elevation to the highest point of the roof or façade, whichever is higher.
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:
    - ii. Additions;
10. Time period of historical significance. Where referenced in this chapter, the time period of historical significance for the district shall be the lifetime of Martin Luther King, Jr. (1929-1968).

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

1. Permitted Principal Uses and Structures: The following permitted uses and restrictions apply to all Subareas within this District, except Subarea 5:

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

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

- 2. The following additional Permitted Principal Use and Structures provisions shall apply to Subareas 1 and 2.
  - e. Active uses. Ground floor, sidewalk-level uses are further regulated in this district for the purposes of creating vibrant and pedestrian-oriented sidewalks and streets. Active uses, where provided, shall be serviced by plumbing, heating, and electricity and are limited to the residential uses and non-residential uses designated in Table 1: Martin Luther King Jr. Landmark District Table of Uses, except that the following non-residential uses shall not be considered as active uses:
    - i. Drive-in and drive-through facilities.
    - ii. Parking and driveways.
    - iii. Accessory non-residential storage areas.

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

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

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

- 1. The following Sidewalks, Yards and Open Spaces provisions shall apply to Subareas 1 through 4.
  - b. Yards. Notwithstanding the setback requirements of these Subareas, previously existing contributing structures may be reconstructed to their original footprints and setbacks upon a submittal of finding that such structural dimensions have been shown by archived evidence or sworn affidavit(s) to have previously existed on the proposed site, and as subsequently approved by the Commission.
  - c. Required Open Space.
    - i. Open Space shall be required only for multi-family uses. All other uses shall have no Open Space requirements.
- 2. The following additional Yards provisions shall apply to Subareas 1 and 2.
  - b. Subarea 2.
    - i. Except as provided below, all front, side and rear yard setbacks shall be established through utilization of the compatibility rule. All new construction shall maintain a minimum of 10 feet for rear yard setbacks where the compatibility rule would permit a smaller rear yard setback, except as otherwise provided for accessory structures.

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

- 1. The following Design Standards provisions shall apply to Subareas 1 through 4.
  - a. Building Compatibility.
    - i. All elements of new construction shall be utilized in a meaningful, coherent manner, rather than a mere aggregation of random historic elements.
    - ii. The compatibility rule shall apply to a principal structure's general façade organization, proportion, scale, roof form, pitch and materials, door and window placement, and other architectural details including but not limited to brackets, decorative trim, corner boards, bottom boards, fascia boards, columns, steps and attic vents.
    - iii. Fiberglass roofs shall be prohibited.
  - b. Fenestration.
    - i. The compatibility rule shall apply to the following aspects of fenestration:
      - (1) The style and material of the individual window or door.
      - (2) The size and shape of individual window and door openings.
      - (3) The overall pattern of fenestration as it relates to the building façade.

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

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

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

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

Repair the existing porch (including moving and/or replacing the front porch columns and installing a new porch header).

It is not clear from the application if the existing columns are being retained and moved or if entirely new columns are being installed. Given the change in the height of the brick base it would appear that new columns are being installed in new locations. It is not clear from the submission if the existing columns are original or historic to the house and what condition they are in. The Staff would recommend the Applicant document if the front porch columns are original or historic to the house and if so, they shall be retained and repaired in-kind. The Staff would further recommend that if the front porch columns are not original or historic, the new columns shall meet the compatibility rule.

The Staff has no concerns about the new front porch header.

Repair and replace rotten and damaged exterior elements needed for stability.

It is not clear from the submitted materials what this entails. The Staff would recommend that only exterior elements that are visibly deteriorated be repaired or replaced as determined by the Staff and that such repair / replacement shall be in-kind.

Update exterior buildings elements to meet historic preservation codes and requirements (including moving the front door to the center of the front façade and adding sidelights, re-sheathing the previous rear addition and the existing house with 8 in. cementitious siding, and adding a higher brick water table / foundation curtain wall).

Though the Staff can understand the interest in centering the front door, the Staff is concerned that this would eliminate one of the only remaining elements of the former duplex configuration of the house. The Staff is also concerned that the proposed front door itself (and proposed side lights) are not compatible with the existing house's architectural style or form and otherwise don't meet the District regulations as to light pattern and material. The Staff would recommend the Applicant document that the proposed front door location is compatible with the original or historic use of the house or otherwise retain the door opening in its current location. The Staff would further recommend that regardless of the door opening's location, the front door itself not include side lights and otherwise meet the District regulations.

The Staff has no general concerns about the use of the cementitious siding or the re-sheathing of the previous rear addition. However, it would recommend that the cementitious siding be smooth face and that the previous and proposed rear additions are delineated through false corner boards.

The Staff does not have any concerns about this component of the project.

Restore additional windows to historical condition with historically compatible trim (including four single windows on the front façade, three new windows on the north façade, and four new windows on the south façade).

It is not clear from the submission if the existing windows or their locations are original or historic to the house. The Staff would recommend the Applicant document if the windows and windows opening's are original or historic to the house and their condition, and if they are original or historic to the house and in good condition they are retained in place and repaired in-kind. The Staff would further recommend that if the windows and window locations are not original or historic, the new windows and window locations meet the District regulations. The Staff would add that is also concerned about the lack of windows on the side facades, the proportionally spaced single windows on the front façade (which are not really grouped and not really single windows), the thin horizontal windows on the side façades, the lack of trim between the paired windows, and the sill height of all the windows.

Remove rear deck.

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

Add rear one-story addition with deck above and add openings to side of previous contemporary addition to allow access.

The Staff finds that the proposed addition meets the setbacks, height, and lot coverage requirements of the District regulations. Taking into account the Staff's recommendation for the false corner board, windows, and materials, the Staff finds that the architectural elements and materials of the addition would meet the District regulations.

The Staff's main concern about the proposed addition is the roof top deck. While decks with more traditional locations (i.e. free standing off of the rear façade of the building) are compatible with the District, the Staff finds that a roof top deck (particularly on the lower half of the "split level" form) does not meet the District regulations because it emphasizes the off-set floor levels of the addition. The Staff would recommend the roof top deck be removed from the proposed design.

Re-pour the driveway in the existing location.

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

Regrade the sides of the house.

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

**Staff Recommendations:** Based upon the following:

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

Staff recommends approval of the application for Type III Certificates of Appropriateness (CA3-16-550) for alterations and an addition, and site work at **82 Hogue Street** - Property is zoned Martin Luther King, Jr. Landmark District (Subarea 2)/Beltline, with the following conditions:

1. The Applicant shall document if the front porch columns are original or historic to the house and if so, they shall be retained and repaired in-kind, per Section 16-20C.004(1) and .008(2)(b);
2. If the front porch columns are not original or historic, the new columns shall meet the compatibility rule, per Section 16-20C.004(1) and .008(2)(b);
3. Only exterior elements that are visibly deteriorated shall be repaired or replaced as determined by the Staff and that such repair / replacement shall be in-kind, per Section 16-20C.004(1) and .008(1)(a);
4. The Applicant shall document that the proposed front door location is compatible with the original or historic use of the house or otherwise shall retain the door opening in its current location, per Section 16-20C.004(1) and .008(1)(b) and (2)(a);
5. Regardless of the door opening's location, the front door itself shall not include side lights and shall otherwise meet the District regulations, per Section 16-20C.004(1) and .008(1)(b) and (2)(a);
6. The cementitious siding shall be smooth face and that the previous and proposed rear additions shall be delineated through false corner boards, per Section 16-20C.004(1) and .008(2)(c); and
7. The Applicant shall document if the windows and window openings are original or historic to the house and their condition, and if they are original or historic to the house and in good condition they shall be retained in place and repaired in-kind, per Section 16-20C.004(1) and .008(1)(b) and (2)(a);
8. If the windows and window locations are not original or historic, the new windows and window locations shall meet the District regulations, per Section 16-20C.004(1) and .008(1)(b) and (2)(a);
9. The roof top deck shall be removed from the proposed design, per Section 16-20C.004(1) and .008(1)(a); and
10. The Staff shall review, and if appropriate, approve the final plans and supporting documentation.



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**KASIM REED**  
MAYOR

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55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308  
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[www.atlantaga.gov](http://www.atlantaga.gov)

**TIM KEANE**  
Commissioner

OFFICE OF DESIGN

## STAFF REPORT January 11, 2017

**Agenda Item:** Application for a Type II Certificate of Appropriateness (CA2-16-555) for alterations and window replacement at **689 Home Ave.** Property is zoned R-5/Grant Park Historic District (Subarea 1) / Beltline.

**Applicant:** Noelle Joy Keltner  
689 Home Ave.

**Facts:** This single family residence was constructed in 1927 and is considered contributing to the District.

**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.*

1. Identified design elements of size, scale, massing and materials of new construction shall be substantially consistent with said identified design elements found in contributing structures of like use in the district as listed in subsection 16-20K.007(15)(c.).
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.
  - a. Paving materials for walks and drives: Black asphalt is prohibited.
  - b. Visible foundation materials: Foundations shall constitute a distinct building design element and shall contrast with the front façade siding material. Brick, stone, concrete, stucco, and architectural concrete masonry units (C.M.U.) shall be permitted. Standard, unfinished concrete block and stacked stone is prohibited.
  - c. Siding/veneer: Horizontal lap siding, vinyl siding, aluminum siding, shingles, brick, hard stucco, and stone shall be permitted. Stacked stone is prohibited.
  - d. Roofing: Asphalt shingles, wood shingles, metal shingles, slate, and pre-finished metal panels shall be permitted.
  - e. Chimneys: Brick, stone, or architectural concrete masonry units (C.M.U.) shall be permitted. Siding is prohibited.
  - f. Fences: Brick, stone, wire mesh, architectural C.M.U., or vertical pickets made of ornamental metal, wood or simulated wood shall be permitted in the front yard and half depth front yard.

(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 Applicant is proposing the replacement of all windows on the structure with new vinyl windows. According to the project description, the existing windows were installed in the 80's. From the pictures provided Staff is unable to determine the age of the existing windows in order to confirm they are not original or historic. As such, Staff recommends the Applicant submit more documentation showing the individual windows in order to confirm their age. Further, if the documentation shows the windows proposed for replacement are original or historic, Staff recommends the windows be retained.

The District regulations give two sets of criteria for alterations to a contributing structure. One of the criteria requires the alteration to not destroy historic materials. Staff cannot accurately determine whether this criterion would be appropriate for use given the previous comments regarding the need for documentation on the windows. However, both criteria are conditioned on the alteration reinforcing the architectural character or features of the historic structure. In general, Staff finds that the use of vinyl as a window material would not be consistent with the architectural character or features of the existing home. As such, Staff recommends any replacement windows be wood.



**CA2-16-555:**

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

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

**Staff recommends** approval of an Application for a Type II Certificate of Appropriateness (CA2-16-555) for alterations and window replacement at **689 Home Ave.** with the following conditions:

1. The Applicant shall submit more documentation showing the individual windows in order to confirm their age, per Sec. 16-20K.007(B)(1);
2. If the documentation shows the windows proposed for replacement are original or historic, the windows shall be retained, , per Sec. 16-20K.007(B)(1);
3. Any replacement windows shall be wood, per Sec. 16-20K.007(B)(1) and Sec. 16-20K.007(B)(1);
4. 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](http://www.atlantaga.gov)

**TIM KEANE**  
Commissioner  
Office of Design

## STAFF REPORT January 11, 2017

**Agenda Item:** Application for a Review and Comment (RC-16-560) for alterations, additions, and site work at **70 Brighton Rd.** Property is zoned R-4 / Brookwood Hills Conservation District / Beltline.

**Applicants:** A. Wright Marshall  
70 Brighton Rd.

**Facts:** This existing single family residence was constructed in 1928 and is considered contributing to the District.

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

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

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

Sec. 16-20.009. Same; further standards.

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

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (3) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

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

### **Site Work**

A new brick retaining wall is proposed for installation along the front sidewalk. On the block face in question several retaining walls exist comprised of either stone or brick, with stone being the predominate material. However, as a fair number of brick retaining walls exist, Staff has no concerns with the proposed design or materials of the retaining wall.

A replacement concrete drive and a new patio/terrace are proposed for the rear yard. The materials of the proposed patio/terrace are not noted on the landscape plan. Staff suggests the Applicant list the materials for the proposed patio/terrace and consider using a material which is consistent with historic paving material in the District.

The project description mentioned work on the existing garage in the rear yard, but the plans do not detail what work is proposed. Staff suggests the Applicant clarify the scope of work proposed on the existing garage.

While the site plan and landscape plan does not note the existing/proposed lot coverage, the plans appear to show that the impervious surfaces might exceed the allowable 50% lot coverage. Staff suggests the Applicant clarify the site plan note the existing/proposed lot coverage.

### **Alterations**

The enclosed porch on the right side of the structure is proposed to be unenclosed and converted back to an open porch. The new porch will contain rounded wood columns, and a wood knee wall in place of railing. The existing wood cornice will be retained, but the existing wood parapet wall will be replaced with a new wood parapet wall. Staff suggests the Applicant clarify whether the existing wood parapet wall is original to the structure. If so, Staff suggests the Applicant consider retaining the existing parapet wall.

### **Additions**

A new rear two story addition will replace an existing rear addition. The new addition will be clad in horizontal lap siding which will provide sufficient differentiation between the existing structure and the addition. Further, the new addition will be inset from the rear corners of the existing structure. Staff finds these methods of differentiation to be appropriate. In general,

Staff finds the design and materials of the proposed fenestration to be compatible with the existing fenestration, but suggests the Applicant consider adding fenestration to the left side façade. The addition will be capped with a roof contain two rear facing gables and one shed roof. The roofing materials will be slate for the gables and metal for the shed roof.

In general, Staff finds that the design and materials of the proposed addition are appropriate given the minimal visibility of the work area and the sufficient differentiation provided by the siding material and inset placement of the addition. As such, Staff has no general concerns with the proposed addition.

**Staff Recommendation:**

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



## CITY OF ATLANTA

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**TIM KEANE**  
Commissioner

OFFICE OF DESIGN

### STAFF REPORT January 11, 2017

**Agenda Item:** Application for a Type III Certificate of Appropriateness (CA3-16-561) for a variance to allow a reduction in the front yard setback from 110' (required) to 103' (proposed); to allow a reduction in the left side yard setback from 20' (required) to 15' (proposed); to allow a building to be placed on a slope exceeding the District regulations; to allow paving/parking to be located in the side yard setback; to allow tree removal; to allow fences; to allow a higher roof pitch than allowed by the District regulations; and a special exception to allow a retaining wall/privacy fence combination which total's 10' in height at **851 Oakdale Road** - Property is zoned Druid Hills Landmark District.

**Applicant:** Paul J. Clement  
851 Oakdale Road

**Facts:** The existing house on the property is considered non-contributing to the Druid Hills Landmark District. As such, its demolition is not subject to review by the Commission nor does it require a Certificate of Appropriateness. The property is located on the east side of Oakdale Road with the front portion of the property gently sloping down from the sidewalk level.

In November, 2016, the Commission approved the construction of a new house on the property with the following conditions (CA3-16-475):

1. The lot coverage calculations shall be included on the site plan, per Section 16-20C.006(4);
2. The lot slope compliance calculations / documentation shall be included on the site plan, per Section 16-20C.003(5)(b) and (c )
3. The paving area in the motor court within 20 ft. of the side property line shall be eliminated from the proposal or the site plan shall document through turning diagrams that this paving is required for proper maneuvering of vehicles in and out of the garages, per Section 16-20C.003(3)(b);
4. The plans shall confirm that the northeast portion of the house meets the front yard setback requirement, per Section 16-20C.006(5)(a)(4);
5. The existence, height, and materials of retaining walls on the block and the material of the proposed retaining walls shall be documented, per Section 16-20C.003(7)(e) ;
6. The plans shall indicate the design and materials of all of the site plan elements, per Section 16-20C.003(1);
7. The plans shall indicate all tree-related actions, including retention, loss, and replacement, per Section 16-20C.003(4);
8. Each elevation shall clearly include and label its calculated height and the plans reflect those calculations in a clearer overall height calculation, per Section 16-20C.006(9);

9. The Applicant shall provide additional analysis documenting the compatibility of the proposed roof pitch with the delineated house style and compliance with the District regulations, per Section 16-20C.003(1);
10. The plans shall be internally consistent regarding the front façade planter, per Section 16-20C.003(1); and
11. The Staff shall review, and if appropriate approve, the final plans, specifications, and supporting documentation.

Before the Commission at this time a request for a set of variances and a special exception, all of which have been submitted in anticipation that the conditions of the Commission’s approval in November, 2016 can’t be met:

- to allow a reduction in the front yard setback from 110' (required) to 103' (proposed);  
(related to Condition #4)
- to allow a reduction in the left side yard setback from 20' (required) to 15' (proposed);  
(related to Condition #4 and a potential increase in the width of this wing of the house)
- to allow a building to be placed on a slope exceeding the District regulations;  
(related to Condition #2)
- to allow paving/parking to be located in the side yard setback;  
(related to Condition #3)
- to allow tree removal;  
(related to Condition #7)
- to allow fences;  
(potentially related to Condition #6)
- to allow a higher roof pitch than allowed by the District regulations;  
(related to Condition #9)
- a special exception to allow a retaining wall/privacy fence combination which total's 10' in  
(related to Condition #5 and #6)

Also as a part of the current submission, the Applicant provided supporting documentation responding to the conditions of the Commission’s approval in CA-3-16-475).

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

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

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

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

- (g) Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
  - (h) Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
  - (i) New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
  - (j) New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
- (2) Certificates of Appropriateness.
- (a) Except as otherwise provided herein, the procedures for determining the correct type of certificate of appropriateness shall be those specified in section 16-20.008 of the Zoning Ordinance.
  - (b) Notwithstanding any other provision herein, no certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
  - (c) No certificate of appropriateness shall be required for the removal of dead, dying, or hazardous tree as defined in the City of Atlanta Tree Ordinance or a tree with a diameter breast height of less than six (6) inches.
  - (g) Type III certificates of appropriateness shall be reviewed and decided by the Commission and shall be required for:
    - i. All new principal structures.
- (3) Minimum off-street parking requirements:
- a. Off-street parking spaces shall not be permitted in any front yard or within 50 feet of the public right-of-way in any half-depth front yard, except for yards adjacent to Moreland Avenue, where a 60-foot limit shall apply. For the purpose of this regulation, the front yard shall be that area between the public right-of-way and the forward line of the principal structure.
  - b. No off-street parking shall be located within 20 feet of any lot line.
  - c. Number of off-street parking spaces required:
    - 1. For single-family, two-family, and multiple-family dwellings: Two spaces for each dwelling unit.
- (4) Minimum landscape requirements: The overall quality of the landscaped area visible from public right-of-ways should be preserved as an integral part of the historic character of the District. Any major alteration to the landscape or topography visible from the public right-of-way in the District shall maintain the general landscaping scale and character reflected in the original development of Druid Hills in order to preserve the historic landscape character of the District. Any major alteration to the landscape or topography visible from the public right-of-way shall:
- (a) follow the standards set forth in 16-20B.003(1);
  - (b) be consistent and compatible with the overall landscape plan and design on the property and block;
  - (c) maintain the spatial organization of an open space in front of the house, asymmetrical plantings on the sides of the principal structure and a rear tree canopy;
  - (d) not excessively or unnecessarily alter the natural topography of the site, with the exception of grading necessary to protect and preserve the integrity of a structure;
  - (e) ensure that any new grades shall meet the existing topography in a smooth transition;
  - (f) retain any existing historic circulation systems, including driveways, walkways and paths;
  - (g) ensure that any new circulation systems and substantial reconstruction of existing circulation systems is consistent and compatible with the existing circulation systems on the property and block with respect to layout, scale, materials, and topographic siting;
  - (h) ensure that any off-street parking be constructed of a material which will assure a surface resistant to erosion, have adequate access to a public street and have adequate circulation space; and
  - (i) comply with the provisions of the City of Atlanta Tree Ordinance with the following exceptions:
    - i. When the removal of trees is permitted by the Commission, each tree removed shall be replaced with a tree of an appropriate species having a minimum caliper of two and one half (2 ½) inches; and
    - ii. Taking into account the site density and tree spacing regulations of the City of Atlanta Tree Ordinance, any replacement trees and placement of said trees shall comply with (a)-(g) above.
    - iii. Compliance with (i) above shall not eliminate any additional recompense or tree replacement that otherwise may be required by the City of Atlanta Tree Ordinance.
- (5) Minimum drainage controls: Structures shall be located so as to preserve the natural terrain of the district. Proper drainageways shall be provided to prevent increased water runoff and erosion, siltation of streams or flooding of property as required by the department of public works.
- (a) No structure shall be permitted within any 100-year floodplain.

- (b) No single-family structure shall be constructed on natural slopes greater than 25 percent.
- (c) No structure other than single-family shall be permitted on slopes greater than 15 percent.
- (6) Minimum architectural controls: Any new construction, additions, renovations or alterations in the District shall maintain the general architectural scale and character reflected in the original development of Druid Hills in order to preserve the historic character of the district and shall follow the standards set forth by Section 16-20B.003(1).
- (7) Fences, walls and retaining walls: Subject to the provisions of Section 16-28.008(5) and the following limitations:
  - (a) Fences and walls are not permitted in the front yard, yards adjacent to public streets, or between any principal structure and a public street.
  - (b) Fences and walls not exceeding 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.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.
- (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:
    - 4. East side of Oakdale Road, Ponce de Leon Avenue to city limit:
      - Front yard: 110 feet.
      - Side yards: 20 feet.
      - Rear yard: 100 feet.
- (6)Maximum height: No building shall exceed a height of 35 feet.

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.

**Response to Previous Conditions of Approval from CA3-16-475)**

Prior to accessing the variance requests, the Staff finds that determining whether or not the conditions of the previous approval have been met would determine if some of the variances are in fact necessary at this point in the project review.

**The lot coverage calculations shall be included on the site plan, per Section 16-20C.006(4).**

On the revised site plan, the lot coverage is indicated as just over 5%, but it appears this calculation only includes the footprint of the house. The District regulations state that lot coverage includes “all structures, parking and driveways”. While still thinks that the actual lot coverage will be less than the maximum allowed, the calculation still needs to be accurate. The Staff would recommend the plans document compliance with Condition #1 of CA3-16-475.



The lot slope compliance calculations / documentation shall be included on the site plan, per Section 16-20C.003(5)(b) and (c).

On the updated site plan, the steepest slope upon which the house will be built is indicated as 24%, which meets the District regulations. The Staff finds the updated site plan complies with Condition #2 of CA3-16-475 and as such no variance is necessary.

The paving area in the motor court within 20 ft. of the side property line shall be eliminated from the proposal or the site plan shall document through turning diagrams that this paving is required for proper maneuvering of vehicles in and out of the garages, per Section 16-20C.003(3)(b).

On the updated site plan, the turning radius / movements have been indicated showing that all of the paved area within the 20 ft. setback is required to allow for proper movement of vehicles in and out of the garage and the parking pad, which is out of the 20 ft. setback. The Staff finds the updated site plan complies with Condition #3 of CA3-16-475 and as such no variance is necessary.

The plans shall confirm that the northeast portion of the house meets the front yard setback requirement, per Section 16-20C.006(5)(a)(4).

The Staff found during its analysis of CA3-16-475 that the proposed design did not comply with the front setback requirements necessitating the need for the variance included in this submission. The Staff will assess this variance request in the Variance Analysis section of this Staff Report.

The existence, height, and materials of retaining walls on the block and the material of the proposed retaining walls shall be documented, per Section 16-20C.003(7)(e).

In the updated submission, the Applicant documents the existence of retaining walls on the subject property, which is by definition on the block face. They further explain that the brick retaining wall along the right side of the property (along the driveway) will be required to maintain the existing grades which is related to a City of Atlanta sewer line that runs diagonally through the property starting at that location. The Staff finds the updated site plan complies with Condition #5 of CA3-16-475.

The plans shall indicate the design and materials of all of the site plan elements, per Section 16-20C.003(1).

On the updated plans, all of the site plan elements are noted, including: exposed aggregate driveway and vehicle areas; brick retaining walls; masonry patios, landings, and site stairs, natural surface paths (in the rear of the property), 6 ft. brick fence on the left side of the house in the side yard, a 3 ft. tall fall prevention brick wall along the top of the brick retaining wall along the right side of the property along the driveway, potentially a 6 ft. tall privacy fence/wall along the right property line, and an existing chain link fencing in the rear yard. The Staff finds the updated site plan complies with Condition #6 of CA3-16-475.

The plans shall indicate all tree-related actions, including retention, loss, and replacement, per Section 16-20C.003(4).

On the update plans, the only trees indicated as being removed are three holly trees (6-7 in. in size) that are located where the porte cochere will be. The District regulations require that all replacement trees have a caliper size of 2.5 in. There are at least three new trees proposed as part of the replanting plan. The Staff would recommend that in addition to the gallon size of the pots, the caliper size of the proposed trees be indicated on the landscape plans to document compliance with the District regulations and Condition #7 of CA3-16-475. Taking into account the Staff's

recommendation regarding the documentation of the proposed tree sizes, the Staff finds that the final plans would comply with Condition #7 and as such no variance would be necessary.

Each elevation shall clearly include and label its calculated height and the plans reflect those calculations in a clearer overall height calculation, per Section 16-20C.006(9).

On the updated plans, there are complete height calculations showing the proposed house is less than the 35 ft. height limitation. The Staff finds the updated site plan complies with Condition #8 of CA3-16-475.

The Applicant shall provide additional analysis documenting the compatibility of the proposed roof pitch with the delineated house style and compliance with the District regulations, per Section 16-20C.003(1).

In the most recent submission, the Applicant noted other houses in the District with similar roof pitches and noted that while Prairie Style homes do have lower roof pitches than other style homes, in the District these homes tend to have slightly higher roof pitches. Further, the roof pitch of the house has been lowered to 5:12 which complies with the District regulations and is internally consistent with the proposed house style. The Staff finds the updated plans comply with Condition #9 of CA3-16-475 and such no variance is necessary.

The plans shall be internally consistent regarding the front façade planter, per Section 16-20C.003(1).

On the updated plans, the front elevation has been revised to reflect the one-tier planter shown on the site plan. The Staff finds the updated elevation complies with Condition #10 of CA3-16-475.

### **Variance Analysis**

To allow a reduction in the front yard setback from 110' (required) to 103' (proposed).

In the Applicant's variance response they cite the presence of the sewer line, retention of existing trees, topography of the lot, the existing setbacks / building line of the other houses on the block face and the minimal encroachment the reduction would actual embody (i.e. not the main house, but eaves, components of the front porch, etc.) as the justification for the setback reduction. The Staff finds that this rationale meets the variance criteria and as such recommends the approval of this portion of the variance request.

To allow a reduction in the left side yard setback from 20' (required) to 15' (proposed).

In the Applicant's variance response they cite the presence of the sewer line, topography of the lot, the existing setbacks / building line of the other houses on the block face, and the purity of the design as the justification for the setback reduction.

However, this component of the variance request anticipates a potential expansion of the width of the left wing of the house, though not proposed design is provided for this potential expansion. Further, it appears that the main reason for the potential increase in the width of the left wing would be to "balance" the porte cochere on the right, provide "aesthetic balance" to the overall design, and reinforce the "wide and low massing" of the Prairie style of the house .

While the Staff appreciates the Applicant interest in a balanced and strong Prairie Style aesthetic, it is difficult to recommend approval for a variance request without an actual proposed design. Further, it appears that the hardship of not having a reduction in the left side yards setback would be the creation of a less-than-compatible design. Given the Staff and Commission did not have any issues with the overall massing, scale, size, and materials of the original (and still current) design, the Staff finds that the hardship would be difficult to document. The Staff does not find that the variance criteria have not been met for this portion of the variance request and as such would recommend denial of this portion of the variance request.

To allow a building to be placed on a slope exceeding the District regulations.

The Staff finds that the updated site plan complies with Condition #2 of CA3-16-475 and as such no variance is necessary to allow a building to be placed on a slope exceeding the District regulations. The Staff would recommend denial of this portion of the variance request.

To allow paving/parking to be located in the side yard setback.

The Staff finds that the updated site plan complies with Condition #2 of CA3-16-475 and as such no variance is necessary to allow paving / parking to be located in the side yard setback. The Staff would recommend denial of this portion of the variance request.

To allow tree removal.

The Staff finds that the updated site plan would comply with Condition #7 of CA3-16-475 when the Staff recommendation is taken into account and as such no variance would be necessary to allow tree removal. The Staff would recommend denial of this portion of the variance request.

To allow fences.

The Staff finds that the project contains the following fence / wall / retaining wall components:

- 6 ft. brick fence on the left side of the house in the side yard;
- 3 ft. tall fall prevention brick wall along the top of a maximum 6 ft. tall brick retaining wall along the right side of the property along the driveway;
- potentially a 6 ft. tall privacy fence/wall along the right property line; and
- an existing chain link fencing in the rear yard.

If the Staff's listing and description of the proposed and existing fencing, walls, and retaining walls is correct, then the Staff further finds that the fencing, wall, and retaining wall components of the project meet Condition #5 and #6 of CA3-16-475, as well as the District regulations regarding fencing, walls, and retaining walls. As such, as such no variance would be necessary to allow fences on the property. The Staff would recommend denial of this portion of the variance request.

To allow a higher roof pitch than allowed by the District regulations.

The Staff finds that the updated plans comply with Condition #9 of CA30160475 and as such no variance is necessary to allow a higher roof pitch than allowed by the District regulations. The Staff would recommend denial of this portion of the variance request.

To allow a retaining wall/privacy fence combination which total's 10' in height.

The Staff finds that the project contains the following fence / wall / retaining wall components:

- 6 ft. brick fence on the left side of the house in the side yard;
- 3 ft. tall fall prevention brick wall along the top of a maximum 6 ft. tall brick retaining wall along the right side of the property along the driveway;
- potentially a 6 ft. tall privacy fence/wall along the right property line; and
- an existing chain link fencing in the rear yard.

If the Staff's listing and description of the proposed and existing fencing, walls, and retaining walls is correct, then the Staff further finds that the fencing, wall, and retaining wall components of the project meet Condition #5 and #6 of CA3-16-475, as well as the District regulations regarding fencing, walls, and retaining walls. As such, as such no variance would be necessary to allow retaining walls/ privacy fences on the property. The Staff would recommend denial of this portion of the variance request.

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

a) Except as noted above, the project meets the District regulations, per Section 16-20B.

Staff recommends approval of the application for a Type III Certificate of Appropriateness (CA3 16 561) for a variance to allow a reduction in the front yard setback from 110' (required) to 103' (proposed); to allow a reduction in the left side yard setback from 20' (required) to 15' (proposed); to allow a building to be placed on a slope exceeding the District regulations; to allow paving/parking to be located in the side yard setback; to allow tree removal; to allow fences; to allow a higher roof pitch than allowed by the District regulations; and a special exception to allow a retaining wall/privacy fence combination which total's 10' in height at **851 Oakdale Road** - Property is zoned Druid Hills Landmark District, with the following conditions:

1. The project shall be built as described and conditionally approved in CA3-16-475;
2. The plans shall document compliance with Condition #1 of CA3-16-475, per Section 16-20B.006(4);
3. In addition to the gallon size of the pots, the caliper size of the proposed trees shall be indicated on the landscape plans to document compliance with the District regulations and Condition #7 of CA3-16-475, and Section 16-20B.003(4);
4. The left side yard setback shall be maintained at 20 ft., per Section 16-20B.006(5)(a)(4);
5. The house shall be built on compliant slopes, per Section 16-20C.003(5)(b) and (c) ;
6. The paving area within the side yard setback shall meet the District regulations, per Section 16-20C.003(3)(b);
7. Tree removal and replacement shall meet the District regulations, per Section 16-20B.003(4)
8. All fencing, walls, and retaining walls shall meet the District regulations, per Section 16-20B.003(7);
9. The roof pitch shall meet the District regulations, per Section 16-20C.003(1); and
10. The Staff shall review, and if appropriate approve, the final plans, specifications, and supporting 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](http://www.atlantaga.gov)

**TIM KEANE**  
Commissioner

OFFICE OF DESIGN

**STAFF REPORT**  
**December 14, 2016**  
*Updated January 11, 2017*  
*(updated text in BOLD italics)*

**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 Applicant has revised the site plan to show the project has a proposed floor area ratio of 30% of the net lot area and has a lot coverage of 29% of the net lot area. As such Staff finds the proposal meets the lot coverage and FAR requirements.***

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.

***The Applicant has submitted information detailing the predominate paving material on the block face is concrete. As such, Staff recommends the proposed paved areas be concrete.***

## **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 revised drawings do not show an addition with a lower ridge line. As such Staff retains its previous recommendation.***

***Staff would note that the Applicant has provided information that the proposed addition meets the height limitations established by the Compatibility rule. However, Staff finds that compliance with the Compatibility rule does not negate the requirement that a proposed addition be compatible with, and not destroy the spatial relationships of, the existing structure as set forth in the Further Standards listed in Sec. 16-20.009.***

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 revised drawings do not show an addition utilizing hipped dormers. As such Staff retains its previous recommendation. Further, while not mentioned in the previous report, the Applicant's proposal lacks elevations for both side elevations as such, Staff recommends the Applicant provide elevations for both side façades.***

***Staff would note that the Applicant has provided information that the proposed addition meets the height limitations established by the Compatibility rule. However, Staff finds that compliance with the Compatibility rule does not negate the requirement that a proposed addition be compatible with, and not destroy the spatial relationships of, the existing structure as set forth in the Further Standards listed in Sec. 16-20.009.***

***The Applicant has also provided documentation of houses using side facing gables in their original design. The properties in question are not located on the block face of the subject property and therefore would be inappropriate for use in compatibility comparisons as detailed in the Compatibility Rule. Additionally, Staff finds that the use of side facing gables on this structure, even if such features existed in the original design of houses on the same block face, would irreparably destroy the original characteristics of the property and result in the irreparable loss of historic fabric and character of the subject property.***

***Staff finds that the use of hipped dormers could allow for second story addition which is sensitive to the existing architecture of the structure, the intent of the District regulations, and the needs of the homeowner.***

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.

***The Applicant has revised the site plans to show the livable space in the proposed accessory structure is 13% of the livable space contained in the principal structure. Staff finds this requirement has been met.***

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 proposed paved areas shall be concrete, per Sec. 16-20G.006(12)(b);*
2. The proposed addition shall contain a ridgeline equal to or lesser than the ridgeline of the existing structure, per Sec. 16-20.009(2);
3. The plans shall be changed to utilize hipped dormers on the side facades, per Sec. 16-20.009(2);
4. *The Applicant shall provide elevations for both side façades, per Sec. 16-20G.005(1)(b)(1); and,*
5. All updated materials shall be submitted no less than 8 days before the deferred meeting date.



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DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT  
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[www.atlantaga.gov](http://www.atlantaga.gov)

**TIM KEANE**  
Commissioner

OFFICE OF DESIGN

**STAFF REPORT**  
**December 14, 2016**  
*Updated January 11, 2017*  
*(Updated text in Bold italics)*

**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.

***The Applicant has not submitted a properly scaled site plan showing the proposed brick wall and driveway improvements. As such, Staff retains this recommendation.***

### **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.

***The revised plans submitted by the Applicant detail the replacement of all windows on the structure. The Applicant has also submitted pictures of the front windows showing them to be non-original to the structure. No other pictures of windows proposed for removal have been submitted. As such, Staff recommends the Applicant submit information detailing the historic nature of the windows on the side facades. If the photographic documentation shows the windows on the side facades are original and able to be repaired, Staff recommends the side façade windows be retained. If the windows on the side facades are not original or unable to be repaired, Staff finds the proposed replacement material to be inappropriate due to the use of PVC casing. As such, Staff recommends any replacement windows be wood three over one 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.

*The Applicant has provided updated plans further detailing the plans to replace the railing. However, no information regarding the need for the railing to be replaced as opposed to repaired has been submitted. As such, Staff retains this condition.*

## **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.

*From the plans submitted, Staff finds the scope of work on the rear foundation amounts to the replacement of the existing foundation. No information regarding the materials or design of the existing visible foundation has been received. As such Staff recommends the Applicant submit photographic documentation showing the existing foundation design and materials. Staff further recommends the new visible foundation match the design and materials of the existing visible foundation.*

## **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** approval of an Application for a Type II Certificate of Appropriateness (CA2-16-515) for alterations and site work at **805 Joseph E Lowery Blvd.** with the following conditions:

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 submit information detailing the historic nature of the windows on the side facades, per Sec. 16-20G.006(3);*
4. *The Applicant shall submit information detailing the historic nature of the windows on the side facades, per Sec. 16-20G.006(3);*



- 5. If the photographic documentation shows the windows on the side facades are original and able to be repaired, the side façade windows shall be retained, per Sec. 16-20G.006(3);**
- 6. Any replacement windows shall be wood three over one windows, per Sec. 16-20G.006(3);**
7. 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);
- 8. The Applicant shall submit photographic documentation showing the existing foundation design and materials, per Sec. 16-20G.006 (5)(a);**
- 9. The new visible foundation shall match the design and materials of the existing visible foundation, per Sec. 16-20G.006 (5)(a); and,**
- 10. Staff shall review and if appropriate, approve the final plans and documentation.**