



CITY OF ATLANTA

KASIM REED
MAYOR

DEPARTMENT OF CITY PLANNING
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT May 10, 2017

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-17-008) for a new single family residence at **1056 Allene Ave.** Property is zoned R-4A / Adair Park Historic District (Subarea 1) / Beltline.

Applicant: Jeffrey Faulkner
256 Ponce De Leon Ave.

Facts: This lot is currently vacant.

Analysis: The following code sections apply to this application:

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

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

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

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:
 - b. *Type required:*
 2. Except with regard to Type I certificates, the procedures for determining the appropriate type of certificate required under subsection 16-20I.006(1)a. above shall be those specified in section 16-20.008 of the zoning code, provided, however, that a partial demolition shall require a Type IV certificate of appropriateness only when said partial demolition will result in the loss of significant architectural features which destroys the structure's historic interpretability or importance.
- (4) *Architectural Standards:*
 - a. *Building façades:*

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

4. Decks, skylights, solar panels and communication equipment, when otherwise allowed by these or other regulations are permitted on roofs of buildings provided they cannot be seen from the public right-of-way.
 - g. *Porches:*
 1. Architecturally significant porches, steps and stoops shall be retained.
 2. Replacement porches, steps and stoops shall match the original in size, style and materials.
 3. Porches may be enclosed with screenwire or glass if the main characteristics of a front porch are maintained.
 4. Porches shall contain balustrades, columns and other features consistent with porches in that block.
 - 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.
 - j. *Walls:* Concrete block may be used in retaining walls, but stone or brick facing material is required.
 - k. *Ornaments:*
 1. Architecturally significant ornaments, such as corner boards, cornice, brackets, downspouts, railings, columns, steps, doors and windows moldings, shall be retained.
 2. Replacement ornaments shall be permitted only when originals cannot be rehabilitated.
 3. Installation of new ornaments, where none previously existed, shall be permitted only when it is in accordance with the architectural style of the original structure.
- (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.
 - b. Carports and garages shall be behind the rear of the main structure. If the main structure is located on a corner lot, the front yard setback for that side of the street shall apply to the construction of a carport or garage.

The District regulations have quantitative and qualitative requirements for new construction. If an item is not discussed below, Staff found the related regulations were met.

Site plan

Based on the information provided by the Applicant, the allowable front yard setback range for this property is a minimum of 31.2' (based on 1048 Allene Ave.) and a maximum of 33' (based on 1024 Allene Ave.). The proposed structure has a front yard setback of 30'. Staff finds the proposed setback does not meet the compatibility rule. As such, Staff recommends the proposed structure have a front yard setback that falls within the allowable range determined by the compatibility rule.

The proposed structure has a half-depth front yard setback of 15'. No information detailing the allowable half-depth front yard setback for corner properties on this block has been received.

Staff finds that the properties located at 1023 and 1024 Allene Ave. would determine the allowable half-depth front yard setback for this block. As such, Staff recommends the Applicant provide information detailing the allowable half-depth front yard setback for this block and that the proposed half-depth front yard setback meet the range allowed by those measurements.

The Site plans provided do not note the lot coverage or Floor Area of the proposed structure. Staff recommends the site plan note the lot coverage and FAR of the proposed property.

New Construction

The Commission has purview over those facades that can be seen from the public right of way. As this is a corner lot, all 4 sides of the structure will be visible.

Per the District regulations, roof form and pitch is based on the compatibility rule. In looking at the contributing structures on the block in question Staff finds the majority of those properties contain hipped roofs with an accent gable above the front porch. As such, Staff recommends the plans be revised to include an accent gable above the front porch.

On the rear of the structure, a gabled roof is proposed. No compatibility information detailing the rear roof form of contributing structures on the block has been received. As such, Staff recommends the Applicant provide information detailing the allowable rear roof form for the block.

On the side façades half size windows are proposed. The District regulations require windows to meet the compatibility rule with regards to their size with a permitted differential of 10%. Staff finds the windows in question to be much smaller than the regulations would allow. As such, Staff recommends the proposed windows meet the District regulations in regard to their size.

The rear façade of the structure contains no doors and windows. Staff recommends the Applicant provide information detailing the compatibility of the proposed rear fenestration pattern.

The materials for the proposed window is not specified in the information provided by the Applicant. Further the information provided shows one over one double hung windows while the plans detail three over one windows. Staff recommends the proposed windows be wood three over one windows. If simulated divided lite windows are used, Staff recommends the muntins be permanently affixed to the exterior of the window and integral to the sash.

CA3-17-188

Staff Recommendations: Based upon the following:

- 1) The plans meet the regulations, per Section 16-20I.006, with the exceptions of the comments noted above;

Staff recommends deferral of an Application for a Type III Certificate of Appropriateness (CA3-17-008) for a new single family residence at **1056 Allene Ave.**, to allow the Applicant time to address the following Staff concerns:

1. The proposed structure shall have a front yard setback that falls within the allowable range determined by the compatibility rule, per Sec. 16-20I.006(4)(a)(2);
2. The Applicant shall provide information detailing the allowable half-depth front yard setback for this block and that the proposed half-depth front yard setback meet the range allowed by those measurements, per Sec. 16-20I.006(4)(a)(2);
3. The site plan shall note the lot coverage and FAR of the proposed property;
4. The plans shall be revised to include an accent gable above the front porch, per Sec. 16-20I.006(4)(f)(3);
5. The Applicant shall provide information detailing the allowable rear roof form for the block, per Sec. 16-20I.006(4)(f)(3);
6. The proposed windows shall meet the District regulations in regard to their size, per Sec. 16-20I.006(4)(b)(5);
7. The Applicant shall provide information detailing the compatibility of the proposed rear fenestration pattern, per Sec. 16-20I.006(4)(b)(6);
8. The proposed windows shall be wood three over one windows, per Sec. 16-20I.006(4)(b)(5);
9. If simulated divided lite windows are used, the muntins shall be permanently affixed to the exterior of the window and integral to the sash, per Sec. 16-20I.006(4)(b)(5); and,
10. All new materials shall be submitted no less than 8 days before the deferred meeting date.



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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT May 10, 2017

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-17-188) for alterations and an addition at **779 Tift Ave.**. Property is zoned R-4A / Adair Park Historic District (Subarea 1) / Beltline.

Applicant: Frank Iglesias
6175 Hickory Flat Hwy, Ste. 110-122, Canton

Facts: This 1892 contributing structure has sustained damage to portions of the side and rear façades. The rear of the property is completely open.

Analysis: The following code sections apply to this application:

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

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

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

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:
 - b. *Type required:*
 2. Except with regard to Type I certificates, the procedures for determining the appropriate type of certificate required under subsection 16-20I.006(1)a. above shall be those specified in section 16-20.008 of the zoning code, provided, however, that a partial demolition shall require a Type IV certificate of appropriateness only when said partial demolition will result in the loss of significant architectural features which destroys the structure's historic interpretability or importance.
- (4) *Architectural Standards:*
 - a. *Building façades:*

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

4. Decks, skylights, solar panels and communication equipment, when otherwise allowed by these or other regulations are permitted on roofs of buildings provided they cannot be seen from the public right-of-way.
 - g. *Porches:*
 1. Architecturally significant porches, steps and stoops shall be retained.
 2. Replacement porches, steps and stoops shall match the original in size, style and materials.
 3. Porches may be enclosed with screenwire or glass if the main characteristics of a front porch are maintained.
 4. Porches shall contain balustrades, columns and other features consistent with porches in that block.
 - 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.
 - j. *Walls:* Concrete block may be used in retaining walls, but stone or brick facing material is required.
 - k. *Ornaments:*
 1. Architecturally significant ornaments, such as corner boards, cornice, brackets, downspouts, railings, columns, steps, doors and windows moldings, shall be retained.
 2. Replacement ornaments shall be permitted only when originals cannot be rehabilitated.
 3. Installation of new ornaments, where none previously existed, shall be permitted only when it is in accordance with the architectural style of the original structure.
- (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.
 - b. Carports and garages shall be behind the rear of the main structure. If the main structure is located on a corner lot, the front yard setback for that side of the street shall apply to the construction of a carport or garage.

The District regulations have quantitative and qualitative requirements for alterations and additions. If an item is not discussed below, Staff found the related regulations were met.

Site plan

The plans indicate that a portion of the previously existing structure will be re-built inside the required 7' side yard setbacks. While these portions of the house were previously existing, the proposed work will require a variance from the BZA to reduce the side yard setbacks before the Commission could approve this work. As such, Staff recommends the Applicant apply for a variance from the BZA to allow a reduction in the required side yard setbacks.

The Site plans provided do not note the lot coverage or Floor Area of the proposed structure. Staff recommends the site plan note the lot coverage and FAR of the proposed property.

Alterations and addition

Based on the photographs provided, it appears that the front door is missing. However, this is not noted on the plans. Staff recommends any new door meet the Compatibility rule.

The plans note single hung windows as proposed replacement for the existing windows. The photographs provided show wood double hung windows currently existing but in various stages of deterioration. In general, Staff finds the majority of the existing windows could be beyond repair, and as such has no concerns with their replacement. However, Staff recommends any replacement window be wood double hung windows to match the originals.

CA3-17-188

Staff Recommendations: Based upon the following:

- 1) The plans meet the regulations, per Section 16-20I.006, with the exceptions of the comments noted above;

Staff recommends deferral of an Application for a Type III Certificate of Appropriateness (CA3-17-188) for alterations and an addition at **779 Tift Ave.**, to allow the Applicant time to address the following Staff concerns:

1. The Applicant shall apply for a variance from the BZA to allow a reduction in the required side yard setbacks;
2. The site plan shall note the lot coverage and FAR of the proposed property;
3. Any new door shall meet the Compatibility rule, per Sec. 16-20I.006(4)(b)(3);
4. Any replacement window shall be wood double hung windows to match the originals, per Sec. 16-20I.006(4)(b)(3);
5. All new materials shall be submitted no less than 8 days before the deferred meeting date.



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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT May 10, 2017

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-17-197) for alterations and site work at **605 Atlanta Ave.** Property is zoned R-5 / Grant Park Historic District (Subarea 1) / Beltline.

Applicant: Courtney & John Harcourt
605 Atlanta Ave.

Facts: The 1921 contributing building has undergone several alterations to its front porch but appears to be largely unaltered from its original overall form and configuration.

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

The District regulations allow two criteria for reviewing alterations to contributing structures. The work can either 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, or the work should not destroy historic materials that characterize the property and be compatible with the massing, size, scale and architectural features of the property and environment.

After reviewing the proposed work Staff finds either criterion could be appropriately applied to the project. However, Staff will direct its comments using the second of the two criteria. If an item is not discussed below, Staff found the related regulations were met.

Staff recommends any repairs to the existing porch necessitated by the reestablishment of the steps on the front of the porch be done in kind with regards to material, style, and design. Further, Staff recommends any new walkway be shown on a properly scaled site plan and meet the District regulations.

CA3-17-197

Staff Recommendations: Based upon the following:

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

Staff recommends approval of an Application for a Type II Certificate of Appropriateness (CA2-17-197) for alterations and site work at **605 Atlanta Ave.**, with the following conditions:

1. The Applicant provide photographs of the existing eaves documenting brackets/corbels previously existed, per Sec. 16-20K.007(2)(D)(2);

2. Any repairs to the existing porch necessitated by the reestablishment of the steps on the front of the porch be done in kind with regards to material, style, and design, per Sec. 16-20K.007(2)(D)(2);
3. Any new walkway be shown on a properly scaled site plan and meet the District regulations, per Sec. 16-20K.007(2)(D)(2);
4. Staff shall review and if appropriate approve the final plans and documentation.



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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT May 10, 2017

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-17-204) for a new single family residence at **938 Allene Ave.** Property is zoned R-4A / Adair Park Historic District (Subarea 1) / Beltline.

Applicant: Courtney & John Harcourt
605 Atlanta Ave.

Facts: This lot is currently vacant.

Analysis: The following code sections apply to this application:

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

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

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

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; and
 - b. *Type required:*
 2. Except with regard to Type I certificates, the procedures for determining the appropriate type of certificate required under subsection 16-20I.006(1)a. above shall be those specified in section 16-20.008 of the zoning code, provided, however, that a partial demolition shall require a Type IV certificate of appropriateness only when said partial demolition will result in the loss of significant architectural features which destroys the structure's historic interpretability or importance.

(4) *Architectural Standards:*

a. *Building façades:*

1. All new construction shall conform to the existing building orientation (setbacks) by having sidewalks, front yards, porches and front doors facing and parallel to the street, and if located on a corner, the main façade shall face the principal street whenever possible.
2. At a minimum, the front of all new construction, including any portion thereof, shall be placed at the distances from the street determined by the compatibility rule. This requirement shall also apply to those sides of corner lots which also face a street.
3. All building materials which upon completion are visible from the public right-of-way, shall be compatible with those which predominate in the subarea.
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:*

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.

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.

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:*

4. Porches shall contain balustrades, columns and other features consistent with porches in that block.

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.

- b. Carports and garages shall be behind the rear of the main structure. If the main structure is located on a corner lot, the front yard setback for that side of the street shall apply to the construction of a carport or garage.

The District regulations have both quantitative and qualitative requirements with regards to new construction. If an item is not discussed below, Staff found the related regulation was met.

Site plan

The Applicant has provided setbacks for compatibility comparisons from properties which are not on the same block as the subject property. Staff finds the following contributing properties can be used for compatibility comparisons on this block: 924,938, and 932 Allene Ave. Staff recommends the Applicant provide information detailing that the proposed front and half-depth front yard setbacks meet the compatibility rule.

Further, Staff recommends the site plan note the proposed lot coverage and FAR of the structure.

New construction

The Commission has purview over those facades that can be seen from the public right of way. As this is a corner lot, all 4 sides of the structure will be visible.

Per the District regulations, roof form and pitch is based on the compatibility rule. In looking at the contributing structures on the block in question (924, 928, and 932 Allene Ave.), Staff finds that those properties have a front and side gable configuration typical for structures built during the original period of the Neighborhood's development during the latter part of the 1800's. No information regarding the roof pitch of the contributing structures on the block has been provided, but in looking at the inventory photographs, their pitch appears to be much steeper than the one proposed for the new construction. Staff recommends the roof form and pitch meet the compatibility rule.

On the side and rear façades half size and accent windows are proposed. The District regulations require windows to meet the compatibility rule with regards to their size with a permitted differential of 10%. Staff finds the windows in question to be much smaller than the regulations would allow. As such, Staff recommends the proposed windows meet the District regulations in regard to their size.

The plans note the porch will be constructed on a slab foundation. Per the regulations, slab on grade foundations are not permitted. As such, Staff recommends no slab on grade foundations be used in the proposed structure.

The proposed materials for the front porch columns, railing, floor, and the front door are not noted on the plans. Staff recommends all building materials meet the compatibility rule.

CA3-17-204

Staff Recommendations: Based upon the following:

- 1) The do not meet the regulations, per Section 16-20I.006, with the exceptions of the comments noted above;

Staff recommends deferral of Application for a Type III Certificate of Appropriateness (CA3-17-204) for a new single family residence at **938 Allene Ave.**, with the following conditions:

1. The Applicant shall provide information detailing that the proposed front and half-depth front yard setbacks meet the compatibility rule, per Sec. 16-20I.006(4)(a)(2);
2. The site plan shall note the proposed lot coverage and FAR of the structure;
3. The roof form and pitch shall meet the compatibility rule, per Sec. 16-20I.006(4)(f)(3);
4. The proposed windows shall meet the District regulations in regard to their size, per Sec. 16-20I.006(4)(b)(7);
5. No slab on grade foundations shall be used in the proposed structure, per Sec. 16-20I.006(4)(c)(3);
6. All building materials shall meet the compatibility rule, per Sec. 16-20I.006(4)(a)(3);
7. All new materials shall be submitted no less than 8 days before the scheduled meeting date.



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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT May 10, 2017

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-17-206) for a variance to allow an increase in the front yard setback from 34' (required) to 46' (proposed); and, (CA3-17-203) for an addition at **293 Ormond St.** Property is zoned R-5 / Grant Park Historic District (Subarea 1).

Applicant: Anthony Rueden
4905 Whispering Pines Way, Cumming

Facts: The 1908 contributing building appears to be relatively unaltered from its original overall form, configuration and exterior materials, though the front porch railing has been raised.

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

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

(1) *Development Controls.*

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

(2) *Architectural Standards.*

- (A) *Statement of Intent.* The purpose of these regulations is to set forth basic, minimum standards of architectural design and construction that are compatible with and complementary to the existing historic

residences within the neighborhood, as the cumulative historic diversity of the built environment is a defining characteristic of this neighborhood. It is not the intent of these regulations to limit the design of new housing to replication of styles of existing structures, but to foster residential design that, with regard to massing, size, scale, materials, and architectural elements, enhances the architectural quality of the neighborhood and simultaneously encourages creativity. Additionally, these regulations are intended to integrate the physical characteristics of new construction into the existing neighborhood in a meaningful way so as to restore and promote the public health, safety, and welfare of this neighborhood.

The following residential architectural styles currently predominate in the neighborhood and contribute to its unique historic character; they are included here for reference only: American Four Square, Craftsman, English Vernacular Revival, Folk Victorian, Queen Anne, and Shotgun.

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

1. Identified design elements of size, scale, massing and materials of new construction shall be substantially consistent with said identified design elements found in contributing structures of like use in the district as listed in subsection 16-20K.007(15)(c.).
2. A paved walkway from the front sidewalk to the front entry of the principal structure shall be provided.
3. Front porches on the principal structure shall be required and shall be a minimum of one-third the width of the front façade and a minimum of seven feet in depth. Side porches shall be a minimum of four feet in depth. Porches may be enclosed by screen wire only, provided all the main features of a porch are maintained in place and the screening materials can be removed at a future date with minimal damage to said features.
4. All front façades and front porches of the principal structure shall face and be parallel to the lot frontage. Wrap around front porches are permitted.
5. Roof form above the front façade of the principal structure shall be gabled and/or hipped. Roof pitch shall be a minimum of 6 in 12. Roof pitch above porches shall not be restricted.
6. The height of the principal structure shall not exceed 35 feet. (See section 16-28.022 for excluded portions of structures.)
7. The first floor of the principal structure shall be on foundations and elevated above the grade a minimum of two entrance step risers each of which shall be no less than six inches in height. All front steps shall have closed risers and closed ends. Access ramps shall be permitted.
8. Garages entrances are prohibited on the front façade. Single car-width garage entrances are permitted on the half depth front yard façade of the structure. Double car-width garage entrances are permitted at the rear of the structure.
9. Decks, Balconies and Upper Level Terraces:
 - a. Decks shall be permitted only when located to the rear of the principal structure.
 - b. Decks shall be permitted at any level.
 - c. Balconies and upper level terraces shall be permitted.
10. Any portion of a chimney that is located on any façade that faces a public street shall originate at grade.
11. Any façades that face a public street shall consist of fenestration that is either: 1) substantially consistent with fenestration on contributing structures of like use in the district, or 2) shall be no less than 15 percent and no greater than 40 percent of the total surface wall area. Windows may be individual or grouped. No individual window unit shall exceed 28 square feet. Within each individual window unit, no individual window sash, either fixed or operable, shall exceed 16 square feet.
12. When practical, skylights should be located where least visible from the public street. If skylights are visible from the public street, the glass shall be tinted to match the surrounding roof area. Protruding "bubble" skylights are prohibited.
13. Accessory structures, such as carriage houses, smoke houses, tenant and alley houses, private garages, carports, electric vehicle charging stations equipped with Level 1 and/or Level 2 EVSE, and mechanical equipment shall be located to the side and/or rear of the principal structure within the buildable area of the lot and shall not project beyond the front of the principal structure. If mechanical equipment is visible from a public street, screening with appropriate plant or fence materials is required.
14. Fences and walls, adjacent to a public street upon completion, shall be subject to the provisions of section 16-28.005(5) and the following limitations:

- a. Fences not exceeding four feet in height may be erected in a front yard. Other than retaining walls, walls shall not be erected in a front yard or a half-depth front yard.
 - b. Fences and walls not exceeding six feet in height may be erected in the side or rear yards.
 - c. In a half-depth front yard, when a fence exceeds four feet in height, the standard zoning requirements for a variance are in effect. Where no sidewalk exists, the fence shall be set back three feet from a public street. Portions of retaining walls facing a public street and located in a required front yard or half-depth front yard shall be faced with brick, stone or masonry wall covered with a parge coat of stucco, such as Portland stucco cement.
 - d. The finish side or front side of one-sided fences shall face the public street.
15. On those façades of any structure that face a public street, the following regulations on building materials shall apply. Alternate materials may be submitted for review by the commission.
- a. Paving materials for walks and drives: Black asphalt is prohibited.
 - b. Visible foundation materials: Foundations shall constitute a distinct building design element and shall contrast with the front façade siding material. Brick, stone, concrete, stucco, and architectural concrete masonry units (C.M.U.) shall be permitted. Standard, unfinished concrete block and stacked stone is prohibited.
 - c. Siding/veneer: Horizontal lap siding, vinyl siding, aluminum siding, shingles, brick, hard stucco, and stone shall be permitted. Stacked stone is prohibited.
 - d. Roofing: Asphalt shingles, wood shingles, metal shingles, slate, and pre-finished metal panels shall be permitted.
 - e. Chimneys: Brick, stone, or architectural concrete masonry units (C.M.U.) shall be permitted. Siding is prohibited.
 - f. Fences: Brick, stone, wire mesh, architectural C.M.U., or vertical pickets made of ornamental metal, wood or simulated wood shall be permitted in the front yard and half depth front yard.
- (D) *Design Criteria for Alterations and Additions to Contributing Structures.* Alterations and additions to contributing structures requiring a Certificate of Appropriateness shall comply with one of the following provided that the mere increase in floor area otherwise authorized in the district shall not constitute a standard for review:
- 1. Alterations and additions shall be consistent with and reinforce the historic architectural character of the entire existing contributing structure and shall comply with the applicable regulations for new construction set forth in subsection 16-20K.007(2)(B) above; or
 - 2. New additions, exterior alterations, or related new construction will not destroy historic materials that characterize the property. The new work may differentiate from the old. To protect the historic integrity of the property and its environment, any new work will be compatible with the massing, size, scale and architectural features of the property and environment.

The District regulations have both qualitative and quantitative requirements for additions. If an item is not discussed below, Staff found the related regulations were met.

Variance

In the Applicant's variance analysis they note the non-conforming status of the lot, the interest in retaining the integrity of the one-story house by setting back the second story addition, the variance would not be detrimental to the public good, and that the second story addition would be hard to see from the street.

The Staff concurs with the Applicant's variance analysis and in particular would note that the setting back of second story additions (or additions in general) is an appropriate historic preservation technique to differentiate original portions of a house from more contemporary additions. If the proposed second story addition were built in conformance to the setback, the contributing house would be completely overwhelmed by the addition and it's over historic character significantly diminished.

The Staff would recommend approval of the variance request.

Addition and Alterations

The District regulations do not allow for the Staff or Commission to review the architectural or massing of the second story addition as it does not affect the front façade of the structure, which in this case would include the front porch, the front wall of the existing house, and the front wall of the gable of the existing house. The one alteration proposed to the front porch involves repairs to the existing railing. Staff has no concerns with this proposed alteration.

CA3-17-206

Staff Recommendations: Based upon the following:

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

Staff recommends approval of an Application for a Type III Certificate of Appropriateness (CA3-17-206) for a variance to allow an increase in the front yard setback from 34' (required) to 46' (proposed) at **293 Ormond St.**

CA3-17-203

Staff Recommendations: Based upon the following:

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

Staff recommends approval of an Application for a Type III Certificate of Appropriateness (CA3-17-203) for an addition at **293 Ormond St.**, with the following conditions:

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



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TIM KEANE
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STAFF REPORT May 10, 2017

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-17-089) for a subdivision of one lot into two lots; and, (CA3-17-190) for the construction of two new single family homes at **205 Berean Ave.** Property is zoned Cabbagetown Landmark District (Subarea 3) / Beltline.

Applicant: Elmhurst Management
208 12th St.

Facts: This lot is currently vacant.

Analysis: The following code sections apply to this application:

Sec. 16-20A.005. - Certificates of appropriateness.

Certificates of appropriateness within this district shall be required as follows:

(1) *When required:*

- e) To erect a new building that replaces a non-contributing building, provided that the applicant, prior to the demolition of said non-contributing building, shall have complied with the requirements of section 16-20.007(c).

(2) *Type required:*

- a) When a certificate of appropriateness is required under the provisions of subsection (a) above, the procedures for determining the appropriate type of certificate shall be those specified in section 16-20.008 of the Zoning Code. Provided, however, that a partial demolition of a contributing building 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.

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

The following regulations shall apply to more than one subarea in the Cabbagetown Landmark District, which includes all five subareas. certificates of appropriateness required above shall be obtained from the commission or the director, as applicable, in accordance with the following regulations:

- (1) Minimum standards. These regulations constitute the minimum standards that shall be followed and shall be applied by the commission and director.
- (2) The commission shall apply the standards in section 16-20.009 only if the standards set forth elsewhere in this chapter 20A do not specifically address the application.
- (3) Applications. Materials necessary for complete review of an application shall be submitted with the application as set forth by the director. In addition, a scaled site plan showing all improvements, photographs of existing conditions and adjoining properties, and elevation drawings of all improvements shall be submitted for all Type III certificate of appropriateness applications. For new construction of a principal building, the application shall also include a scaled drawing showing all front yard setbacks,

heights of, and widths of, and the distances between all existing buildings on the block face, along with those of the proposed structure.

- (4) Additional notification. The applicant shall be given contact information for interested Cabbagetown community organizations and shall be directed to provide the organization with a copy of the submitted application and attachments within three days of submission to the commission.
- (5) Cabbagetown design guidelines. The commission shall adopt and maintain guidelines, referred to herein as the Cabbagetown Design Guidelines. These guidelines shall: further the intent of these regulations; further define elements of architectural style and applicability; provide important additional detailed information regarding the construction and renovation of historic buildings; and be used as a guide to ensure the compatibility of future development in the Cabbagetown Landmark District.
- (6) The compatibility rule.
 - a) In general, the intent of the regulations and guidelines is to ensure that alterations to existing structures and new construction are compatible with the design, proportions, scale, massing, and general character of the contributing buildings in the immediately adjacent environment of the block face, the entire block, a particular subarea (including appropriate reference to subarea style) or the district as a whole. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The element in question (roof form, architectural trim, etc.) shall match that which predominates on the contributing buildings of the same architectural style and like use on that block face or, where quantifiable (i.e., buildings height and width as measured at front façade, floor height, lot dimensions, etc.), no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same architectural style and like use in that block face."
 - b) For the purposes of the compatibility rule, height and width shall be measured at the front façade.
 - c) In any instance where one contributing building of the same architectural style and like use on a block face is higher or wider by more than ten percent than any other contributing building of like use on a block face, such structure shall be eliminated in the application of the compatibility rule.
 - d) Those elements to which the rule applies are noted in the regulations by a reference to the "compatibility rule."
- (9) Minimum lot requirements. There shall be front, rear, and side yard setbacks. The distance of said setbacks shall be determined by the compatibility rule.
- (10) Subdivision of lots. The subdivision of any lot within this district shall be subject to review and approval by the commission. No subdivision of lots shall be approved by the director of the bureau of planning unless said matter has first been submitted to and approved by the commission. No subdivision of lots shall be approved unless the commission shall make a finding that the resulting lots are compatible with the historic platting pattern of the Cabbagetown neighborhood. The commission shall further find that the resulting lots are so laid out that buildings that are compatible in design, proportion, scale, and general character of the block face, may be reasonably situated and constructed upon such lots. The compatibility rule shall apply.
- (13) Design standards and criteria for new principal buildings. The following regulations shall apply to new construction of principal buildings.
 - a) *General criteria:*
 1. All new construction shall be one of the house styles of a contributing building that appears on the block face of the street on which the new construction shall occur.
 2. The general façade organization and proportions shall be subject to the compatibility rule.
 3. All of the following building elements shall be appropriate to the selected house style, regarding design, size, dimension, scale, material, location on the building, orientation, pitch, reveal and amount of projection from the façade:
 - a. roofs, chimneys, and roofing materials;
 - b. siding;
 - c. eaves, soffits, brackets, rafter tails, knee braces, cornice returns, and gable returns;
 - d. corner boards, fascia boards, bottom boards, decorative trim, and attic vents;
 - e. doors and door transoms;
 - f. windows and window transoms;
 - g. porches, including supports, columns, balustrades, steps, and roofs; and
 - h. foundation walls, foundation piers, and water tables.All the elements listed above shall be utilized in a meaningful, coherent manner, rather than a mere aggregation of random historic elements.

4. Sidewalks, front yards, porches, and front doors facing and parallel to the street shall be provided.
- b) *Façades:*
1. Wood, smooth-surface cementitious siding or Masonite siding are permitted. Siding shall exhibit a horizontal, clapboard profile. Siding shall have no less than a four-inch reveal and no more than a six-inch reveal.
 2. The height of the first floor above street level shall meet the compatibility rule. The foundation shall be a minimum of 14 inches and a maximum of four feet above the surface of the ground adjacent to the front façade. Brick, stone, smooth finish stucco, and smooth finish concrete are permitted as foundation facing materials.
 3. Windows shall be predominantly vertical in proportion, shall not be constructed in combination of more than two units, and shall be double-hung wood sash with true divided lights. Window organization and fenestration patterns shall meet the compatibility rule.
 4. Exterior doors visible from any public right-of-way shall be solid wood panel or single-pane fixed glass and shall be composed of no more than 50 percent glass.
 5. Exterior architectural details, such as brackets, decorative trim, corner boards, bottom boards, fascia boards, porch railing, columns, steps and doors, and attic vents, shall be shown on the submitted plans, and shall be subject to the compatibility rule.
- c) *Roofs:*
1. The shape and pitch of roofs, as well as ridge, dormer, overhang, and soffit construction shall meet the compatibility rule.
 2. Skylight and solar panels are not permitted on the front façade of any structure. "Bubble type" skylights are not permitted anywhere in the Cabbagetown Landmark District. The placement and design of flat profile skylights and/or solar panels, where permitted, shall minimize their ability to be seen from public rights-of-way and is subject to approval by the commission.
 3. When chimneys are included, chimneys shall be faced in brick, originate at grade and are subject to approval by the commission.
 4. Boxed gable returns are not permitted.
 5. Roofing material shall be asphalt shingles. Fiberglass roofs are not permitted. Flat-roofed structures or structures not visible from any public right-of-way may use any roof covering that conforms to standard architectural specifications.
- d) *Dormers:* When permitted, dormers shall be subject to design review by the commission and shall meet the following requirements:
1. Shall be gable or shed design as appropriate to the architectural style of the building and shall maintain the siding, roof materials, and trim consistent with the main portion of the building.
 2. Shall not engage the ridgeline of the main roof structure.
 3. The front edge of the dormer shall not interrupt the primary fascia or soffit line.
 4. Shall not occupy less than 15 percent nor more than 35 percent of the total surface area of the roof plane on which it is constructed.
- e) *Porches:*
1. Front porches shall contain balustrades, columns, and have other characteristics, including floor dimension, height, roof pitch, overhang, and column size that meet the compatibility rule.
 2. Decorative metal, resin, fiberglass and plastic columns are not permitted.
 3. Porches may be enclosed with recessed screen wire if the main characteristics of the porch are maintained.
 4. Front porch steps shall be made of wood, brick, or concrete. Metal steps are not permitted.
- f) *Site development, sidewalks and curbs:*
1. The sidewalk shall be the same width as the sidewalk on abutting properties. If no sidewalk exists on abutting properties, the new sidewalk shall match sidewalk widths on the block. If no sidewalk exists on the block, the new sidewalk shall be six feet wide.
 2. Sidewalks shall be brick on a concrete base and laid in a pattern to match existing on abutting properties or elsewhere in the district.
 3. Curbing shall be granite; poured concrete shall not be used.
 4. A paved walkway from the front public sidewalk to the front entry of the principal building shall be provided.

- (19) Off-street and off-site parking.
 - d) Off-street parking shall not be located or authorized between the principal building and the street.
 - e) Off-street parking may be located in a rear or side yard.
 - f) The driveway of a lot used for residential purposes shall extend at least 20 feet behind the front façade of the house.
 - i) Off-street or off-site parking shall include landscape buffer strips placed along sidewalks and public rights-of-way. Landscape buffer strips shall be: a minimum of three feet in width, planted with a mixture of evergreen groundcover or shrubs a minimum of three gallons at time of planting with a maximum mature height of 30 inches; and planted with canopy street trees that are a minimum of 3.5 inch caliper measured 36 inches above ground and a minimum of 12 feet in height at time of planting placed no further than 25 feet on center. All landscape buffer strips shall be maintained in a sightly manner.
 - j) Mesh paver blocks (including the installation of durable ground cover plantings), poured concrete, concrete pavers, decorative stone or brick are permitted paving materials for driveways and surface parking. Asphalt is not permitted.
 - k) Use of shared driveways and/or alleys is encouraged.

Sec. 16-20A.009. - Shotgun and Cottage Housing (Subarea 3).

In addition to the general regulations required in section 16-20A.006, the following regulations shall apply to any new development or the conversion of any existing structures to permitted uses within the Shotgun and Cottage Housing Subarea. These regulations are intended to set forth basic standards of architectural design and construction that are consistent with these original house styles found in the Cabbagetown Landmark District. It is the intent of these regulations to foster residential design that incorporates the historic architectural elements and materials that are specific to the district in a meaningful, coherent manner. The following regulations are intended to achieve basic compatibility with these original architectural styles, rather than designs that are a mere aggregation of random historic elements.

- (1) *Shotgun Housing.* Shotgun housing is a style typified by simple structures whose width is no more than that of one room extending from the front to rear of the structure or, in the case of a double shotgun, two rooms wide. This housing type is usually closely spaced and is found most often along Savannah Street and Berean Avenue within this subarea.
- (2) *Cottage Housing.* Cottage housing is a mixed housing style that includes central aisle houses, L-plan cottages, Victorian cottages, worker's cottages, one and a half story duplexes, bungalows, and other residential structures, modest in scale, that are characterized by common setbacks, repetitive porch and façade features, and consistent structure massing.
- (3) *Permitted principal uses and structures.* A building or premises shall be used only for the following principal purposes:
 - a) Single-family detached dwellings.
 - b) Two-family dwellings existing at the time of the adoption of these regulations. Two-family dwellings, originally built as duplexes, shall be permitted even if the use has lapsed for more than a year.
 - c) Parks, playgrounds, and community buildings owned and operated by a government agency or Cabbagetown-based non-profit community organization.
- (6) *Minimum lot requirements.* In addition to the setback requirements in section 16-20A.006(9), in no case shall any portion of a building be closer to a public sidewalk than any portion of any contributing building of like use on the block face.
- (7) *Maximum building height and width.* The compatibility rule shall apply.
- (8) *Floor area ratio.* The floor area ratio shall not exceed 0.50.
- (9) *Roofs.*
 - a) Roofing materials shall be asphalt shingles or batten seamed metal.
 - b) Metal shingles are permitted if they are appropriate to the house style.
- (12) *Porches.*
 - a) Decks shall be permitted on the side or rear of the house if not visible from the street.
 - b) Rear decks shall be no wider than the house.
 - c) Side and rear porches shall be permitted if appropriate to the house style.
- (13) *Fencing and walls.*
 - a) Walls are not permitted in a front yard, or a side yard adjacent to a public right-of-way.
 - b) Variances for the height of walls or fences may be granted by the commission.

- c) Walls shall be constructed of wood.
- (14) *Driveways and surface parking areas.*
 - a) One parking space per dwelling unit shall be required for all new construction or changes in use.
 - b) Driveways shall not exceed ten feet in width and shall have a curb cut no more than ten feet, exclusive of flair.
 - c) At least one-third of any driveway or surface parking area shall be pervious.
 - d) Poured concrete paving for driveways shall consist of two ribbons for tire tracks separated by a planting strip.
 - e) Alternate paving materials may be approved upon review by the commission if such materials are pervious and do not detract from the historic character of the landmark district.

Subdivision

With regards to subdivisions, the District regulations require the resulting lots from any subdivision to meet the historic platting pattern of the Cabbagetown neighborhood. The information provided by the Applicant shows the lots for this particular block face vary greatly from widths as narrow as 25' and as wide as 56'. Staff finds this variety in lot widths to be indicative of both the subarea of the subject property as a whole, and the District in general. The propose lots would have a width of 33' 7" and 28' 5". Staff finds that the resulting lots meet the historic platting pattern of the District and recommends the subdivision request be approved.

New construction

Two new shotgun style homes are proposed for the new lots. The District regulations have both quantitative and qualitative requirements in regards to new construction. If an item is not discussed below Staff found the related regulations were met. Staff will refer to the structures using the designation of House A and House B used in the plans provided by the Applicant.

As House A will be set on a corner lot, the regulations require the Applicant to base the half-depth front yard setback on the half-depth front yard setbacks of contributing shotguns on the block face. However, Staff finds there are no contributing shotguns on the block face which are on properties with corner lots. As such, Staff recommends the Applicant provide information detailing the allowable half-depth front yard setback range based on the half-depth front yards in close proximity to the subject property.

The predominate window style used by contributing shotguns on the block face is one over one. As such, Staff finds the proposed one over one windows appropriate. The Applicant has not specified the material of the proposed windows. As such, Staff recommends the proposed windows be wood windows.

The material of the proposed siding is not specified on the plans. Staff recommends the proposed siding material meet the District regulations.

The proposed houses have gable vents above the front porch. Per the regulations, features such as gable vents must match those features which predominate on the block face. Staff finds the predominate gable detail on the contributing shotguns on the block face to be a square or rectangular gable vent. As such, Staff recommends the proposed gable detail consist of a square or rectangular gable vent.

CA3-17-089

Staff Recommendations: Based upon the following:

- 1) The plans meet the regulations, per Section 16-20A.006, with the exceptions of the comments noted above;

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-17-089) for a subdivision of one lot into two lots at **205 Berean Ave.**

CA3-17-190

Staff Recommendations: Based upon the following:

- 2) The plans meet the regulations, per Section 16-20A.006, with the exceptions of the comments noted above;

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-17-190) for the construction of two new single family homes at **205 Berean Ave.** with the following conditions:

1. The Applicant shall provide information detailing the allowable half-depth front yard setback range based on the half-depth front yards in close proximity to the subject property, per Sec. 16-20A.006(9);
2. The proposed windows shall be wood windows, per Sec. 16-20A.006(13)(b)(3);
3. The proposed siding material shall meet the District regulations, per Sec. 16-20A.006(13)(b)(1);
4. the proposed gable detail consist of a square or rectangular gable vent



CITY OF ATLANTA

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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT May 10, 2017

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-17-186) for an addition at **1085 Metropolitan Pkwy.** Property is zoned R-4A / Adair Park Historic District (Subarea 1) / Beltline.

Applicant: Clinton Green
636 North Avenue, Bldg #13H, Jonesboro

Facts: According to the District photographic inventory, this existing single family structure was constructed in 1923 and is considered contributing to the District.

Analysis: The following code sections apply to this application:

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

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

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

Sec. 16-20I.006. - Specific regulations—Residential Subarea I.

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

- (1) *Certificates of Appropriateness:* Certificates of appropriateness within this subarea shall be required as follows:
 - a. *When required:*
 1. To change the exterior appearance of any portion of a structure within the subarea, when said change can be seen from the public right-of-way;
 2. To erect a new structure or to make an addition to any structure within the subarea, when said new structure or addition can be seen from the public right-of-way; and
 3. To demolish or move any contributing structure, in whole or in part, within the subarea.
 - b. *Type required:*
 2. Except with regard to Type I certificates, the procedures for determining the appropriate type of certificate required under subsection 16-20I.006(1)a. above shall be those specified in section 16-20.008 of the zoning code, provided, however, that a partial demolition shall require

a Type IV certificate of appropriateness only when said partial demolition will result in the loss of significant architectural features which destroys the structure's historic interpretability or importance.

(4) *Architectural Standards:*

a. *Building façades:*

1. All new construction shall conform to the existing building orientation (setbacks) by having sidewalks, front yards, porches and front doors facing and parallel to the street, and if located on a corner, the main façade shall face the principal street whenever possible.
2. At a minimum, the front of all new construction, including any portion thereof, shall be placed at the distances from the street determined by the compatibility rule. This requirement shall also apply to those sides of corner lots which also face a street.
3. All building materials which upon completion are visible from the public right-of-way, shall be compatible with those which predominate in the subarea.
4. Siding repair or replacement shall match the original materials in scale and direction. Wood clapboard, if original is preferred; however, aluminum, masonite vinyl or other horizontal siding is permitted if window trim, cornerboards, and fascia/bargeboards are left in place or replaced with new material to match the original.
5. Contemporary design of new construction, compatible with adjacent and surrounding structures, is permitted.
6. No structure shall exceed that height established by the compatibility rule, with a permitted differential of ten (10) percent.

b. *Windows and Doors:*

1. Architecturally significant windows and doors, including details, trimwork, and framing, shall be retained.
2. Original window and door openings shall not be blocked or enclosed, in whole or in part.
3. Replacement windows and doors shall be permitted only when originals cannot be rehabilitated. Replacement windows and doors shall match the original in style, materials, shape and size with no more than a one-inch width or height difference from the original size.
4. Dropped ceilings, when located below the head of a window, shall be sufficiently recessed from the window opening to maintain the original exterior appearance.
5. New doors and windows, when permitted, shall be compatible in scale, size, proportion, placement, and style to existing windows and doors.
6. The ratio of openings to solid for all new construction (for example, windows to wall) shall be established by the compatibility rule, with a permitted differential of ten (10) percent.
7. The scale, size, and proportion of all openings in new construction shall be established by the compatibility rule with a permitted differential of ten (10) percent.
8. New windows or doors added to existing structures shall be located on sides or to the rear of buildings, rather than on the front.

c. *Foundations:*

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

e. *Chimneys:*

1. Chimneys shall match original materials, mortar, color and pattern whenever possible.
2. New chimneys shall be faced with brick or stucco.
3. Siding on chimneys is prohibited.

f. *Roofs:*

1. Roofing materials shall be of the same size, texture and materials as existing, exposed roofing materials when the existing, exposed roofing materials constitute a significant architectural feature of the structure.

2. Cold-rolled roofing is permitted only on flat roofs. Corrugated metal and corrugated fiberglass roofs are not permitted.
 3. The shape and pitch of roofs for new construction shall be subject to the compatibility rules.
 4. Decks, skylights, solar panels and communication equipment, when otherwise allowed by these or other regulations are permitted on roofs of buildings provided they cannot be seen from the public right-of-way.
- 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.
 - b. Carports and garages shall be behind the rear of the main structure. If the main structure is located on a corner lot, the front yard setback for that side of the street shall apply to the construction of a carport or garage.

The District regulations have both qualitative and quantitative requirements for additions. If an item is not discussed below, Staff found the related regulations were met.

Plans

In reviewing the plans Staff finds the window proportions and placement do not match the existing conditions on the front and side facades. For example, the windows shown on the drawings of front façade do not extend down as far as the existing windows do, and the windows shown on the plans in general are not proportional to their counterparts on the existing structure. Further, the existing right side façade contains a set of double grouped windows along with two accent windows on either side of the previously removed chimney. Staff would note that no application for window replacement has been received or reviewed. As such, Staff recommends the elevations be re-drawn to show the correct window placement, proportions, of the existing windows.

Addition

The plans provided do not detail the exterior façade materials of the proposed addition. As such, Staff recommends the plans note the exterior façade materials for the proposed addition and that those materials meet the District regulations.

CA3-17-186

Staff Recommendations: Based upon the following:

- 1) The plans meet the regulations, per Section 16-20I.006, with the exceptions of the comments noted above;

Staff recommends approval of an Application for a Type III Certificate of Appropriateness (CA3-17-186) for an addition at **1085 Metropolitan Pkwy.**, with the following conditions:

1. The elevations shall be re-drawn to show the correct window placement, proportions, of the existing windows, per Sec. 16-20I.006(1)(b)(2);
2. The plans note the exterior façade materials for the proposed addition and that those materials meet the District regulations, Per Sec. 16-20I.006(4)(a)(3); and,
3. Staff shall review and if appropriate approve the final plans and documentation.



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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT May 10, 2017

Agenda Item: Application for a Type IV Certificate of Appropriateness (CA4PH-17-198) for demolition due to a threat to public health and safety at **2844 Oldknow Dr.** Property is zoned R-4 / Collier Heights Historic District.

Applicant: City Of Atlanta Office of Code Compliance
818 Pollard Blvd.

Facts: According to the District photographic inventory, this existing single family structure was constructed in 1960 and is considered contributing to the District.

In April of 2017 Staff issued an approval to repairs of rear portions of the structure, and the replacement of missing elements on the property. A permit for these repairs has been applied for since Staff's approval, but has not yet been issued by the Office of Buildings.

Analysis: The following code sections apply to this application:

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

(a) When Required, Generally: In addition to other permits which are required pursuant to any city ordinance, and in addition to any certificate of appropriateness which may be required pursuant to any other landmark or historic building, site or district regulation contained in part 16 of the Code of Ordinances, certificates of appropriateness shall, unless provided otherwise in the detailed regulations governing Landmark or Historic Districts contained within a designation ordinance as provided in section 16-20.006 of the Code of Ordinances, be required for any of the following actions within each of the following categories.

(4) Historic Districts:

(c) To demolish or move any contributing structure in whole or in part, within a Historic District;

Per Section 16-20.008

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

(1) Conditions: Type IV certificates of appropriateness shall be issued by the commission only when (1) or both of the following two (2) conditions have been established pursuant to the standards and criteria required below:

- a. The demolition is required to alleviate a threat to public health and safety;
- (2) Standards and criteria: The standards and criteria required to be shown in order to establish the existence of the conditions specified in subsection (d)(1) above shall be as follows:
 - a. Threats to public health and safety:
To prove the existence of a threat to public health and safety, the applicant must establish, and the commission must find, the following:
[See items #1-12 as outlined below and excerpted from Section 16-20.008(d)(2).]
 - (1) Certificates of Appropriateness.
 - d. Type IV Certificates of Appropriateness shall be required for demolition or moving of any contributing principal structure. A partial demolition of a contributing principal structure shall require a Type IV Certificate of Appropriateness only when said partial demolition will result in the loss of significant architectural features which destroys the structure's historic interpretability or importance.

Type IV and In-Rem Process

Generally, if an Applicant is applying for a demolition based on a public threat to health and safety, the Applicant is required to provide information and documentation for all the questions in the application. In this particular case, the property has gone through the In Rem process and the Applicant is the City of Atlanta. Below is a description of the In Rem process as described by the Office of Code Compliance:

“The In Rem process, as defined is the process “against the property” versus against the individual owner. The cases that are handled by my office are cases where the Code Enforcement Officer (CEO) has been unsuccessful in either identifying the owner, the owner is out of state or out of this jurisdiction, the owner is indigent or the owner is deceased and heirs either cannot be identified or fail to bring the property into compliance. The cases are due to code violations of Section 19 of the Atlanta Housing Code. Most remain open and vacant. The properties are problematic as they tend to be a refuge for criminals and or a danger to the public at large. The properties effect the quality of life for the neighbors as well as a safety hazard.

The In Rem board meets once a month to assist in the decision making of the City as to the action that should be taken to bring the properties into compliance either by demolition or cleaning and boarding the house. The resultant is a lien on the property for the expense incurred by the City to correct the non-compliance. The Board consists of individuals who are not City employees, who have been appointed by the Mayor and approved by City Council.”

The Applicant is not the owner and the In Rem process does not allow for repair, renovations or sale of the property. Staff finds the questions regarding cost, taxes, alternative uses, and property values are useful for informational purposes but do not always apply in City of Atlanta In Rem cases. Staff finds the most relevant questions in this case are the following:

1. Demonstrate through independent analysis and supporting information that a major and imminent threat to public safety exists; and
2. Present all reasonable alternatives for rectifying the threat and analysis of all such alternatives

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

The following is the Applicant's answer to this question:

“Inspections by officers of the Atlanta Police Department - Community Service Division have established the primary threat to public safety.

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

The following is the Applicant's answer to this question:

“The property must be secured against unforced entry and completion of replacement of the roof, missing or damaged systems including heating, cooling, electrical, and plumbing. The City seeks demolition as the most effective measure to safeguard the public”

Pictures

In looking at survey pictures taken at the time of the districts designation and updated pictures in 2008, this hipped roof house appears to be unoccupied but still in good condition. In looking at pictures submitted by the Applicant, there appears to large amounts of overgrowth outside of the building and the roof of a rear addition to the structure is missing. While there appears to be issues with the property, the house appears to be largely intact. While interior and exterior renovations are clearly needed, the pictures do not indicate there are any major structural issues. It appears the house can be easily boarded and secured.

In looking at the inspection form, there are several items both interior and exterior that need to be renovated, repaired or replaced. The form indicates the total cost for repairs as \$52,555.45. Staff finds the cost of demolishing the existing structure and building an identical new house would far exceed the costs of repairing the existing structure. Staff finds the cost to repair the building is not unreasonable. Staff finds that demolishing the building as opposed to repairing it would be a loss for the district as a whole.

Notwithstanding Staff's findings regarding the condition of the building, by definition an open and vacant property is a threat to public health and safety. Despite the fact the house is intact, its status as an open a vacant property makes it a public threat to health and safety. Staff finds the threat could be eliminated if the house were properly cleaned and closed or properly renovated and occupied.

Documentation

In the package submitted by the Applicant, there are several documents regarding the demolition request. There was a notice sent on December 29, 2016 regarding the public hearing on January 26, 2017. On January 26, 2017, the In-Rem board approved the demolition of the property. In looking at the sign-in sheets for the meeting, the owner was not in attendance to speak at the

meeting. A registered letter regarding the demolition decision was sent to the owner on January 26, 2017. It has been three months since the decision of the board was sent.

Conclusions

Staff has reviewed and approved plans for repairs and renovations to this property. A permit for this work has been applied for but has not yet been issued by the Office of Buildings. While Staff acknowledges that a permit being issued for work is not a guarantee that the work will be done, it does indicate that there is an active interest in repairing and renovating the site. Staff finds repairing the existing contributing structure to be preferable to demolition.

Staff finds the existing building has not suffered a fire and is largely intact. Staff finds the cost to demolish the existing house and build a new house would far exceed the estimated repair and renovation costs. Staff acknowledges the City cannot repair, renovate or sell the property, but does find that the application for repair permits by the owner does indicate an interest in repairing the property by some party. While Staff finds that an open and vacant building, which is the current state of the property, is a threat to public health and safety, Staff finds that properly boarding and securing the building should be the first step to rectifying the threat before demolition can be considered.

While the property has been vacant for over a year, Staff would note that several buildings around the City have been vacant for several years due to the down turn in the economy. Staff finds the low value of the property is likely to change in the next few years as the market continues to improve. Staff finds demolishing a building that is in good condition and could potentially be renovated is a detriment to the historic district. Based on the information we have at this time, Staff cannot support the proposed demolition. Staff recommends the existing property is properly cleaned, closed and secured.

Staff Recommendation: Based upon the following:

- a) The Applicant has proven a public threat to health and safety, per Section 16-20.008;
- b) The Applicant has not proven there are not alternatives to rectifying the public threat to health and safety;

Staff recommends denial of the Application for a Type IV Certificate of Appropriateness (CA4PH-17-198) for demolition due to a threat to public health and safety at **2844 Oldknow Rd.** with the following condition:

1. The existing property shall be properly cleaned, closed and secured.



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OFFICE OF DESIGN

STAFF REPORT May 10, 2017

Agenda Item: Application for a Type IV Certificate of Appropriateness (CA4PH-17-201) for demolition due to a threat to public health and safety at **468 Waterford Rd.** Property is zoned R-4 / Collier Heights Historic District.

Applicant: City Of Atlanta Office of Code Compliance
818 Pollard Blvd.

Facts: According to the District photographic inventory, this existing single family structure was constructed in 1960 and is considered contributing to the District.

Analysis: The following code sections apply to this application:

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

(a) When Required, Generally: In addition to other permits which are required pursuant to any city ordinance, and in addition to any certificate of appropriateness which may be required pursuant to any other landmark or historic building, site or district regulation contained in part 16 of the Code of Ordinances, certificates of appropriateness shall, unless provided otherwise in the detailed regulations governing Landmark or Historic Districts contained within a designation ordinance as provided in section 16-20.006 of the Code of Ordinances, be required for any of the following actions within each of the following categories.

(4) Historic Districts:

(c) To demolish or move any contributing structure in whole or in part, within a Historic District;

Per Section 16-20.008

(d) Type IV Demolitions: Demolition of a Landmark Building or Site, a building or site in a Landmark District or a contributing building or site in a Historic District, constitutes an irreplaceable loss to the quality and character of the City of Atlanta.

Therefore, all demolitions of said specified buildings or sites shall require a type certificate of appropriateness. Said certificates shall be granted according to the following procedures and standards:

(1) Conditions: Type IV certificates of appropriateness shall be issued by the commission only when (1) or both of the following two (2) conditions have been established pursuant to the standards and criteria required below:

a. The demolition is required to alleviate a threat to public health and safety;

(2) Standards and criteria: The standards and criteria required to be shown in order to establish the existence of the conditions specified in subsection (d)(1) above shall be as follows:

a. Threats to public health and safety:

To prove the existence of a threat to public health and safety, the applicant must establish, and the commission must find, the following:

[See items #1-12 as outlined below and excerpted from Section 16-20.008(d)(2).]

- (1) Certificates of Appropriateness.
 - d. Type IV Certificates of Appropriateness shall be required for demolition or moving of any contributing principal structure. A partial demolition of a contributing principal structure shall require a Type IV Certificate of Appropriateness only when said partial demolition will result in the loss of significant architectural features which destroys the structure's historic interpretability or importance.

Type IV and In-Rem Process

Generally, if an Applicant is applying for a demolition based on a public threat to health and safety, the Applicant is required to provide information and documentation for all the questions in the application. In this particular case, the property has gone through the In Rem process and the Applicant is the City of Atlanta. Below is a description of the In Rem process as described by the Office of Code Compliance:

“The In Rem process, as defined is the process “against the property” versus against the individual owner. The cases that are handled by my office are cases where the Code Enforcement Officer (CEO) has been unsuccessful in either identifying the owner, the owner is out of state or out of this jurisdiction, the owner is indigent or the owner is deceased and heirs either cannot be identified or fail to bring the property into compliance. The cases are due to code violations of Section 19 of the Atlanta Housing Code. Most remain open and vacant. The properties are problematic as they tend to be a refuge for criminals and or a danger to the public at large. The properties effect the quality of life for the neighbors as well as a safety hazard.

The In Rem board meets once a month to assist in the decision making of the City as to the action that should be taken to bring the properties into compliance either by demolition or cleaning and boarding the house. The resultant is a lien on the property for the expense incurred by the City to correct the non-compliance. The Board consists of individuals who are not City employees, who have been appointed by the Mayor and approved by City Council.”

The Applicant is not the owner and the In Rem process does not allow for repair, renovations or sale of the property. Staff finds the questions regarding cost, taxes, alternative uses, and property values are useful for informational purposes but do not always apply in City of Atlanta In Rem cases. Staff finds the most relevant questions in this case are the following:

1. Demonstrate through independent analysis and supporting information that a major and imminent threat to public safety exists; and
2. Present all reasonable alternatives for rectifying the threat and analysis of all such alternatives

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

The following is the Applicant's answer to this question:

“Inspections by officers of the Atlanta Police Department - Community Service Division has established the primary threat to public safety.

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

The following is the Applicant’s answer to this question:

“The property must be secured against unforced entry and completion of replacement of the roof, missing or damaged systems including heating, cooling, electrical, and plumbing. The City seeks demolition as the most effective measure to safeguard the public”

Pictures

In looking at survey pictures taken at the time of the districts designation and updated pictures in 2008, this hipped roof house appears to be occupied and in good condition. In looking at pictures submitted by the Applicant, there appears to large amounts of overgrowth outside of the building and trash inside the building. While there appears to be issues with the property, the house appears to be largely intact. While interior renovations are clearly needed, the pictures do not indicate there are any structural issues. It appears the house can be easily boarded and secured.

In looking at the inspection form, there are several items both interior and exterior that need to be renovated, repaired or replaced. The form indicates the total cost for repairs as \$19,226.82. Staff finds the cost of demolishing the existing structure and building an identical new house would far exceed the costs of repairing the existing structure. Staff finds the cost to repair the building is not unreasonable. Staff finds that demolishing the building as opposed to repairing it would be a loss for the district as a whole.

Notwithstanding Staff’s findings regarding the condition of the building, by definition an open and vacant property is a threat to public health and safety. Despite the fact the house is intact, its status as an open a vacant property makes it a public threat to health and safety. Staff finds the threat could be eliminated if the house were properly cleaned and closed or properly renovated and occupied.

Documentation

In the package submitted by the Applicant, there are several documents regarding the demolition request. There was a notice sent on September 23, 2016 regarding the public hearing on October 27, 2016. On October 27, 2016, the In-Rem board approved the demolition of the property. In looking at the sign-in sheets for the meeting, An attorney for wells Fargo was in attendance to speak at the meeting. A registered letter regarding the demolition decision was sent to the owner on January 27, 2017. It has been three months since the decision of the board was sent..

Conclusions

Staff finds the existing building has not suffered a fire and is largely intact. Staff finds the cost to demolish the existing house and build a new house would far exceed the estimated repair and

renovation costs. Staff acknowledges the City cannot repair, renovate or sell the property. While Staff finds that an open and vacant building is a threat to public health and safety, Staff finds that properly boarding and securing the building should be the first step to rectifying the threat before demolition can be considered.

While the property has been vacant for over a year, Staff would note that several buildings around the City have been vacant for several years due to the down turn in the economy. Staff finds the low value of the property is likely to change in the next few years as the market continues to improve. Staff finds demolishing a building that is in good condition and could potentially be renovated is a detriment to the historic district. Based on the information we have at this time, Staff cannot support the proposed demolition. Staff recommends the existing property is properly cleaned, closed and secured.

Staff Recommendation: Based upon the following:

- a) The Applicant has proven a public threat to health and safety, per Section 16-20.008;
- b) The Applicant has not proven there are not alternatives to rectifying the public threat to health and safety;

Staff recommends denial of the Application for a Type IV Certificate of Appropriateness (CA4PH-17-201) for demolition due to a threat to public health and safety at **468 Waterford Rd.** with the following condition:

1. The existing property shall be properly cleaned, closed and secured.



CITY OF ATLANTA

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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT May 10, 2017

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-17-195) for a variance to allow an addition which is not compatible with the size, scale, and massing of the existing structure; and (CA3-17-194) for alterations, an addition, and site work at **670 McDonald St.** Property is zoned R-5 / Grant Park Historic District (Subarea 1) / Beltline.

Applicant: Adam Stillman
350 Sinclair Ave.

Facts: This contributing structure was one of three previously existing shotgun homes on the northwest corner of McDonald St. and Cameron St. Staff has no records regarding the date of construction on this home. From the photographs taken in 2011 Staff finds the structure retains much of its original form and massing, with the exception of the enclosure of the front porch.

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:

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.*

(A) *Front Yards:* Front yard setbacks shall either: i) conform to the setback of the previously existing contributing building of like use; or ii) shall be no closer to the street than the closest and no farther from the street than the farthest contributing structure of like use on that side of the block.

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

(C) *Rear Yard:* Rear yard setback shall be seven feet.

- (D) *Off-street parking and driveway requirements:*
1. Off-street parking shall not be permitted in the front yard or half-depth front yard.
 2. The commission shall have the authority to vary section 28.006(10) relative to the requirement for an independent driveway connected to a public street.
 3. If constructed, independent driveways within the front yard or half-depth front yard shall be a maximum of ten feet wide and shall have a maximum curb cut of ten feet, exclusive of the flare.
- (2) *Architectural Standards.*
- (A) *Statement of Intent.* The purpose of these regulations is to set forth basic, minimum standards of architectural design and construction that are compatible with and complementary to the existing historic residences within the neighborhood, as the cumulative historic diversity of the built environment is a defining characteristic of this neighborhood. It is not the intent of these regulations to limit the design of new housing to replication of styles of existing structures, but to foster residential design that, with regard to massing, size, scale, materials, and architectural elements, enhances the architectural quality of the neighborhood and simultaneously encourages creativity. Additionally, these regulations are intended to integrate the physical characteristics of new construction into the existing neighborhood in a meaningful way so as to restore and promote the public health, safety, and welfare of this neighborhood. The following residential architectural styles currently predominate in the neighborhood and contribute to its unique historic character; they are included here for reference only: American Four Square, Craftsman, English Vernacular Revival, Folk Victorian, Queen Anne, and Shotgun.
- (B) *Design Standards and Criteria for New Principal Structures.*
1. Identified design elements of size, scale, massing and materials of new construction shall be substantially consistent with said identified design elements found in contributing structures of like use in the district as listed in subsection 16-20K.007(15)(c.).
 2. A paved walkway from the front sidewalk to the front entry of the principal structure shall be provided.
 3. Front porches on the principal structure shall be required and shall be a minimum of one-third the width of the front façade and a minimum of seven feet in depth. Side porches shall be a minimum of four feet in depth. Porches may be enclosed by screen wire only, provided all the main features of a porch are maintained in place and the screening materials can be removed at a future date with minimal damage to said features.
 4. All front façades and front porches of the principal structure shall face and be parallel to the lot frontage. Wrap around front porches are permitted.
 5. Roof form above the front façade of the principal structure shall be gabled and/or hipped. Roof pitch shall be a minimum of 6 in 12. Roof pitch above porches shall not be restricted.
 6. The height of the principal structure shall not exceed 35 feet. (See section 16-28.022 for excluded portions of structures.)
 7. The first floor of the principal structure shall be on foundations and elevated above the grade a minimum of two entrance step risers each of which shall be no less than six inches in height. All front steps shall have closed risers and closed ends. Access ramps shall be permitted.
 8. Garages entrances are prohibited on the front façade. Single car-width garage entrances are permitted on the half depth front yard façade of the structure. Double car-width garage entrances are permitted at the rear of the structure.
 9. Decks, Balconies and Upper Level Terraces:
 - a. Decks shall be permitted only when located to the rear of the principal structure.
 - b. Decks shall be permitted at any level.
 - c. Balconies and upper level terraces shall be permitted.
 10. Any portion of a chimney that is located on any façade that faces a public street shall originate at grade.
 11. Any façades that face a public street shall consist of fenestration that is either: 1) substantially consistent with fenestration on contributing structures of like use in the district, or 2) shall be no less than 15 percent and no greater than 40 percent of the total surface wall area. Windows may be individual or grouped. No individual window unit shall exceed 28 square feet. Within each individual window unit, no individual window sash, either fixed or operable, shall exceed 16 square feet.

12. When practical, skylights should be located where least visible from the public street. If skylights are visible from the public street, the glass shall be tinted to match the surrounding roof area. Protruding "bubble" skylights are prohibited.
 13. Accessory structures, such as carriage houses, smoke houses, tenant and alley houses, private garages, carports, electric vehicle charging stations equipped with Level 1 and/or Level 2 EVSE, and mechanical equipment shall be located to the side and/or rear of the principal structure within the buildable area of the lot and shall not project beyond the front of the principal structure. If mechanical equipment is visible from a public street, screening with appropriate plant or fence materials is required.
 14. Fences and walls, adjacent to a public street upon completion, shall be subject to the provisions of section 16-28.005(5) and the following limitations:
 - a. Fences not exceeding four feet in height may be erected in a front yard. Other than retaining walls, walls shall not be erected in a front yard or a half-depth front yard.
 - b. Fences and walls not exceeding six feet in height may be erected in the side or rear yards.
 - c. In a half-depth front yard, when a fence exceeds four feet in height, the standard zoning requirements for a variance are in effect. Where no sidewalk exists, the fence shall be set back three feet from a public street. Portions of retaining walls facing a public street and located in a required front yard or half-depth front yard shall be faced with brick, stone or masonry wall covered with a parge coat of stucco, such as Portland stucco cement.
 - d. The finish side or front side of one-sided fences shall face the public street.
 15. On those façades of any structure that face a public street, the following regulations on building materials shall apply. Alternate materials may be submitted for review by the commission.
 - a. Paving materials for walks and drives: Black asphalt is prohibited.
 - b. Visible foundation materials: Foundations shall constitute a distinct building design element and shall contrast with the front façade siding material. Brick, stone, concrete, stucco, and architectural concrete masonry units (C.M.U.) shall be permitted. Standard, unfinished concrete block and stacked stone is prohibited.
 - c. Siding/veneer: Horizontal lap siding, vinyl siding, aluminum siding, shingles, brick, hard stucco, and stone shall be permitted. Stacked stone is prohibited.
 - d. Roofing: Asphalt shingles, wood shingles, metal shingles, slate, and pre-finished metal panels shall be permitted.
 - e. Chimneys: Brick, stone, or architectural concrete masonry units (C.M.U.) shall be permitted. Siding is prohibited.
 - f. Fences: Brick, stone, wire mesh, architectural C.M.U., or vertical pickets made of ornamental metal, wood or simulated wood shall be permitted in the front yard and half depth front yard.
- (D) *Design Criteria for Alterations and Additions to Contributing Structures.* Alterations and additions to contributing structures requiring a Certificate of Appropriateness shall comply with one of the following provided that the mere increase in floor area otherwise authorized in the district shall not constitute a standard for review:
1. Alterations and additions shall be consistent with and reinforce the historic architectural character of the entire existing contributing structure and shall comply with the applicable regulations for new construction set forth in subsection 16-20K.007(2)(B) above; or
 2. New additions, exterior alterations, or related new construction will not destroy historic materials that characterize the property. The new work may differentiate from the old. To protect the historic integrity of the property and its environment, any new work will be compatible with the massing, size, scale and architectural features of the property and environment.
- (E) *Site development, sidewalks and curbs:*
1. The sidewalk shall be the same width as the sidewalk on abutting properties. If no sidewalk exists on abutting properties the new sidewalk shall match sidewalk widths on the block. If no sidewalk exists on the block, the new sidewalk shall be six feet wide.
 2. Repairs or replacement of existing brick sidewalks shall be constructed of brick on a concrete base and laid in a pattern to match the existing pattern on abutting properties or elsewhere in the district.
 3. Repairs or replacement of concrete sidewalks adjacent to existing brick sidewalks on the same linear block, or in blocks where brick sidewalks are installed, shall be constructed of brick on a concrete base and laid in a pattern to match the existing pattern on abutting properties or elsewhere in the district.

4. Sidewalks crossing driveways shall be brick on a concrete base and laid in a pattern to match the existing sidewalk on abutting properties or elsewhere in the district. Driveway aprons shall not interfere with the visual field of the pedestrian path.
5. Curbing shall be granite; poured concrete shall not be used. Curbing shall be at least six inches in height from street level.
6. Historic materials such as brick, granite, and cobblestones shall be reused where possible.
7. All American with Disabilities Act (ADA) Detectable Warning Devices installed in this district shall be a red brick color.

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

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

Variance

The Applicant cites the unusual configuration of the shotgun home on a large site as the extraordinary conditions of the lot. Staff would also note the lot is non-conforming in regards to its size. The Sanborne Fire Insurance Company maps show this property was originally part of a larger property containing three shotgun homes on the Corner of McDonald St. and Cameron St. The structure in question is the only remaining home from this original development and was originally the western-most home on the lot. Later subdivisions have led to the current situation of the property. A rear addition would be both impractical due to the restrictions of the 2012 IRC in relation to the structures eastern setback being less than a foot from the property line. Staff finds that such an addition would also not allow for the resulting structure to achieve its full development potential allowed by the R-5 Zoning Regulations.

Staff finds that generally speaking the preferred method of massing an addition is to the rear of the structure. However, given the unique lot configuration and the retention of the majority of the original character of the contributing shotgun, Staff finds the granting of the requested variance to be an appropriate solution to the challenges presented by this particular property.

Staff would recommend approval of the variance request.

Addition and alterations

The Commission has purview over the street facing façade of the structure. Due to the nature of the requested variance, Staff finds the first of the two criteria for reviewing additions and alterations to contributing structures is appropriate for application on this request.

The proposed addition will be attached to the existing structure through a connection set back 13' from the front façade of the existing structure. Staff finds this to be appropriate, but recommends the connection between the existing structure and the addition be setback further

from the front façade. Such a configuration would allow for the hipped roof above the connection to be lowered. Staff further recommends the window on the front façade of the connection between the existing structure and the addition match the height of the original window on the existing structure. These two alterations would allow for the connection between the house to be minimized and further add to the appearance of two separate shotgun houses being attached through a central connection. Modern façade materials, the lack of a front walkway, and the different window heights on the addition will allow for differentiation and proper interpretation of the new addition and the historic structure.

Staff is concerned that the front façade may lack sufficient fenestration to meet the District regulations. Staff recommends the Applicant document compliance with the fenestration requirements.

CA3-17-195

Staff Recommendations: Based upon the following:

- 1) The request meets the variance criteria, per Section 16-26.003;

Staff recommends approval of an Application for a Type III Certificate of Appropriateness (CA3-17-195) for a variance to allow an addition which is not compatible with the size, scale, and massing of the existing structure at **670 McDonald St.**

CA3-17-194

Staff Recommendations: Based upon the following:

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

Staff recommends approval of an Application for a Type III Certificate of Appropriateness (CA3-17-194) for alterations, an addition, and site work at **670 McDonald St.** with the following conditions:

1. The connection between the existing structure and the addition shall be setback further from the front façade, per Sec. 16-20K.007(D)(1);
2. The window on the front façade of the connection between the existing structure and the addition shall match the height of the original window on the existing structure, per Sec. 16-20K.007(D)(1);
3. The Applicant shall document compliance with the fenestration requirements, per Sec. 16-20K.007(B)(11);
4. Staff shall review and if appropriate, approve the final plans and documentation.



CITY OF ATLANTA

KASIM REED
MAYOR

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TIM KEANE
Commissioner

OFFICE OF DESIGN

STAFF REPORT May 10, 2017

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-17-202) for alterations, an addition, and site work at **1410 Ponce De Leon Ave.** Property is zoned Druid Hills Landmark District.

Applicant: St. John's Lutheran Church
1410 Ponce De Leon Ave.

Facts: According to the District photographic inventory the original granite house was constructed in 1912 for Samuel Venable and is considered contributing to the District. There are several contemporary church additions.

The current proposal is for an elevator and access addition to one of the contemporary additions to allow for a more functional layout of the church as a whole.

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

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

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

- (f) Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and, where possible, materials.
 - (g) Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
 - (h) Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
 - (i) New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
 - (j) New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
- (2) *Certificates of appropriateness.*
- (a) Except as otherwise provided herein, the procedures for determining the correct type of certificate of appropriateness shall be those specified in section 16-20.008 of the Zoning Ordinance.
 - (g) Type III certificates of appropriateness shall be reviewed and decided by the commission and shall be required for:
 - (ii) All additions to existing principal structures and accessory buildings, including decks.
- (6) *Minimum architectural controls:* Any new construction, additions, renovations or alterations in the District shall maintain the general architectural scale and character reflected in the original development of Druid Hills in order to preserve the historic character of the district and shall follow the standards set forth by section 16-20B.003(1).

Sec. 16-20B.004. - Ponce de Leon Corridor regulations.

In addition to the general regulations required in section 16-20B.003, the following regulations shall apply to any new development or the conversion of any existing structures to permitted uses within the Ponce de Leon Corridor.

These regulations are intended to preserve the environmental character and the physical appearance of the corridor in order to encourage the continued use of the existing structures for residential use where feasible, and to assure that any nonresidential use which may be permitted for preservation purposes in existing structures is compatible with the historic character of the district as a whole.

- (1) *Permitted principal uses and structures:*
- e. The following nonresidential uses upon a finding by the commission that such use of the existing structure is not incompatible with or detrimental to the residential character of the district. The conversion of any existing building for any permitted nonresidential use, where located adjacent to a residential use, may be conditioned upon the requirement of a suitable buffer by the commission.
 - 1. Religious facilities
- (5) *Lot coverage:*
- c. For all other permitted uses: No more than 45 percent of the lot may be covered by structures, parking and driveways.
- (6) *Minimum yard and development requirements:*
- a. Setbacks:
 - 7. North side of Ponce de Leon; Oakdale Road, NE, to Lullwater intersection:
 - Front yard: 149 feet.
 - Side yards: 30 feet plus five feet for each additional story above two. At public street intersections, side yard setback shall be 50 feet.
 - Rear yard: 35 feet.
 - c. Maximum height: No building shall exceed 45 feet in height.

The District regulations have both qualitative and quantitative requirements for additions. If an item is not discussed below, Staff found the related regulations were met.

The maximum lot coverage for this site is 45% of the net lot area. Staff recommends the site plan note the existing and proposed lot coverage for the site, and that the lot coverage not exceed 45% of the net lot area.

The plans include removing the existing entry door on the west façade. The infill material will match the existing materials for this façade. Staff recommends the infill material for the west side façade use a control joint to allow for proper historic interpretation of the façade materials.

Given that the west side façade of the addition will face Oakdale Rd. Staff is concerned that the afternoon sun will create a glare on the windows and detract attention from the existing structure. This would create a situation where the existing spatial relationship of the building and site is altered. Staff finds that given the more modern but compatible expression of the addition, the addition itself should fade into the background when the resulting façade of the structure is viewed as a whole. As such, Staff recommends the windows be treated with a matte finish to prevent glare.

CA3-17-202

Staff Recommendations: Based upon the following:

- 1) The plans meet the regulations, per Section 16-20B.003 &.004, with the exceptions of the comments noted above;

Staff recommends approval of an : Application for a Type III Certificate of Appropriateness (CA3-17-202) for alterations, an addition, and site work at **1410 Ponce De Leon Ave.**, with the following conditions:

1. The site plan shall note the existing and proposed lot coverage for the site, and the lot coverage shall not exceed 45% of the net lot area, per Sec. 16-20B.004(5)(c);
2. The infill material for the west side façade shall use a control joint to allow for proper historic interpretation of the façade materials, per Sec. 16-20B.003(1)(c);
3. The windows shall be treated with a matte finish to prevent glare, per Sec. 16-20B.003(1)(i); and,
4. Staff shall review and if appropriate approve the final plans and documentation.