



# CITY OF ATLANTA

**KASIM REED**  
MAYOR

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

OFFICE OF DESIGN

## STAFF REPORT March 22, 2017

**Agenda Item:** Application for a Type III Certificate of Appropriateness (CA3-17-103) for a variance to allow a reduction in the side yard setback from 7' (required) to 3' 6" (proposed) for an accessory structure at **465 Grant St.** Property is zoned R-5 / Grant Park Historic District (Subarea 1).

**Applicant:** Brandy Morrison  
485 Oakland Ave.

**Facts:** This existing single family residence was constructed in 1904 and is considered to be contributing to the District.

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

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

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

(2) *Certificates of Appropriateness.*

(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.*

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

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

(1) *Findings Required:* Except as permitted by the provisions of subsection (2) below, variances may be granted by the board only upon making all of the following findings:

- (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;
- (b) The application of the Zoning Ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship;

- (c) Such conditions are peculiar to the particular piece of property involved; and
- (d) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta.

In their response to the variance criteria, the Applicant identifies the shape and topography of the lot, the desire to preserve mature trees, and the lot shape as the extraordinary and exceptional conditions of the property. According to the Applicant, placement of the accessory structure within the setbacks would impact water drainage and cause detriment or removal to the mature trees on the property. The Applicant further identifies the shape and topography of the lot as the peculiar conditions of the property. Lastly, The Applicant states that the new accessory structure will have the same north side yard setback of the principal structure, therefore there will be no detriment to the public good by granting this variance.

Staff agrees with the Applicant's assessment and finds that the variance criteria have been met.

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

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

**Staff recommends** Approval of an Application for a Type III Certificate of Appropriateness (CA3-17-103) for a variance to allow a reduction in the side yard setback from 7' (required) to 3' 6" (proposed) for an accessory structure at **465 Grant St.**



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**TIM KEANE**  
Commissioner

OFFICE OF DESIGN

**STAFF REPORT**  
**February 22, 2017**  
*Updated*  
**March 8, 2017**  
*(Updated text in bold italics)*

**Agenda Item:** Application for a Type II Certificate of Appropriateness (CA2-17-034) for alterations and site work at **519 Memorial Dr.** Property is zoned SPI-22 (Subarea 4) / Grant Park Historic District (Subarea 2)

**Applicant:** Cindy Silver  
3660 Cedarcrest Rd, Acworth

**Facts:** This property consists of an entire block with frontage on Memorial Drive to the north, Woodward Street to the south, Park Avenue to the east and Loomis Avenue to the west.

In looking at the City of Atlanta lot boundary map, the zoning map and the historic district map, Staff finds that more than half of the property is located in SPI-22 and therefore is not within the purview of the Commission. Specifically, the Memorial Drive elevation, half of the Park Avenue elevation and half of the Loomis Avenue elevation are out of the district. The portion of Park Avenue in the district (the corner property) is a church that is not part of the proposed project.

The Commission reviews the facades that face a public street within the district. As such, Staff will only comment on the Woodward Avenue elevation and the southwestern corner of the property located at Woodward Avenue and Loomis Avenue.

At the April 8, 2015 Commission meeting the Commission approved with conditions an Application for a Type III Certificate of Appropriateness (CA3-15-089) for a partial demolition, alterations, additions and site work at this address. The current project consists of a tenant fit out of the building located at the southwest corner of the property.

**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.008. - Specific regulations: Commercial Subarea II.

In addition to the general regulations set forth in section 16-20K.006, the following regulations shall apply to all properties located within Commercial Subarea II.

(4) *Commercial Uses.* For commercial uses the following controls and requirements shall apply as applicable:

(a) *Development Controls:*

1. *Setbacks.* The front yard setback shall not be less than five feet nor greater than 15 feet. Other setbacks shall be regulated by the applicable commercial district regulations.
2. *Bulk Limitations.* Floor area ratio shall not exceed an amount equal to one times net lot area.

(b) *Height:*

1. *Maximum building heights.* Buildings which are within 150 feet of a single-family or a two-family residential district boundary shall have a maximum height of 35 feet. Buildings that are between 150 feet and 300 feet from a single-family or a two-family residential district boundary shall have a maximum height of 52 feet.
2. *Transitional height planes.* Where this use adjoins a district in R-1 through RG classification without an intervening street, height within the subarea shall be limited as follows: No portion of any structure shall protrude through a height limiting plane beginning 35 feet above the buildable area boundary nearest to the common residential district boundary and extending inward over the commercial subarea at an angle of 45 degrees.

(c) *Off-street parking requirements.* Off-street parking shall not be permitted between the principal structure and any public street.

(d) *Architectural Standards.* The standards outlined in section 16-20.009 shall apply as applicable.

Sec. 16-20K.009. - Specific regulations: Transitional Industrial Subarea III.

In addition to the general regulations set forth in section 16-20K.006, subsections (3), (4), and (6), the following regulations shall apply to all properties located within Transitional Industrial Subarea III.

- (3) *Other Uses.* For uses other than industrial uses, the controls and requirements set forth in Section 16-20K.008 shall apply, with the exception of Section 16-20K.008(3)(a)(2). Multi-family residential uses shall be limited in the Transitional Industrial Subarea III to a floor area ratio of 1.2 times net lot area.

The proposed project consists of alterations intended to turn the structure into a preschool. New windows are proposed for installation in current window openings and in new openings. As the building is non-contributing to the District, Staff is not concerned that there will be any loss of historic materials. In general Staff has no concerns with the design of the proposed windows and finds them to be consistent and compatible with the existing structure.

The southwest corner of the structure will be partially demolished to allow for an enclosed playground. As the building is non-contributing to the District, Staff is not concerned that there will be any loss of historic materials. New openings will be placed on the south and west facades of the structure. Metal railing will be installed in the opening to prevent ingress and egress but allow for airflow. It is unclear whether the roof will be removed. Staff recommends the Applicant clarify their intent with regards to the roof currently located in the proposed playground area.

***The Applicant has provided updated materials showing the existing roof above the playground area will be removed. As the property is non-contributing, Staff has no concerns that historic materials will be lost in the process. Staff has no concerns with the proposed alteration and finds this recommendation to be met.***

A new 6' high fence will be installed along the Woodward Ave. frontage and will enclose an outdoor playground. In general, Staff has no concerns with the design of the proposed fence or outdoor playground.

Staff would note that this property requires a review by both the Commission and the Office of Zoning and Development SAP Staff for compliance with both the Grant Park Historic District regulations as well as the SPI-22 regulations. As such, there may be some final design changes necessitated by the SAP review. Staff recommends any changes necessitated by the SPI-22 requirements are reviewed and if appropriate, approved by Staff

**CA2-17-034:**

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

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

**Staff recommends** approval of an Application for a Type II Certificate of Appropriateness (CA2-17-034) for alterations and site work at **519 Memorial Dr.** with the following conditions:

1. Any changes necessitated by the SPI-22 requirements shall be reviewed and if appropriate, approved by Staff; and,
2. Staff shall review and if appropriate, approve the final plans and documentation.



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**TIM KEANE**  
Commissioner

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## STAFF REPORT February 22, 2017

**Agenda Item:** Application for a Type II Certificate of Appropriateness (CA2-17-037) for alterations at **651 McDonald St.** Property is zoned R-5 / Grant Park Historic District (Subarea 1) / Beltline.

**Applicant:** Earl Jackson  
3094 Brook Dr., Decatur

**Facts:** This existing single family residence was constructed is considered contributing to the District. This structure was originally constructed as a duplex. Sometime after the District's designation, the property was converted to a single family structure. In this process, a new front porch with gabled roof was installed in place of the original hipped roof front porch. All porch components including the railing and front porch columns were replaced in this process.

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

Sec. 16-07.007. - Minimum lot requirements.

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

- (2) Single-family detached dwellings and all other uses: Every lot shall have an area of not less than 7,500 square feet and a frontage of not less than 50 feet, except for zero-lot-line development.

Sec. 16-07.008. - Minimum yard requirements.

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

- (5) Maximum floor area within this district:
  - b. For a single-family detached dwelling on a lot which does not meet the minimum lot area requirement described in section 16-07.007(2):
    1. The maximum floor area allowed shall not exceed the lesser of either: (i) 3,750 square feet of floor area; or (ii) a maximum floor area ratio of 0.65 of the net lot area unless otherwise permitted as stated in subpart 2 below;
  - (6) Maximum lot coverage: Maximum lot coverage within this district shall not exceed 55 percent of the net lot area.
  - (7) Location of structures in two-family dwellings: Any structure of lesser floor area in any two-family dwelling unit shall be located no nearer to any street frontage than the structure of greater floor area. Any dwelling structure with a street-fronting elevation shall provide a pedestrian entrance on that elevation.

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.

- (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.
- (7) *Paved surfaces:* The original layout, patterns and paving materials of sidewalks, curbs and streets shall be retained.

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

(1) *Development Controls.*

- (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.).
- 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.
- 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.
- 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.

### **Rear addition**

While not under the purview of the Commission, the rear alteration requires review by Staff to ensure it meets the quantitative requirements of the zoning ordinance. Staff can confirm the Lot Coverage meets the R-5 regulations for non-conforming lots. However, the existing/proposed floor area ratio is not noted on the site plan. Staff recommends the site plans note the existing/proposed floor area on the site plan and that the proposed floor area meet the R-5 FAR regulations.

### **Deck**

While not under the purview of the Commission, the proposed side deck requires review by Staff to ensure it meets the requirements of the Grant Park Historic District with regards to deck placement. Staff can confirm that the Deck meets setback option allowing a side yard setback of 7'. However, the regulations require decks to be placed to the rear of the structure. As such, Staff finds the proposed location of the deck on the side of the house is not appropriate. Staff recommends the deck be moved to the rear of the structure.

### **Front porch alterations**

The Applicant is proposing alterations to the non-historic front porch railing. Staff has no concerns with the proposed change.

### **CA2-17-037:**

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

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



**Staff recommends** approval of an Application for a Type II Certificate of Appropriateness (CA2-17-037) for alterations at **651 McDonald St.** with the following conditions:

1. The site plans shall note the existing/proposed floor area on the site plan and the proposed floor area shall meet the R-5 FAR regulations, per Sec. 16-07.008(5)(b)(1);
2. The deck shall be moved to the rear of the structure, per Sec. 16-20K.007(2)(b)(9)(a);  
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

March 8, 2017

*REVISED*

March 22, 2017

*(Revised text shown in italics.)*

**Agenda Item:** Application for a (CA3-17-062) to subdivide one (1) lot into two (2) lots; and (CA3-17-063) for a new single family home facing Robinson Ave. at **665 Home Ave.** Property is zoned R-5 / Grant Park Historic District (Subarea 1).

**Applicant:** Piedmont Ridge Builders  
665 Home Avenue

**Facts:** According to the Grant Park inventory sheet this through lot currently contains a one-story, 1926 cottage which is contributing to the District. The rectangular lot is located between Home Avenue (which the current house faces) and Robinson Avenue, which is where the new house will be located. In addition to building a new house, the application includes additions and alterations to the rear of the existing house that would be allow it to be connected to the proposed new house. Upon completion of the new house and alterations to the existing house, the Applicant proposes to create a zero lot line subdivision with the common property line between the garages of each house.

*At the March 8<sup>th</sup> meeting, the Commission deferred this application to allow time for the Applicant to address the comments and concerns of the Staff. On March 14<sup>th</sup>, the Applicant submitted additional information and revised materials that are the subject of this revised Staff Report.*

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

Sec. 16-07.008. - Minimum yard requirements.

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

(5) Maximum floor area within this district:

- a. For a single-family detached dwelling on a lot which meets the minimum lot area requirement described in section 16-07.007(2): The maximum floor area ratio shall not exceed 0.50 of the net lot area.

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

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

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

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

- (1) General Criteria.
  - (A) Notwithstanding any other provision herein, no Certificate of Appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
  - (B) Except as otherwise provided herein, the procedures for determining the appropriate type of certificate shall be those specified in section 16-20.008 of the zoning code.
  - (C) In Residential Subarea I, the commission shall apply the standards referenced in 16.20.009 only if the standards set forth in this Chapter 20K do not specifically address the application.
- (2) Certificates of Appropriateness.
  - (C) Type III Certificates of Appropriateness shall be required for:
    1. All new principal structures;
- (6) Tree Preservation and Replacement. The provisions of City of Atlanta Tree Ordinance, Atlanta City Code section 158-26, shall apply to this district.
- (7) Paved surfaces: The original layout, patterns and paving materials of sidewalks, curbs and streets shall be retained.

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

- (1) Development Controls.
  - (A) Front Yards: Front yard setbacks shall either: i) conform to the setback of the previously existing contributing building of like use; or ii) shall be no closer to the street than the closest and no farther from the street than the farthest contributing structure of like use on that side of the block.
  - (B) Side Yards: Side yards shall either: i) conform to the setback of the previously existing contributing building of like use; ii) conform to the setback of the existing building; iii) conform to any existing pattern of unequal side yard setbacks previously established by a majority of the contributing buildings of like use on that side of the block; or iv) be of a width of not less than seven feet.
  - (C) Rear Yard: Rear yard setback shall be seven feet.
  - (D) Off-street parking and driveway requirements:
    1. Off-street parking shall not be permitted in the front yard or half-depth front yard.
    2. The commission shall have the authority to vary section 28.006(10) relative to the requirement for an independent driveway connected to a public street.
    3. If constructed, independent driveways within the front yard or half-depth front yard shall be a maximum of ten feet wide and shall have a maximum curb cut of ten feet, exclusive of the flare.
- (2) Architectural Standards.
  - (A) Statement of Intent. The purpose of these regulations is to set forth basic, minimum standards of architectural design and construction that are compatible with and complementary to the existing historic residences within the neighborhood, as the cumulative historic diversity of the built environment is a defining characteristic of this neighborhood. It is not the intent of these regulations to limit the design of new housing to replication of styles of existing structures, but to foster residential design that, with regard to massing, size, scale, materials, and architectural elements, enhances the architectural quality of the neighborhood and simultaneously encourages creativity. Additionally, these regulations are intended to integrate the physical characteristics of new construction into the existing neighborhood in a meaningful way so as to restore and promote the public health, safety, and welfare of this neighborhood.

The following residential architectural styles currently predominate in the neighborhood and contribute to its unique historic character; they are included here for reference only: American Four Square, Craftsman, English Vernacular Revival, Folk Victorian, Queen Anne, and Shotgun.
  - (B) Design Standards and Criteria for New Principal Structures.
    1. Identified design elements of size, scale, massing and materials of new construction shall be substantially consistent with said identified design elements found in contributing structures of like use in the district as listed in subsection 16-20K.007(15)(c.).
    2. A paved walkway from the front sidewalk to the front entry of the principal structure shall be provided.

3. Front porches on the principal structure shall be required and shall be a minimum of one-third the width of the front façade and a minimum of seven feet in depth. Side porches shall be a minimum of four feet in depth. Porches may be enclosed by screen wire only, provided all the main features of a porch are maintained in place and the screening materials can be removed at a future date with minimal damage to said features.
  4. All front façades and front porches of the principal structure shall face and be parallel to the lot frontage. Wrap around front porches are permitted.
  5. Roof form above the front façade of the principal structure shall be gabled and/or hipped. Roof pitch shall be a minimum of 6 in 12. Roof pitch above porches shall not be restricted.
  6. The height of the principal structure shall not exceed 35 feet. (See section 16-28.022 for excluded portions of structures.)
  7. The first floor of the principal structure shall be on foundations and elevated above the grade a minimum of two entrance step risers each of which shall be no less than six inches in height. All front steps shall have closed risers and closed ends. Access ramps shall be permitted.
  8. Garages entrances are prohibited on the front façade. Single car-width garage entrances are permitted on the half depth front yard façade of the structure. Double car-width garage entrances are permitted at the rear of the structure.
  9. Decks, Balconies and Upper Level Terraces:
    - a. Decks shall be permitted only when located to the rear of the principal structure.
    - b. Decks shall be permitted at any level.
    - c. Balconies and upper level terraces shall be permitted.
  10. Any portion of a chimney that is located on any façade that faces a public street shall originate at grade.
  11. Any façades that face a public street shall consist of fenestration that is either: 1) substantially consistent with fenestration on contributing structures of like use in the district, or 2) shall be no less than 15 percent and no greater than 40 percent of the total surface wall area. Windows may be individual or grouped. No individual window unit shall exceed 28 square feet. Within each individual window unit, no individual window sash, either fixed or operable, shall exceed 16 square feet.
  12. When practical, skylights should be located where least visible from the public street. If skylights are visible from the public street, the glass shall be tinted to match the surrounding roof area. Protruding "bubble" skylights are prohibited.
  15. On those façades of any structure that face a public street, the following regulations on building materials shall apply. Alternate materials may be submitted for review by the commission.
    - a. Paving materials for walks and drives: Black asphalt is prohibited.
    - b. Visible foundation materials: Foundations shall constitute a distinct building design element and shall contrast with the front façade siding material. Brick, stone, concrete, stucco, and architectural concrete masonry units (C.M.U.) shall be permitted. Standard, unfinished concrete block and stacked stone is prohibited.
    - c. Siding/veneer: Horizontal lap siding, vinyl siding, aluminum siding, shingles, brick, hard stucco, and stone shall be permitted. Stacked stone is prohibited.
    - d. Roofing: Asphalt shingles, wood shingles, metal shingles, slate, and pre-finished metal panels shall be permitted.
    - e. Chimneys: Brick, stone, or architectural concrete masonry units (C.M.U.) shall be permitted. Siding is prohibited.
    - f. Fences: Brick, stone, wire mesh, architectural C.M.U., or vertical pickets made of ornamental metal, wood or simulated wood shall be permitted in the front yard and half depth front yard.
- (E) Site development, sidewalks and curbs:
1. The sidewalk shall be the same width as the sidewalk on abutting properties. If no sidewalk exists on abutting properties the new sidewalk shall match sidewalk widths on the block. If no sidewalk exists on the block, the new sidewalk shall be six feet wide.
  2. Repairs or replacement of existing brick sidewalks shall be constructed of brick on a concrete base and laid in a pattern to match the existing pattern on abutting properties or elsewhere in the district.
  3. Repairs or replacement of concrete sidewalks adjacent to existing brick sidewalks on the same linear block, or in blocks where brick sidewalks are installed, shall be constructed of brick on a concrete

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

### **CA3-17-062 (Zero Lot Line Subdivision)**

As noted above, the Applicant proposes to create a zero lot line subdivision once the construction is done. Zero lot line subdivisions are distinct in the City of Atlanta codes from “regular” subdivisions which are completed prior the construction of houses. The District regulations do not have requirements or criteria for zero lot line subdivisions and as such the Commission has not reviewed zero lot line subdivisions in the past.

As such, the Staff would recommend the application for the zero lot line subdivision be denied without prejudice.

*The Staff would retain this recommendation.*

### **CA3-27-063 (Design Review)**

#### **Application of Zero Lot Line Subdivision Process and District Regulations to Proposed Design**

Though the Commission would not review the zero lot line subdivision for the reasons stated above, the Staff is concerned that the proposed design will not qualify for a zero lot line subdivision. Such subdivisions can only divide an existing parcel along a common, party wall that joins two completely enclosed and insulated spaces. In the proposed design, while the two garages are joined by a party wall, the garages themselves are not connected to the two units houses by insulated, fully enclosed spaces. Between each garage and the main house is an open air deck and breezeway. Therefore, if a zero lot subdivision is not possible based on the current design, the design would have to be significantly modified to create a true, City-defined duplex, which itself has requirements of how the units are joined together.

The Staff would recommend the Applicant confirm that the proposed design (regardless of any revisions required to comply with the District regulations) can qualify as a zero lot line development.

*The Applicant has discussed their proposed project with the Office of Buildings and modified their design to conform to the requirements of creating a zero lot line subdivision, namely that the connecting portions of the buildings are fully enclosed spaces. In the modified design the decks have become sunrooms and the breezeways have been enclosed making a continuous, enclosed building.*

For the purposes of the rest of the Staff’s commentary and design assessment, it will assume that the proposed design would quality for a zero lot subdivision. The Staff would note that this

design review analysis does not constitute endorsement or approval of the zero lot line concept by the Staff.

Lastly, the Staff would note that the rear additions and alterations to the existing house are not subject to review by the Commission as the proposed new house takes precedent given its relationship to Robinson Avenue. There are no alterations proposed to the Home Avenue façade of the existing house.

### Site Plan

The maximum FAR (floor area ratio) allowed for the existing lot is 0.50 of the net lot area. The subject property has a net lot area of 13,587 sq. ft. meaning that all the main structures built on the lot would be allowed to have a maximum square footage of 6,793.5 sq. ft. The square footage of the proposed structure is 5,622 sq. ft. which meets this requirement. The maximum lot coverage allowed is 55% of the net lot area. The proposed lot coverage is just over 54%, below the 55% allowance.

In this case, the double frontage lot has two front yards – one facing Home Avenue and one facing Robinson Avenue. The front yard setback along Robinson Avenue can either be based on the compatibility rule or the previously existing contributing building of like use. The proposed front yard setback is 30 ft. As there are no contributing buildings on the block face, the next closest block face with contributing buildings should be used to calculate the front yard setback requirement. The Staff would recommend the Applicant document compliance with the front yard setback using the next closest block face with contributing houses.

*Based on discussions with the Staff, the Applicant documented the front yard setbacks (from the back edge of the public sidewalk to the front porch) of 940, 944, and 948 Gress Avenue. This produced a front yard setback range of 10.92 ft. to 17.33 ft. The setback along Robinson Avenue to the front edge of the front porch has been revised to be 17.33 ft. which would meet the Districts regulations. However, in the Applicant's narrative they note the front yard setback will be 17.77 ft. to the front porch, which would be out of the range using comparable measurements. The Staff would recommend the Applicant clarify the actual proposed front yard setback.*

Of the side yard setback options, the regulations allow the side yard setbacks of no less than 7 ft. which is being met with both proposed side yards. Given the current configuration of the lot, there is no rear yard setback.

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

*The proposed front walkway is not noted as concrete which meets the District regulations.*

The plans do not indicate an existing public sidewalk along Robinson Avenue. The Staff recommends that if no public sidewalk exists along this portion of Robinson Avenue or if the

public sidewalk is extensively damaged or destroyed during construction, a new public sidewalk be installed which meets the District regulations.

*On the revised site plan, a “proposed concrete sidewalk” is noted but the Staff would retain its previous recommendation given the specific sidewalk requirements of the District regulations must still be followed.*

The plans indicate a proposed concrete, 8 ft. wide, ribbon strip driveway from Robinson Avenue to the previously mentioned joined garages at the center of the lot, which meets the District regulations.

### Massing and Building Height

The proposed two story house is defined by an 8-in-12 hipped roof and one-story, full width front porch. Per the District regulations, the maximum height allowed is 35 ft. The District regulations do not specify how the height should be measured, therefore the Staff finds the standard City measurement should be used. The Staff finds the height requirement has been met given the proposed height is about 33 ft., measured to the peak of the roof.

A deck is proposed as part of the design at the back of the house, which meets the District regulations.

*As noted above, the deck has been converted to a sunroom, which also meets the District regulations.*

The house is proposed to be on a crawlspace foundation which at the front steps will be 5 steps high. However, it is not clear from the elevations if the actual grade lines are accurately shown all the way around the proposed house. The Staff would recommend the Applicant clarify the foundation proposal, its height on all sides of the proposed house and that the foundation will meet the District regulations.

*The grade lines have been adjusted and show that the house will still be accessed via 5 entrance steps.*

### Building Facades

The Commission reviews the facades that face a public street. In this case, the Staff will comment on the façades that face Robinson Avenue.

### Windows and Doors

A single front door is parallel and facing Robinson Avenue as required. The design of the door is a large, oval glass over two panels.

*The front door design has been revised to include a rectangular light in the upper 2/3 of the door, which still meets the District regulations.*

The Applicant is proposing to install 3-over-1, double hung windows with unspecified trim on the Robinson Avenue facing façade with one reduced size double hung window in the middle of

the second floor. The District regulations allow for windows to either be compatible with the windows on contributing houses or are no less than 15% and no more than 40% of the wall surface. A fenestration calculation was provided that show the fenestration on the Robinson Avenue façade is 17.9%, which meets the District regulations. The Staff would still suggest, though, that the windows have trim that is compatible with contributing buildings in the District and that the paired windows are separated by a 6 in. trim piece.

*The window trim has been partially revised to reflect the Staff's suggestions above. Otherwise, the windows still meet the District regulations having complied with the percentage of fenestration range.*

### Building Materials

The proposed materials include horizontal cementitious siding, asphalt shingle roofing, and a brick clad foundation. The Staff would note that all of these materials are permitted by the District regulations. The materials for the front porch elements, window and door trim and the front door is not indicated. The Staff recommends that an appropriate material for all of the exterior materials be indicated on the plans and meet the District regulations.

*In the revised design, more materials are noted on the plans including the front door, though it is still not clear the material for the exterior trim elements. The Staff would retain its previous recommendations.*

### Porch

Per regulations, the minimum allowed depth for the front porch is 7'. The Staff finds that the proposed front porch is 6.5 ft. and does not meet the District regulations. The Staff would recommend the front porch depth meet the District regulations.

*The front porch depth has been increased to 7 ft. 6 in. at its smallest depth, which meets the District regulations.*

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

*In the revised design, the front porch foundation is now brick piers, the columns are 10 in box columns and the railing design has been indicated. However the Staff is concerned that these features are not compatible with front porches of contributing houses in the District. For example, the Staff is not aware of front porches on brick piers in the District, front porch stairs on open stringers, and boxed columns with paneled bottom portions. The Staff would retain its previous recommendation.*



**CA3-17-062:**

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

- 1) The District regulations do not have requirements or criteria for zero-lot line subdivisions; per Section 16-20K.

The Staff recommends denial without prejudice of an application for a Type III Certificate of Appropriateness (CA3 17 062) to subdivide one (1) lot into two (2) lots at **665 Home Ave.** Property is zoned R-5 / Grant Park Historic District (Subarea 1).

**CA3-17-063**

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

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

*The Staff recommends approval of an application for a Type III Certificate of Appropriateness (CA3 17 063) for a new single family home facing Robinson Ave. at **665 Home Ave.** Property is zoned R-5 / Grant Park Historic District (Subarea 1), with the following conditions:*

1. *The Applicant shall clarify the actual proposed front yard setback, per Sec. 16-20K.007(1)(A);*
2. *If no public sidewalk exists along this portion of Robinson Avenue or if the public sidewalk is extensively damaged or destroyed during construction, a new public sidewalk shall be installed which meets the District regulations, per Sec. 16-20K.006(7);*
3. *An appropriate material for all of the exterior materials shall be indicated on the plans and shall meet the District regulations, per Sec. 16-20K.007(2)(B)(15);*
4. *All aspects of the front porch shall meet the District regulations, per Sec. 16-20K.007(2)(B)(3) and (4); and*
5. *The 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 March 22, 2017

**Agenda Item:** Application for a Type II Certificate of Appropriateness (CA2-17-082) for alterations and window replacement at **1105 Cordova St.** Property is zoned R-4A / Oakland City Historic District / Beltline.

**Applicant:** Bryan Elmore  
5509 Mudlark Cir., Powder Springs

**Facts:** This existing duplex was constructed in 1960 and is not considered to be contributing to the District.

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

Sec. 16-20M.004. - Definitions.

For the purposes of interpreting this Chapter 20M, the following definitions shall apply:

- (1) *"Deck"* means a roofless platform adjoining a house, generally made of unfinished wood and supported by posts.
- (2) *"District"* means the Oakland City Historic District, as shown on the official zoning map adopted herewith entitled the "Oakland City Historic District."
- (3) *"Fenestration"* means the arrangement, proportion, and design of windows and doors in a building.
- (4) *"Principal structure"* means the main habitable structure on a property, exclusive of detached accessory structures.
- (5) *"Public street"* means publicly dedicated streets or roads and specifically excludes alleys in the district.

Sec. 16-20M.005. - Compatibility rule.

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

Sec. 16-20M.006. - General criteria.

- (1) Notwithstanding any other provision herein, no certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
- (2) Except as otherwise provided herein, the procedures for determining the appropriate type of certificate shall be those specified in section 16-20.008 of the Zoning Code.
- (3) The commission shall apply the standards referenced in 16.20.009 only if the standards set forth in this Chapter 20M do not specifically address the application.

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

- (1) *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 Minimal Traditional Cottages.

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

(n) Fenestration, if visible from a public street upon completion, shall meet the following requirements:

1. Windows in the front façade shall be predominantly vertical in proportion.
2. If muntins or mullions are used, such muntins or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.

(o) Window and door casing widths and depths:

1. Replacement windows units shall maintain the size and shape of the original window opening.
2. The compatibility rule shall apply to the following aspects of fenestration:
  - a. The size and shape of individual window openings.
  - b. The overall pattern of fenestration as it relates to the building façade.
  - c. The style of the individual window.

(r) In addition to all other applicable regulations, the compatibility rule shall apply to the following building materials and design elements, if visible from a public street upon completion:

5. The size and type of exterior doors. Notwithstanding the compatibility rule, exterior doors shall be wood panel or fixed glass panel in wood frame.

Sec. 16-20M.016. - Design standards and criteria for alterations and additions to non-contributing structures.

Alterations and additions to non-contributing structures requiring a certificate of appropriateness, shall be consistent with and reinforce the architectural character of the existing structure or shall comply with the applicable regulations for new construction set forth in subsection 16-20M.013(2) above.

The District regulations allow two criteria for alterations to a non-contributing structure. The alterations can either be consistent with and reinforce the architectural character of the existing structure, or the alterations can comply with the applicable regulations for new construction. Staff finds that either criterion would be satisfied by this request, but will review the project under the regulations for new construction.

Staff finds the existing windows on the structure consist of what are likely original but deteriorated windows, new vinyl windows, and missing windows. Staff has no concern with the proposed replacement of these windows, but recommends the Applicant provide information regarding the proposed replacement windows.

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

- 1) The project meets the regulations with the exceptions noted above, per Sec. 16-20M.016;

**Staff recommends** Approval of an Application for a Type II Certificate of Appropriateness (CA2-17-082) for alterations and window replacement at **1105 Cordova St.** with the following conditions:

1. The Applicant shall provide information regarding the proposed replacement windows, per Sec. 16-20M.013(2)(o)(1); and,
2. Staff shall review and if appropriate, approve the final plans and documentation.



**KASIM REED**  
MAYOR

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**TIM KEANE**  
COMMISSIONER

**OFFICE OF DESIGN**

**STAFF REPORT**  
**March 22, 2017**

**Agenda Item:** Review and Comment (RC-17-096) on a special use permit U-17-003 for the Transfer of Development Rights (TDR) from **660 Peachtree Street (Fox theater LBS)** – Sending property is zoned SPI-16 – Midtown Commercial District (Subarea 1) / Landmark Building or Site).

**At the Request of:** Fox Theater, Inc. c/o Dentons US LLP.  
303 Peachtree Street

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

The Applicant is proposing to sever both residential and non-residential development rights so that they can be applied to another parcel in the future through another special use permit process. Per the Applicant calculations, the property currently has 726,725 sq. ft. of residential density and 391,201 of non-residential density. They are proposing to transfer 512,774 sq. ft. of residential density and 260,000 sq. ft. of non-residential density, leaving the remaining development rights on the Fox Theater parcel

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

Per Section 6-4043 of the Atlanta City Code:

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

The TDR will not result in any physical alteration to the designated building. It will, however, decrease the development pressure on the site by removing potential development rights beyond those already “used” by the existing building. The Staff would add that another benefit of the TDR to the “sending site” (i.e. the Fox Theater) is that development rights that would otherwise likely go unused (given the

criteria regarding incompatible additions and alterations to a LBS property) will be eventually transferred to another property thus likely generating additional income for the owner of the development rights and thus likely to the eventual sending site as well. Both of these results would indirectly help retain the designated property and thus reinforce the historic and cultural values that it represents to the City.

The Staff does not find any concerns about the proposed transfer.

**Staff Recommendation:** The Staff recommends that a letter of support on Review and Comment (RC-17-096) on a special use permit U-17-003 for the Transfer of Development Rights (TDR) from **660 Peachtree Street (Fox theater LBS)** be sent to the Zoning Review Board, the special use permit applicant, and other pertinent parties.



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**TIM KEANE**  
Commissioner

OFFICE OF DESIGN

## STAFF REPORT March 22, 2017

**Agenda Item:** Application for a Type III Certificate of Appropriateness (CA3-17-099) for alterations, additions, a new roof top deck, and site work at **302 Auburn Avenue** -Property is zoned Martin Luther King, Jr. Landmark District (Subarea 4).

**Applicant:** Kelly Reilly  
154 Krog Street

**Facts:** According to the 2002 District inventory sheet, this commercial structure was constructed in 1940-45, is considered contributing to the District, and located on the northeast corner of Auburn Avenue and Fort Street, next to the Downtown Connector. To the east is a two-story contributing building. To the north is vacant property.

The current building consists of two components. To the east is the larger, concrete building with a traditional storefront with an entrance and display windows. There is a small parapet wall that surrounds a flat roof. The second building to the west (attached to the east building) is a one story, semi-outdoor building that was used as the outdoor cooking area for the former BBZ restaurant that occupied the location. This building has suffered an extensive fire, resulting in the collapse of most of the roof and the non-masonry features of the building.

The proposal before the Commission at this time is the creation of a restaurant, including the following overall construction elements:

1. Replacement of the semi-outdoor building with a larger, fully enclosed, one-story building clad in vertical wood siding with a brick water table and roll-up garage doors along its western façade;
2. Construction of a roof top addition above both the concrete block eastern building and the new, one-story addition that will include outdoor seating on the roof of both buildings as well as an enclosed bar, restrooms, and two sets of enclosed stairs; and
3. New streetscape treatment along Fort Street.

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

Sec. 16-20C.004. General regulations

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

1. General criteria. The Commission shall apply the standards set forth below only when the standards set forth elsewhere in Chapter 20C do not specifically address the application in whole or in part:
  - a. A property shall be used for its historic purpose or be placed in a new use authorized in Section 16-20C.005 using minimal change to the defining characteristics of the building and its site and environment.
  - b. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
  - c. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
  - d. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
  - e. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
  - f. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
  - g. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
  - h. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
  - i. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
  - j. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
2. The compatibility rule.
  - a. Block definitions. The following words and terms, when used in this chapter, shall have the meanings ascribed to them in this section:
    - i. Block. An area of land located within a continuous perimeter of public streets. An individual block shall begin at the back edge of curb of the adjacent street. Interstate 75/85, when no intervening street exists, shall be permitted to count as an adjacent street for purposes of meeting this definition, beginning at the edge of the adjacent 75/85 right-of-way.
  - b. The intent of these regulations is to ensure that alterations to existing structures and new construction are compatible with the massing, size, scale, and architectural features of each Subarea and of the immediately adjacent environment of a particular block or block face. To further that intent and simultaneously retain flexibility, the regulations provide a "compatibility rule" which is: The element in question, such as roof form or architectural trim, shall match that which predominates:
    - ii. On contributing buildings on the same block in Subareas 3 and 4.
  - c. Where quantifiable, such as building height or floor height, the element shall be no smaller than the smallest or larger than the largest such dimension of the contributing building(s) along the same block face in Subareas 1 and 2 and on individual blocks in Subareas 3 and 4.
  - d. Those elements to which the compatibility rule applies are specified in these regulations by reference to "compatibility rule."
  - e. Building height shall be measured on the front elevation from the average point of grade on the front elevation to the highest point of the roof or façade, whichever is higher.
  - g. Whenever individual block faces in Subareas 1 and 2 or individual blocks in Subareas 3 and 4 are void of contributing structures, the contributing structures located on the opposing block face shall be utilized for purposes of adhering to compatibility rule provisions. If the opposing block face is void of contributing structures, the contributing structures on the nearest block face along the same street frontage shall be utilized.
3. Certificates of Appropriateness.
  - a. General Provisions.
    - i. The procedures for determining the correct type of Certificate of Appropriateness shall be those specified in Section 16-20.008, except as otherwise provided herein.



- ii. No certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
- c. Type III certificates of appropriateness. The following Type III certificates of appropriateness shall be reviewed by the commission and shall be required for:
  - ii. Additions;

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

2. The following lot controls and building heights provisions shall apply to Subareas 3 and 4.

- a. Building heights.
  - i. Maximum building heights shall be permitted up to a maximum of one and one-half times the height permitted utilizing the compatibility rule, provided that:
    - (1) For property located east of Interstate 75/85, no building shall be permitted to exceed a maximum height of 55 feet.
  - ii. The building heights permitted in this subsection are intended to be the maximums authorized but are subject to further compatibility restrictions under other provisions of this district relative to building form, scale, massing and materials.

Sec. 16-20C.007. - Sidewalks, yards and open space.

1 The following sidewalks, yards and open spaces provisions shall apply to Subareas 1 through 4.

- a. Sidewalks.
  - i. Public sidewalks shall be located along all public streets and shall consist of two zones: an amenity zone and a walk zone.
  - ii. The amenity zone shall be located immediately adjacent to the curb with a consistent cross-slope not to exceed two percent. Width shall be measured from back (building side) of curb to the walk zone. This zone is reserved for the placement of street trees and street furniture including utility and light poles, public art, waste receptacles, fire hydrants, traffic signs, traffic control boxes, newspaper boxes, transit shelters and similar elements in a manner that does not obstruct pedestrian access or motorist visibility. Such elements, where installed, shall be of a type specified by the director in accordance with uniform design standards for placement of such objects in the public right-of-way.
  - iii. The walk zone shall be located immediately contiguous to the amenity zone and shall be a continuous hardscape, with a consistent cross-slope not exceeding two percent. No fixed elements, including pole mounted signage, traffic control boxes or other utility structures, shall be placed above ground in the walk zone for a minimum height of eight feet.
  - iv. New sidewalks and their corresponding zones shall be the same width as the sidewalk on abutting properties. If no sidewalk exists on abutting properties, the new sidewalk shall match sidewalk widths on the block. If no sidewalk exists on the block, the new amenity zone shall be a minimum of two feet wide and the new walk zone shall be a minimum of five feet wide.
  - v. Street trees shall be planted a maximum of 30 feet on-center within the amenity zone and shall be spaced equal distance between street lights.
  - vi. Any existing decorative hardscape treatment of sidewalks, including amenity zone or walk zone areas, shall be retained as part of any new development or replaced with materials that match in size, shape and color.
  - vii. Decorative pedestrian lights, where installed, shall be placed a maximum of 60 feet on center and spaced equidistant between required trees. Where installed, said lights shall be located within the amenity zone. Said lights shall be as approved by the director. New developments shall match the light and tree spacing on blocks where existing Atlanta Type lights are installed.
  - viii. Changes or additions of planters, trash containers, street lighting, and similar elements, shall require a certificate of appropriateness by the commission.
  - ix. Upon redevelopment of a parcel reasonable efforts shall be made to place utilities underground or to the rear of structures to allow for unobstructed use of sidewalks.
    - c. Required open space.
      - i. Open space shall be required only for multi-family uses. All other uses shall have no open space requirements.
- 3. The following additional yards provisions shall apply to Subareas 3 and 4.
  - a. Front, rear and side yards. All front, rear and side yards for this subarea shall be established through the compatibility rule, except that zero-lot-line side yards shall be permitted as a minimum side yard allowance regardless of the compatibility rule application.

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

1. The following Design Standards provisions shall apply to Subareas 1 through 4.
  - a. Building compatibility.
    - i. All elements of new construction shall be utilized in a meaningful, coherent manner, rather than a mere aggregation of random historic elements.
    - ii. The compatibility rule shall apply to a principal structure's general façade organization, proportion, scale, roof form, pitch and materials, door and window placement, and other architectural details including but not limited to brackets, decorative trim, corner boards, bottom boards, fascia boards, columns, steps and attic vents.
    - iii. Fiberglass roofs shall be prohibited.
  - b. Fenestration.
    - i. The compatibility rule shall apply to the following aspects of fenestration:
      - (1) The style and material of the individual window or door.
      - (2) The size and shape of individual window and door openings.
      - (3) The overall pattern of fenestration as it relates to the building façade.
      - (4) The use of wood or aluminum for exterior framing, casing, and trim for windows and doors, and the use of wood, aluminum, brick, or stone for bulkheads.
    - ii. Painted glass and reflective glass, or other similarly treated fenestration, are not permitted.
    - iii. Except as otherwise provided in 16-20C.008(2), if muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
  - d. Loading areas, loading dock entrances, and building mechanical and accessory features for all non-residential uses.
    - i. All dumpsters shall be concealed with walls six feet in height and constructed or faced with metal, brick, stone, architectural masonry, or hard coat stucco and shall not be visible from any public street.
    - ii. Loading docks and loading areas shall not be permitted on the primary façade of a principal building.
    - iii. Building mechanical and accessory features shall not be permitted between the principal building and any public street.
    - iv. Building mechanical and accessory features shall be located to the rear of the principal building and shall be in the location least visible from the public street. Screening with appropriate materials shall be required if the equipment is visible from any public street.
    - v. When located on rooftops, building mechanical and accessory features visible from the public street shall be incorporated in the design of the building and screened with materials compatible with the principal façade material of the building.
3. The following Design Standards provisions shall apply to Subareas 3 through 4.
  - a. Facades.
    - i. Building materials for the façades of principal structures shall be determined by the compatibility rule. Concrete block and other masonry materials may be used on façades of principal structures that do not face a public street. Corrugated metal, aluminum siding, and vinyl siding are not permitted on any façade.
    - ii. Covering of the original façade shall not be permitted.
    - iii. Painting of unpainted building materials and masonry is prohibited.
    - iv. All cleaning of stone, terra cotta, and brick shall be done with low-pressure water and mild detergents.
    - v. All repairs to original mortar shall be compatible with the existing mortar material in strength, composition, color and texture. Original mortar joints shall be duplicated in width and in joint profile.
    - vi. Cornice lines shall cap all building façades and shall consist of sheet metal, brick, cast concrete or terra cotta materials.
  - d. Fenestration.
    - i. A minimum of 60 percent of the length of the building façade shall contain fenestration.
    - ii. Sidewalk-level development without fenestration shall not exceed a maximum length of 10 feet of façade.
    - iii. Subject to the compatibility rule, glass block may be used for door surrounds and transoms.
  - e. Illumination and security features.
    - i. Security, decorative, and other lighting shall minimize light spillage by providing cutoff luminaries that have a maximum 90-degree illumination. The commission may also require other elements to reduce light spillage.
    - ii. Any security, decorative, or other lighting luminaries shall be located a minimum height of eight feet above the sidewalk, drive, or pedestrian area.
    - iii. External storefront security grilles, gates and security doors must be fully retractable during business hours. Such devices shall provide visibility into the interior of protected space when in use, and shall be prohibited from being opaque.

- iv. Any external security grills, gates and security doors must be compatibly integrated into and concealed by the overall architecture and architectural patterns and elements of the façade on which they are located.
- f. *Awnings and canopies.*
  - i. Original awnings and canopies shall be retained.
  - ii. Replacement awnings or canopies are permitted only when original awnings or canopies cannot be rehabilitated.
  - ii. Awnings and canopies must have a minimum clearance of eight feet above the sidewalk level, and shall not encroach more than five feet over the public sidewalk.
  - iv. Installation of new canopies upon contributing structures shall be designed in a manner that is compatible with the design, materials and general character of canopies from the time period of historical significance for the structure.
  - v. Installation of new canopies upon non-contributing structures shall be designed in a manner that is compatible with the design, materials and general character of canopies from the time period of historical significance for the district.
  - vi. New awning frames attached to storefronts, doors or windows shall replicate the shape of the covered area and fit within that area.
  - vii. New awnings shall be attached to the area above the display and transom windows and below the cornice and signboard area, or attached to the storefront display window and the transom window.
  - viii. Multiple awnings on a single building shall be similar in shape and configuration.
  - ix. Only that portion of the awning used for signage shall be illuminated.

Sec. 16-20C.009. - Off-street parking, parking structures, driveways, driveways and curb cuts.

1. The following off-street parking regulations shall apply to Subareas 1 through 4.

a. *Parking requirements.* Off-street parking and bicycle parking requirements shall be as specified in the Martin Luther King, Jr. Landmark District Parking Table and subject to the following:

TABLE 2: MARTIN LUTHER KING JR. LANDMARK DISTRICT PARKING TABLE	MINIMUM PARKING: BICYCLES	MINIMUM PARKING: AUTOMOBILES	MAXIMUM PARKING: BICYCLES	MAXIMUM PARKING: AUTOMOBILES
Non-Residential Uses	The greater of: two spaces or one space for every 4,000 square feet of floor area	None	No more than 50 spaces required	2.5 spaces for every 1,000 square feet of floor area

- i. Bicycle parking spaces shall include a metal anchor sufficient to secure the bicycle frame when used in conjunction with a user-supplied lock and shall be a type specified by the director of the office of planning as applicable.
- ii. Bicycle parking shall be located a maximum horizontal distance of 100 feet from a building entrance.

**General Development Controls, Building Height, and Massing**

The setbacks are based on the compatibility rule which establishes a maximum and minimum range. The front yard setback (along Auburn Avenue) of the ground level and roof top additions will align with western of the two buildings and approach zero along the angled portion of the front property line at the corner. Though unusual, this configuration meets the compatibility rule given the closest portion of the addition will be within the range of the contributing buildings on the block face, including the building just to the east on the adjacent parcel. Regarding the front setback along Fort Street, because it is getting closer than the existing building, this setback should be compared to other corner lot side streets. No information was provided about that comparison. The Staff would recommend the Fort Street setback meet the District regulations.

There is no lot coverage requirement in Subarea 4 of the District or floor area ratio requirement. There is no open space requirement for non-residential uses in Subarea 4 of the District. The proposed addition is well below the maximum height of 1.5 times the tallest contributing building on the block and below 55 ft.

No parking is required for the proposed restaurant use.

The Staff is concerned about the building massing. While it agrees that setting the roof top addition back away from both edges of the existing one story building is an appropriate relationship, it is concerned about that same roof top addition being set away from the adjacent building creating a unusual space between the two building on the upper level. There are very few, if any, two story buildings that do not have a zero lot line configuration. The Staff would recommend the roof top addition be redesigned to eliminate the gap between it and the adjacent, two story building.

### **Site Work, Dumpsters, and Loading Areas**

The only site work that is proposed as part of the project is the construction of what appears to be a new sidewalk along Fort Street and planting of street trees. However, it is not clear to the Staff how this will relate to the existing condition which is a wide sidewalk along Fort Street with trees along the property line. Further, the proposed configuration would not match or align with the sidewalk condition along Auburn Avenue, which does not have a tree planting zone. The Staff would recommend the Applicant clarify the proposed site work / streetscape work.

The Staff assumes that the dumpster will be located in the “Trash and Storage area” noted on the first floor plan. It is not clear if this is a fully enclosed space, enclosed only with walls, or if the enclosure walls are completely solid. The Staff would recommend that the dumpster / trash area meet the District regulations. Further, it is not clear how the dumpster / trash will be serviced given the proposed sidewalk treatments and street tree locations.

Further, the mechanical equipment is note noted on the plans. The Staff would recommend the mechanical equipment meet all of the District regulations.

The required bicycle parking is not shown on the site plan either. The Staff would recommend the required bicycle parking spaces are shown and meet the District regulations.

### **Architectural Elements**

The Staff has several concerns about the architectural elements of the proposed design, including the fenestration pattern on both the ground level addition and the roof top addition. First, the storefront system on the Auburn Avenue façade of the addition includes windows that reach the ground plane. Second, the Fort Street façade of the addition includes two roll down doors and one large, fixed pane window wall, all of which reach the ground plane. Third, the Auburn Avenue façade of the roof top addition includes only a few transom windows leaving a large expanse of blank wall. Fourth, it is not clear how the semi- enclosed bar area in the roof top addition will be fully enclosed – roll down windows, shutters, etc. While the Staff acknowledges that there is some limited opportunity to create compatible but contemporary new construction in the District, the Staff finds that all of these fenestration elements or patterns will create a façade that does not meet the District regulations and is minimally compatible with existing fenestration patterns in the District. The Staff would recommend the fenestration pattern be substantially revised to be more compatible with historic fenestration patterns in the District.

The Staff is also concerned with the visibility of the cable railing with wood posts, which is a very contemporary design element and the wood posts are a residential-looking design element. The Staff would not have concerns about this element if it were not so highly visible from the public street. Given the size of the roof top area, the typical method to reduce its visibility but pushing it away from the edge

of the building won't work well. Instead, the Staff would recommend the roof top deck railing be redesigned to be a solid, parapet wall-like feature.

The Staff has no concerns about the proposed flat canopies over the windows on the new construction both at the street level and the roof top addition.

### **Building Materials**

The Staff also have substantial concerns about the two principal materials of the new construction on the site: corrugated metal and vertical wood siding. First, corrugated metal is specifically prohibited by the District regulations. Second, wood siding is almost exclusively as a sheathing material on residential buildings and when it is used on those properties, it is laid horizontally, not vertically. The Applicant notes that wood siding is used on a building across the street which while it is currently a commercial use was built as a residential use and further, its siding is laid horizontally. The Staff would recommend the corrugated metal be removed from the design and all other exterior building materials are compatible with the commercial form and use of the building and meet the District regulations.

### **Staff Recommendations:**

Based upon the following:

- a) Except as noted above, the proposed project does not meet the District regulations, per Section 16-20C.

Staff recommends deferral of an application for a Type III Certificate of Appropriateness (CA3-17-099) for alterations, additions, a new roof top deck, and site work at **302 Auburn Avenue** -Property is zoned Martin Luther King, Jr. Landmark District (Subarea 4) to allow time for the Applicant to address the following concerns and comments:

1. The Fort Street setback shall meet the District regulations, per Section 16-20C.007(3)(a);
2. The roof top addition shall be redesigned to eliminate the gap between it and the adjacent, two story building, per Section 16-20C.004(1) and .008(1)(a);
3. The Applicant shall clarify the proposed site work / streetscape work, per Section 16-20C.007(1) (a);
4. The dumpster / trash area shall meet the District regulations, per Section 16-20C.008(1)(d);
5. The mechanical equipment shall meet all of the District regulations, per Section 16-20C.008(1)(d);
6. The required bicycle parking spaces shall be shown and meet the District regulations, per Section 16-20C.009(1);
7. The fenestration pattern shall be substantially revised to be more compatible with historic fenestration patterns in the District, per Section 16-20C.008(1)(b) and (3)(d);
8. The roof top deck railing shall be redesigned to be a solid, parapet wall-like feature, per Section 16-20C.004(1) and .008(1)(a);
9. The corrugated metal shall be removed from the design and all other exterior building materials are compatible with the commercial form and use of the building and meet the District regulations, per Section 16-20C.008(3)(a); and
10. The Applicant shall submit all revised documents and materials (including the required number of copies) at least eight (8) days prior to the Commission meeting to which this application is deferred.



## CITY OF ATLANTA

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**TIM KEANE**  
Commissioner

OFFICE OF DESIGN

### **STAFF REPORT** **March 22, 2017**

**Agenda Item:** Review and Comment (RC-17-123) for In-Rem demolition applications from January, 2017 **at various addresses** – Properties are zoned variously.

**Applicant:** Daphne Talley – Atlanta Police Department, Code Enforcement  
818 Pollard Drive

**Facts:** The subject properties were recommended for demolition by the City of Atlanta’s In Rem Review Board at its January, 2017 meeting. The 30 properties are located across the City in both National Register of Historic Places-eligible and National Register listed neighborhoods. All are single-family houses.

Through the Administration In Rem proceeding set forth in Article III, Section 30 of the Atlanta Housing Code, the Atlanta Police Department–Code Enforcement Section can proceed with demolition or clean and close action against private property. When a property owner fails to bring his/her property into compliance with the Atlanta Housing Code or the Atlanta Commercial Institutional Building Maintenance Code, a review/inspection of such property is conducted by the Code Enforcement staff to determine if the property (structure) is eligible for demolition or clean and close abatement.

Generally, properties that are unsecured, fire damaged, collapsing, or severely dilapidated are eligible for In Rem proceedings. However, the Atlanta Housing Code states any property (structure) that cannot be repaired at cost less than 50% of the value (exclusive of foundation and lot) it can be demolished. If the structure can be repaired at less than 50% of the value (exclusive of foundations and lot) it can be cleaned and closed.

Once the inspection assessment (determination of demolition or clean and close) of such properties is completed, an In Rem hearing is scheduled and evidence is put forth before the In Rem Review Board. Evidence includes, but not limited to, the number of complaints filed with the APD-Code Enforcement Section, the types of violations noted, the progression of notification to property owner(s), photographs, and the inspection assessment.

When an Order of demolition or clean and close is issued by the In Rem Review Board, the APD-Code Enforcement Section has authorization to access that private property and abate the nuisance. Once the abatement is completed, a lien is filed against the property for the cost of the abatement.

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

Per Section 6-4043 of the Atlanta City Code:

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

While the Staff is always concerned about the loss of historic or potentially historic buildings in the City of Atlanta, the properties in the In Rem review process are either in very poor condition, the City is unable to find the legitimate property owner, or the property owner cannot or will not address the situation. Further, the properties have often been in the City of Atlanta's code compliance system for some time meaning that there are been additional opportunities at which the property was made aware of the problems and given an opportunity to address the situation.

Regardless, the Staff finds that given the volume of properties proposed for demolition, a representative sample of the properties in the best condition be photographically documented with the images retained by the Code Enforcement Section of the Atlanta Police Department and the Office of Design's historic preservation staff. Based on the information provided to date by the Code Enforcement Staff, the Staff would suggest the following properties be photographically documented by the Code Enforcement Staff:

- 27 Gertrude Place, NW
- 1873 Glenview Drive, SW
- 1419 Hawkins Street, NW
- 290 Joseph E. Lowry Boulevard, NW
- 1045 Longley Avenue, NW
- 1020 McDaniel Street, SW
- 1166 Moton Avenue, SW
- 1827 Penelope Road, NW
- 585 Wood Drive, NW

**Staff Recommendation:** The Staff recommends that the Commission deliver comments at the meeting regarding Review and Comment (RC-17-123) for In-Rem demolition applications from January, 2017 at various addresses – Properties are zoned variously.



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## STAFF REPORT March 22, 2017

**Agenda Item:** Application for a Type III Certificate of Appropriateness (CA3-17-101) for Alterations and dormer additions at **724 Bonnie Brae Ave.** Property is zoned R-4A / Adair Park Historic District (Subarea 1) / Beltline.

**Applicant:** Oscar Gonzalez  
1310 Cornerstone Pl., Tucker

**Facts:** According to the District photographic inventory, this existing New South Cottage was constructed in 1893 and is considered to be contributing to the District.

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

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

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

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

- a. For a lot which meets the minimum lot area requirement described in section 16-06A.007(1): The maximum floor area ratio shall not exceed 0.50 of the net lot area.
- b. For a lot which does not meet the minimum lot area requirement described in section 16-06A.007(1): The maximum floor area shall not exceed the lesser of either:
  1. 3,750 square feet of floor area; or
  2. A maximum floor area ratio of 0.65 of the net lot area.

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

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

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

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



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

Sec. 16-20I.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.
- (2) *Financial Hardship Exemptions:*
  - a. These regulations set forth a minimum standard of architectural compatibility within the subarea. However, in order to balance this concern with other equally important objectives in the district, including economic development, neighborhood revitalization, and prevention of displacement of residents, the urban design commission may allow reasonable exemptions from these regulations on the ground of economic hardship to the property owner. The burden of proof that the regulations and guidelines pose such a hardship shall be on the property owner.

- b. In order to qualify for an economic hardship exemption, the applicant(s) must first make a showing that the alteration(s) requested is necessary in order to continue utilizing the structure for its intended purpose.
  - c. If the urban design commission finds that this requirement of subsection 16-20I.006(2)b. herein is satisfied, they shall consider the following factors in determining whether an economic hardship exemption in whole or in part will be granted:
    - 1. The present and future income of the property owner(s) and those occupying the property;
    - 2. The availability, at present or in the future of other sources of income of revenue, including loans, grants, and tax abatements;
    - 3. The cost associated with adherence to the subarea regulations;
    - 4. The degree of existing architectural importance and integrity of the structure; and
    - 5. The purpose and intent of this chapter.
  - d. The urban design commission shall balance these factors as applied to the applicant for said exemption and shall grant said exemption, in whole or in part, as appropriate to the case upon a finding that the economic hardship to the applicant is significant and substantially outweighs the need for strict adherence to these regulations.
- (3) *Lot Size:* In addition to the requirements of the subdivision and zoning ordinances, the compatibility rule specified in this chapter 20I shall apply to all subdivisions and aggregations of lots with regard to lot size, dimensions and configurations.
- (4) *Architectural Standards:*
- a. *Building 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.
  - 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.

The District regulations have both qualitative and quantitative requirements in regards to alterations and additions. If an item is not discussed below, Staff found that the element in question met the related regulations.

### **Site Plan**

The site plan does not note the existing/proposed lot coverage and floor area ratio for the property. Staff recommends the site plan be revised to show the existing/proposed lot coverage and FAR for the property.

### **Plans**

Staff found several inconsistencies regarding the existing elevations shown in the drawings, and the existing conditions shown in both the District inventory and the photographs provided by the Applicant. Ornamentation such as two accent dormers and the lancet shaped gable vent which appear in the District inventory and the Applicant's photographs do not appear in the existing elevations. Staff recommends the existing elevations be re-drawn to accurately reflect the existing conditions of the property.

### **Alterations**

The Applicant is proposing to replace all doors and windows on the structure. From the pictures provided staff finds that the existing door is not original to the structure and has no concerns with its replacement. However, no information on the proposed replacement door has been received. Staff recommends the Applicant provide information regarding the proposed replacement door. No information regarding the existing windows has been received. Staff recommends the Applicant provide information detailing the historic nature of the existing windows and their need for replacement. Staff further recommends the Applicant provide information regarding the proposed replacement windows.

### **Addition**

The Applicant is proposing a front dormer addition containing a much shallower roof pitch than the principal roof. Staff finds the placement of the addition inappropriate for use on a historic structure, particularly because the placement of the addition in the front roof plane would not allow for the essential form to be unimpaired if it were removed. Further the existing spatial relationships which define the New South Cottage house type would be lost. As such, Staff recommends the plans be re-drawn to show the addition placed to the rear of the structure and behind the front roof plane.

The District regulations require the roof form and pitch of new roofs to be based on the compatibility rule. Staff finds the proposed roof pitch to be too shallow when compared to the existing roofs on the structure. As such, Staff recommends the roof proposed for the addition match the pitch of the existing roof on the structure.

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

- 1) The project does not meet the regulations, with the exceptions noted above, per Sec. 16-20I.006;

**Staff recommends** deferral of an Application for a Type III Certificate of Appropriateness (CA3-17-101) for Alterations and dormer additions at **724 Bonnie Brae Ave.**

1. The site plan shall be revised to show the existing/proposed lot coverage and FAR for the property, per Sec. 16-06A.008;
2. The existing elevations shall be re-drawn to accurately reflect the existing conditions of the property, per Sec. 16-20.009(2);
3. The Applicant shall provide information detailing the historic nature of the existing windows and their need for replacement, per Sec. 16-20I.006(4)(b)(3);
4. The Applicant shall provide information regarding the proposed replacement windows, per Sec. 16-20I.006(4)(b)(3);
5. The plans shall be re-drawn to show the addition placed to the rear of the structure and behind the front roof plane, per Sec. 16-20.009(7);
6. The roof proposed for the addition shall match the pitch of the existing roof on the structure, per Sec. 16-20I.006(4)(f)(3); and,
7. Staff shall review and if appropriate, approve the final plans and documentation.



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**TIM KEANE**  
Commissioner

OFFICE OF DESIGN

## STAFF REPORT March 22, 2017

**Agenda Item:** Application for a Type II Certificate of Appropriateness (CA2-17-102) for alterations and window/door replacement at **834 Beecher St.** Property is zoned R-4A / West End Historic District / Beltline.

**Applicant:** Oscar Gonzalez  
1310 Cornerstone Pl.

**Facts:** This existing duplex was constructed in 1960 and is not considered to be contributing to the District.

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

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

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

- (1) *Certificates of Appropriateness:* Certificates of appropriateness within this district shall be required as follows:
  - (b) *Type required:*
    - (v) The following Type II Certificates of Appropriateness shall be review by the commission and shall be required for any of the following to the extent they are visible from a public street:
      - a. Alterations to any façade of any principal structure; and
      - b. All site work, except as noted in Section 16-20G.005(b)(4).

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

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

- (1) *Generally:* The following building elements and architectural features shall be considered when applying section 16-20.009 of this chapter to the West End Historic District: doors, windows, foundations, finished floor elevations, roofs, roof features, gutters, downspouts, cornices, siding, porches, steps, terraces, dormers, shutters, awnings, gateways, archways, louvres, walls, fences, and gates.
- (2) *Building Façades:*
  - (c) All building materials, which upon completion are visible from the public right-of-way, are subject to the compatibility rule.
  - (d) Siding repair or replacement shall match the original in material, scale and direction. For new construction and additions, brick, wood or horizontal smooth cementitious siding is permitted.
- (3) *Windows and Doors:*

- (a) Architecturally significant windows and doors, including details, trimwork, and framing, shall be retained.
  - (b) Original window and door openings shall not be blocked or enclosed, in whole or in part.
  - (c) Replacement windows and doors shall be permitted only when originals cannot be rehabilitated. Replacement windows and doors shall match the original in style, materials, shape and size, with no more than a one-inch width or height difference from the original size. The use of simulated divided lite windows is permitted.
  - (d) If muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
  - (e) The replacement and reconfiguration of windows on the side elevations to accommodate kitchens and bathrooms is permitted.
  - (f) Dropped ceilings, when located below the head of a window, shall be sufficiently recessed from the window opening to maintain the original exterior appearance.
  - (g) New doors and windows, when permitted, shall be compatible in scale, size, proportion, placement, and style to existing windows and doors.
  - (h) The ratio of openings to solid for all new construction (for example, windows to wall) shall be established by the compatibility rule.
  - (i) The scale, size, proportion, and location of all openings in new construction shall be established by the compatibility rule.
  - (j) New windows or doors added to existing structures shall be located façades that don't face a public street.
  - (k) New or replacement doors shall be made of wood and shall contain a rectangular light opening subject to the compatibility rule as to its scale, size, proportion placement, and style to original doors within that block face.
- (9) *Porches:*
- (a) Architecturally significant porches, including their component features, steps and stoops shall be retained.
  - (b) Replacement porches, steps and stoops shall match the original in size, style and materials. All front porch steps shall have closed risers and ends.
  - (c) Porches may be enclosed with screen wire or glass provided that the main characteristics of a front porch are maintained.
  - (d) New or replacement porches shall contain balustrades, columns and other features consistent with the architectural style of the house or other original porches in that block. The height of the top rail shall be no more than 33 inches above the finish porch floor, except as required by the City's building code.

The District has several qualitative and quantitative requirements in regards to alterations to contributing structures. If an item is not discussed below, Staff finds the related regulation(s) have been met.

The Applicant is proposing to replace all siding on the structure with cementitious siding. From the pictures received Staff finds that while some of the siding would likely warrant replacement, the majority of the historic siding could be retained. As such, Staff recommends the Applicant provide information detailing the need for all siding to be replaced. The regulations require siding replacement match the original material. As such, Staff recommends any siding replacement be done in-kind. The Applicant has also proposed a board and batten siding design for the front of the structure. Staff can find no evidence of a board and batten siding configuration on the front of the structure. As such, Staff recommends all siding be hung horizontally with a reveal that meets the district regulations.

The Applicant is proposing to replace the existing doors and windows on the structure. From the pictures received, Staff cannot determine the need for the windows to be replaced. The windows Staff could see were non-original to the structure, and as such Staff has no concerns with their replacement. However, no information regarding the proposed replacement windows and doors has been received. Staff recommends the Applicant submit photographic documentation that details both the historic nature of the windows and doors along with their need for replacement. Staff further recommends the Applicant submit information regarding the proposed replacement windows and doors.

The plans submitted do not clearly show the design of the proposed porch railing. Staff recommends the Applicant provide revised drawings which clearly show the design of the proposed porch railing.

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

- 1) The project does not meet the regulations with the exceptions noted above, per Sec. 16-20G.006;

**Staff recommends** deferral of an Application for a Type II Certificate of Appropriateness (CA2-17-102) for alterations and window/door replacement at **834 Beecher St.** to allow the Applicant time to address the following Staff concerns:

1. The Applicant shall provide information detailing the need for all siding to be replaced, per Sec. 16-20G.006(2)(d);
2. Any siding replacement shall be done in-kind, per Sec. 16-20G.006(2)(d);
3. All siding shall be hung horizontally with a reveal that meets the district regulations, per Sec. 16-20G.006(2)(d);
4. The Applicant shall submit photographic documentation that details both the historic nature of the windows and doors along with their need for replacement, per Sec. 16-20G.006(3)(c);
5. The Applicant shall submit information regarding the proposed replacement windows and doors per Sec. 16-20G.006(3)(c);
6. The Applicant shall provide revised drawings which clearly show the design of the proposed porch railing, per Sec. 16-20G.006(9)(g); and,
7. Staff shall review and if appropriate, approve the final plans and documentation.



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**TIM KEANE**  
Commissioner

OFFICE OF DESIGN

## STAFF REPORT March 22, 2017

**Agenda Item:** Application for a Type II Certificate of Appropriateness (CA2-17-105) for alterations and window replacement at **717 Joseph E Lowery Blvd.** Property is zoned R-4A / West End Historic District / Beltline.

**Applicant:** Janice M White  
184 Virginia Ave., #2, College Park

**Facts:** According to the District photographic inventory, this existing single family residence was constructed between 1924-1926 and is considered contributing to the District.

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

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

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

- (1) *Certificates of Appropriateness:* Certificates of appropriateness within this district shall be required as follows:
  - (b) *Type required:*
    - (v) The following Type II Certificates of Appropriateness shall be review by the commission and shall be required for any of the following to the extent they are visible from a public street:
      - a. Alterations to any façade of any principal structure; and
      - b. All site work, except as noted in Section 16-20G.005(b)(4).

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

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

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

- (1) *Generally:* The following building elements and architectural features shall be considered when applying section 16-20.009 of this chapter to the West End Historic District: doors, windows, foundations, finished



floor elevations, roofs, roof features, gutters, downspouts, cornices, siding, porches, steps, terraces, dormers, shutters, awnings, gateways, archways, louvres, walls, fences, and gates.

(2) *Building Façades:*

- (c) All building materials, which upon completion are visible from the public right-of-way, are subject to the compatibility rule.
- (d) Siding repair or replacement shall match the original in material, scale and direction. For new construction and additions, brick, wood or horizontal smooth cementitious siding is permitted.

(3) *Windows and Doors:*

- (a) Architecturally significant windows and doors, including details, trimwork, and framing, shall be retained.
- (b) Original window and door openings shall not be blocked or enclosed, in whole or in part.
- (c) Replacement windows and doors shall be permitted only when originals cannot be rehabilitated. Replacement windows and doors shall match the original in style, materials, shape and size, with no more than a one-inch width or height difference from the original size. The use of simulated divided lite windows is permitted.
- (d) If muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
- (e) The replacement and reconfiguration of windows on the side elevations to accommodate kitchens and bathrooms is permitted.
- (f) Dropped ceilings, when located below the head of a window, shall be sufficiently recessed from the window opening to maintain the original exterior appearance.
- (g) New doors and windows, when permitted, shall be compatible in scale, size, proportion, placement, and style to existing windows and doors.
- (h) The ratio of openings to solid for all new construction (for example, windows to wall) shall be established by the compatibility rule.
- (i) The scale, size, proportion, and location of all openings in new construction shall be established by the compatibility rule.
- (j) New windows or doors added to existing structures shall be located façades that don't face a public street.
- (k) New or replacement doors shall be made of wood and shall contain a rectangular light opening subject to the compatibility rule as to its scale, size, proportion placement, and style to original doors within that block face.

(6) *Chimneys:*

- (a) Chimneys shall match original materials, mortar, color and pattern whenever possible.
- (b) New chimneys shall be faced with brick or stucco.
- (c) Siding on chimneys is prohibited.
- (d) When any portion of a chimney is visible from a public street as a façade element, the chimney shall originate at grade.

(7) *Roofs:*

- (a) Replacement roofing materials shall be of the same size, texture and material as existing, exposed roofing materials when the existing, exposed roofing materials constitute a significant architectural feature of the structure.
- (b) Cold-rolled roofing is permitted only on flat roofs. Corrugated metal and corrugated fiberglass roofs are not permitted.
- (c) The use of synthetic roofing materials is permitted if not visibly distinguishable from the original as viewed from the public street.
- (d) The shape and pitch of roofs for new construction shall be subject to the compatibility rule.
- (e) Skylights, solar panels and communication equipment, when otherwise allowed by these or other regulations, are permitted on roofs of buildings provided they are not visible from any public right-of-way.

- (8) *Decks:* Decks shall be constructed to the rear of the structure and shall not extend beyond the sides of the structure. Decks on the corner lots shall be screened with fencing or vegetation to reduce visibility from the public street.

(12) *Paved Surfaces:*

- (a) The original layout, patterns and paving materials of sidewalks, driveways, alleyways, curbs and streets shall be retained. The design and material of new replacement paving materials shall be subject to the compatibility rule.
  - (b) The design and material of new paved surfaces areas, other than those specified in subsection (a) above, including driveways, walkways, and patios, or portions thereof, shall be subject to the compatibility rule.
  - (c) New driveways shall not exceed a width of ten feet not including the flare at the street.
- (16) *Ornaments:*
- (a) Architecturally significant ornaments, such as corner boards, cornices, brackets, downspouts, railings, columns, steps, doors and window moldings, shall be retained.
  - (b) Replacement ornaments shall be permitted only when originals cannot be rehabilitated.
  - (c) Installation of new ornaments, where none previously existed, shall be permitted only when it is in accordance with the architectural style of the original structure.

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

### Windows

The applicant is proposing the replacement of all windows on the structure with new six over six vinyl windows. The Applicant has submitted photographs of one window group on the structure which shows those windows are missing elements. However, no information regarding where these windows are on the property has been received. Staff recommends the Applicant provide information detailing the historic nature, ability to be repaired, and the location of the window on the structure for each window proposed for replacement. The District regulations require window replacement to match the original with regards to material and style. As such, Staff finds a six over six vinyl replacement window would not be appropriate. Staff recommends any replacement windows be wood with a lite division pattern matching the original.

The floor plans and the elevations for the left side façade are inconsistent. This information is required in order to determine whether any relocated or replaced window on the left side façade is the result of a relocated/new bathroom or kitchen. As such, Staff recommends the floor plans and elevations be consistent with regards to the placement and number of windows.

### Doors

The Applicant is proposing to remove both front doors on the structure and replace them with one new door. No information regarding the historic nature of the existing front doors has been submitted. As such, Staff recommends the Applicant submit photographic documentation which details the historic nature of the front doors and their need for replacement.

Given the architecture of the structure as well as the existing floor plan, Staff finds this structure was originally a duplex. As such, regardless of any interior changes, Staff finds both doors should be retained in order to preserve the historic development of the structure. Staff would note that both doors would not be required to function, and one could remain as an exterior façade element only. As such, Staff recommends both front door openings be retained.

Staff finds the proposed replacement door would not meet the District regulations. Staff recommends any replacement door shall contain a rectangular light opening subject to the compatibility rule as to its scale, size, proportion placement, and style.

### Siding

The Applicant is proposing to replace the existing cementitious siding with new cementitious siding. While cementitious siding is allowed for additions and new construction, the District regulations require replacement siding to match the original material in size, scale, direction or reveal. As such, Staff recommends the replacement siding material be wood with a reveal of 4-6 inches.

### Chimney

The District photographic inventory shows a chimney existing on this structure at the time of the District's designation. The floor plans submitted by the Applicant show the chimney being retained as required by the District regulations, but both the existing and proposed elevations do not show the chimney. As such, Staff recommends the existing and proposed elevations show the current chimney being retained.

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

- 1) The project does not meet the regulations, per Sec. 16-20K.007;

**Staff recommends** deferral of an Application for a Type II Certificate of Appropriateness (CA2-17-105) for alterations and window replacement at **717 Joseph E Lowery Blvd.**, to allow the Applicant time to address the following concerns of Staff:

1. The Applicant shall provide information detailing the historic nature, ability to be repaired, and the location of the window on the structure for each window proposed for replacement, per Sec. 16-20G.006(3)(c);
2. Any replacement windows shall be wood with a lite division pattern matching the original, per Sec. 16-20G.006(3)(c);
3. The floor plans and elevations shall be consistent with regards to the placement and number of windows, per Sec. 16-20G.006(3)(e);
4. The Applicant shall submit photographic documentation which details the historic nature of the front doors and their need for replacement
5. Both front door openings shall be retained, per Sec. 16-20G.006(3)(b);
6. Any replacement doors shall contain a rectangular light opening subject to the compatibility rule as to its scale, size, proportion placement, and style, per Sec. 16-20G.006(3)(k);
7. The replacement siding material shall be wood with a reveal of 4-6 inches, per Sec. 16-20G.006(2)(d);
8. the existing and proposed elevations shall show the current chimney being retained, per Sec. 16-20G.006(16)(a);
9. The Applicant shall submit all revised materials and documentation no less than 8 days before the deferred meeting date.



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**TIM KEANE**  
Commissioner

OFFICE OF DESIGN

## STAFF REPORT March 22, 2017

**Agenda Item:** Application for a Type III Certificate of Appropriateness (CA3-17-106) for alterations and a second story addition at **649 McDonald Street** - Property is zoned R-5 / Grant Park Historic District (Subarea 1) / Beltline.

**Applicant:** Anthony Reuden  
4905 Whispering Pines Way, Cumming

**Facts:** The 1920s contributing building appears to be relatively unaltered from its original overall form (hipped roof, projecting front porch) and configuration (double shotgun), though the exterior materials (siding and front porch flooring) and architectural components (such as windows, doors, and front porch components) have been changed. The front yard of the property is relatively flat and even with the public sidewalk.

The Applicant proposes to:

1. Replace the front porch columns and railing with wood columns and railing;
2. Replace the front porch steps with new wood steps;
3. Remove the two doors and two windows on the front façade and replace them with a single door with two flanking windows;
4. Re-side the existing house with cementitious siding; and
5. Add a full height, partial second story with a combination roof, shingle siding, and accent gables.

None of the alterations to the side or rear facades of the house are subject to review by the Commission or the Staff as they don't affect a façade that faces a public street.

**Analysis:** The following code sections apply to this application:  
Per Section 16-20K.006 of the Atlanta Land Development Code, as amended:

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

(1) *General Criteria.*

- a. Notwithstanding any other provision herein, no Certificate of Appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.

- b. Except as otherwise provided herein, the procedures for determining the appropriate type of certificate shall be those specified in section 16-20.008 of the zoning code.
  - c. In Residential Subarea I, the commission shall apply the standards referenced in 16.20.009 only if the standards set forth in this Chapter 20K do not specifically address the application.
- (2) *Certificates of Appropriateness.*
- c. Type III Certificates of Appropriateness shall be required for:
    - 2. All major alterations and additions to existing structure, with respect to any façade that faces a public street.

Section 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 (7) 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.)
- 11. Any façades that face a public street shall consist of fenestration that is either: 1) substantially consistent with fenestration on contributing structures of like use in the district, or 2) shall be no less than 15 percent and no greater than 40 percent of the total surface wall area. Windows may be individual or grouped. No individual window unit shall exceed 28 square feet. Within each individual window unit, no individual window sash, either fixed or operable, shall exceed 16 square feet.

15. On those façades of any structure that face a public street, the following regulations on building materials shall apply. Alternate materials may be submitted for review by the commission.
  - 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.
- 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.

### **General Development Controls**

There are proposed lot coverage and floor area ratio calculations included with the submission to document that they meet the underlying zoning regulations. The Staff would recommend the Applicant provide lot coverage and floor area ratio calculations documenting compliance with the underlying zoning regulations.

Regarding the setbacks, the front yard setback of the proposed second story addition (and any reconfiguration to the front porch) is subject to the District regulations. The front yard setback is not 30 ft. as indicated on the proposed site plan. The front yard setback must be equal to the previously existing contributing building or be within the range of the front yard setbacks established by the contributing buildings on the block face. As the existing house is considered contributing to the District its front yard can be included in the comparison. No information was provided about contributing buildings on the block face to determine if the front yard setback is within the range. The Staff would recommend the Applicant document compliance with the front yard setback requirements found in the District regulations.

The rear yard setback is substantially larger than the 7 ft. requirement and the side yard setbacks meet the District regulations (equal to the existing house on both sides).

No other site work is shown on the plans.

### **Second Story Addition**

Except as noted above regarding the general development controls and setbacks, 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 wall of the existing house and the front roof plane of the hipped roof.

Further, the overall height of the second story addition is below the 35 ft. height limit in the District regulations.

### **Alterations**

The District regulations provide for two standards for reviewing proposed alterations and additions to non-contributing buildings. The proposed work only has to meet one of the two standards. The first of the two standards requires that the alterations and additions “be consistent with and reinforce the architectural character of the existing structure”. The second of the two standards requires that the work “New additions, exterior alterations, or related new construction will not destroy historic materials that characterize the property.”

#### **Replace the front porch columns and railing with wood columns and railing.**

The exiting front porch columns and railing are not original or historic to the house and as such the Staff does not have any concerns with their removal. The Staff finds that the proposed columns and railing are compatible with the existing house’s architecture, but would recommend the front porch railing have square pickets butt-jointed to a two-part top and bottom rail.

#### **Replace the front porch steps with new wood steps.**

The exiting front porch steps are not original or historic to the house and as such the Staff does not have any concerns with their removal. The Staff finds that the proposed steps are compatible with the existing house’s architecture, but would recommend the front porch steps and closed risers and ends..

#### **Remove the two doors and two windows on the front façade and replace them with a single door with two flanking windows.**

Given that the proposed work will completely reconfigure the front faced fenestration pattern, the Staff finds that the proposed alterations cannot meet either of the two standards. Further, this change would completely eliminate the historic duplex appearance of the house. The Staff would recommend the front façade fenestration retain the existing mirror-image pattern, though the windows and doors themselves may be replaced with District compliant elements.

#### **Re-side the existing house with cementitious siding.**

The exiting asbestos siding is not original or historic to the house and as such the Staff does not have any concerns with its removal. The Staff finds that the proposed siding is compatible with the existing house’s architecture, but would recommend the new siding on the existing house be smooth face.

### **Staff Suggestions**

While the Staff finds that with some modifications the proposed alterations can meet the minimum requirements of the District, it is concerned that the overall project will completely change the historic appearance of the house and leave virtually no indication of the contributing, one-story, duplex. Further, there are changes to the sides of the house (which are not subject to review by the Staff or Commission), which will add to this issue.

The Staff would make the following suggestions to improve the compatibility of the design with the District:

- Retain the window openings on the side of the existing house, even if the windows themselves are replaced;
- Reduce the side of the second story addition by pushing it father back on the house and/or making it partial height second story (vs. having full height walls) utilizing the roof form to achieve some of the desired floor space;
- Use horizontal, smooth siding for the sheathing of the second story addition; and
- Remove the two, small accent gables on either side of the front wall of the second story addition.

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

1. Except as noted above, the proposal meets the District regulations, per Section 16-20K.006 and 16-20K.007.

Staff recommends approval of an application for a Type III Certificate of Appropriateness (CA3-17-106) for alterations and a second story addition at **649 McDonald Street** - Property is zoned R-5 / Grant Park Historic District (Subarea 1) / Beltline, with the following conditions:

1. The Applicant shall provide lot coverage and floor area ratio calculations documenting compliance with the underlying zoning regulations;
2. The Applicant shall document compliance with the front yard setback requirements found in the District regulations, per Section 16-20K.007(1);
3. The front porch railing shall have square pickets butt-jointed to a two-part top and bottom rail, per Section 16-20K.007(2)(D);
4. The front porch steps shall have closed risers and ends, per Section 16-20K.007(2)(D);
5. The front façade fenestration shall retain the existing mirror-image pattern, though the windows and doors themselves may be replaced with District compliant elements, per Section 16-20K.007(2)(b)(11);
6. The new siding on the existing house shall be smooth face, per Section 16-20K.007(2)(b)(15); and
7. The Staff shall review, and if appropriate approve, the final plans and elevations.





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Commissioner

OFFICE OF DESIGN

## STAFF REPORT March 22, 2017

**Agenda Item:** Application for a Type III Certificate of Appropriateness (CA3-17-108) for alterations and a second story addition at **647 McDonald Street** - Property is zoned R-5 / Grant Park Historic District (Subarea 1) / Beltline.

**Applicant:** Anthony Reuden  
4905 Whispering Pines Way, Cumming

**Facts:** The 1920s contributing building appears to be relatively unaltered from its original overall form (gabled roof, projecting front porch), configuration (shotgun) and exterior materials, though the front porch has been enclosed. The front yard of the property is relatively flat and even with the public sidewalk.

The Applicant proposes to:

1. Replace the enclosure materials used on the front porch to vertical siding with a new small window;
2. Replace the front porch steps with new wood steps;
3. Re-side the existing house with cementitious siding; and
4. Add a full height, partial second story with a gable roof, shingle siding, and small accent shed roof on the front wall.

None of the alterations to the side or rear facades of the house are subject to review by the Commission or the Staff as they don't affect a façade that faces a public street.

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

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

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

(1) *General Criteria.*

- a. Notwithstanding any other provision herein, no Certificate of Appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
- b. Except as otherwise provided herein, the procedures for determining the appropriate type of certificate shall be those specified in section 16-20.008 of the zoning code.

- c. In Residential Subarea I, the commission shall apply the standards referenced in 16.20.009 only if the standards set forth in this Chapter 20K do not specifically address the application.
- (2) *Certificates of Appropriateness.*
- c. Type III Certificates of Appropriateness shall be required for:
    - 2. All major alterations and additions to existing structure, with respect to any façade that faces a public street.

Section 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 (7) 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.)
  - 11. Any façades that face a public street shall consist of fenestration that is either: 1) substantially consistent with fenestration on contributing structures of like use in the district, or 2) shall be no less than 15 percent and no greater than 40 percent of the total surface wall area. Windows may be individual or grouped. No individual window unit shall exceed 28 square feet. Within each individual window unit, no individual window sash, either fixed or operable, shall exceed 16 square feet.
  - 15. On those façades of any structure that face a public street, the following regulations on building materials shall apply. Alternate materials may be submitted for review by the commission.

- 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.
- 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.

### **General Development Controls**

There are proposed lot coverage and floor area ratio calculations included with the submission to document that they meet the underlying zoning regulations. The Staff would recommend the Applicant provide lot coverage and floor area ratio calculations documenting compliance with the underlying zoning regulations.

Regarding the setbacks, the front yard setback of the proposed second story addition (and any reconfiguration to the front porch) is subject to the District regulations. The front yard setback is not 30 ft. as indicated on the proposed site plan. The front yard setback must be equal to the previously existing contributing building or be within the range of the front yard setbacks established by the contributing buildings on the block face. As the existing house is considered contributing to the District its front yard can be included in the comparison. No information was provided about contributing buildings on the block face to determine if the front yard setback is within the range. The Staff would recommend the Applicant document compliance with the front yard setback requirements found in the District regulations.

The rear yard setback is substantially larger than the 7 ft. requirement and the side yard setbacks meet the District regulations (equal to the existing house on both sides).

No other site work is shown on the plans.

### **Second Story Addition**

Except as noted above regarding the general development controls and setbacks, 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 wall of the existing house and the front wall of the main gable of the existing house.

Further, the overall height of the second story addition is below the 35 ft. height limit in the District regulations.

## **Alterations**

The District regulations provide for two standards for reviewing proposed alterations and additions to non-contributing buildings. The proposed work only has to meet one of the two standards. The first of the two standards requires that the alterations and additions “be consistent with and reinforce the architectural character of the existing structure”. The second of the two standards requires that the work “New additions, exterior alterations, or related new construction will not destroy historic materials that characterize the property.”

### **Replace the enclosure materials used on the front porch to vertical siding with a new small window.**

The existing front porch enclosure is not original or historic to the house and as such the Staff does not have any concerns with the removal of these materials. However, the proposed re-enclosure does not meet the District regulations as front porches can only be enclosed with screen wire. The Applicant has two options regarding the front porch. First, the existing enclosure can be retained and the interior work can proceed as shown on the plans. Second, the front porch can be restored back to its original or historic appearance. The Staff would recommend that either the front porch enclosure is retained as is or the front porch is restored back to its original or historic appearance.

### **Replace the front porch steps with new wood steps.**

The existing front porch steps are not original or historic to the house and as such the Staff does not have any concerns with their removal. The Staff finds that the proposed steps are compatible with the existing house’s architecture, but would recommend the front porch steps and closed risers and ends.

### **Re-side the existing house with cementitious siding.**

The existing wood siding appears original or historic to the house and as such the Staff has concerns with its removal. The Staff would recommend the existing siding on the front façade of the house be retained and repaired in-kind.

## **Staff Suggestions**

While the Staff finds that with some modifications the proposed alterations can meet the minimum requirements of the District, it is concerned that the overall project will completely change the historic appearance of the house and leave virtually no indication of the contributing, one-story, shotgun house. Further, there are changes to the sides of the house (which are not subject to review by the Staff or Commission), which will add to this issue.

The Staff would make the following suggestions to improve the compatibility of the design with the District:

- Retain the existing window openings on the side of the existing house, even if the windows themselves are replaced and new window openings are added;
- Reduce the side of the second story addition by pushing it farther back on the house and/or making it partial height second story (vs. having full height walls) utilizing the roof form to achieve some of the desired floor space;
- Use horizontal, smooth siding for the sheathing of the second story addition; and

- Remove the two, small windows and the accent shed roof on the front wall of the front wall of the second story addition.

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

1. Except as noted above, the proposal meets the District regulations, per Section 16-20K.006 and 16-20K.007.

Staff recommends approval of an application for a Type III Certificate of Appropriateness (CA3-17-108) for alterations and a second story addition at **647 McDonald Street** - Property is zoned R-5 / Grant Park Historic District (Subarea 1) / Beltline, with the following conditions:

1. The Applicant shall provide lot coverage and floor area ratio calculations documenting compliance with the underlying zoning regulations;
2. The Applicant shall document compliance with the front yard setback requirements found in the District regulations, per Section 16-20K.007(1);
3. Either the front porch enclosure shall be retained as is or the front porch shall be restored back to its original or historic appearance, per Section 16-20K.007(2)(D);
4. The front porch steps shall have closed risers and ends, per Section 16-20K.007(2)(D);
5. The existing siding on the front façade of the house be retained and repaired in-kind, per Section 16-20K.007(2)(b)(15); and
6. The Staff shall review, and if appropriate approve, the final plans and elevations.



# CITY OF ATLANTA

**KASIM REED**  
MAYOR

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**TIM KEANE**  
Commissioner

OFFICE OF DESIGN

## STAFF REPORT

February 22, 2017

*REVISED*

*March 8, 2017*

*(Revised text shown in italic.)*

**REVISED**

**March 22, 2017**

**(Revised text shown in Arial.)**

**Agenda Item:** Application for Type III Certificate of Appropriateness (CA3-17-032) for a new single family house at **388 Atwood Street** - Property is zoned R-4A/West End Historic District/ Beltline.

**Applicant:** ECI Asset, LLC  
1081 Sanders Avenue

**Facts:** This property is located on the east side of Atwood Street between Sells Avenue on the north and Greenwich Avenue on the south. The property has a slight rise from front to back. The proposal before the Commission at this time is the construction of a two-story, single-family house with a front-to-back gable, full width projecting front porch, and two siding-facing roof “wings” / dormers. There is a driveway proposed on the right side of the house, with a walkway connecting to the front porch stairs.

*On February 28, 2017, the Applicant submitted a revised design and supporting materials, which are taken into account in this revised Staff Report.*

At the march 8<sup>th</sup> Commission meeting, the Commission deferred the application to allow time for the Applicant to address the concerns and comments noted in the Staff Report. The revised submission in response to those comments and concerns is reflected in this revised Staff Report. The design of the proposed house has been completed redone with the house now a true one-story, hipped roof bungalow.

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

Per Section 16-20G.005 of the Atlanta Land Development Code, as amended:  
The following general regulations shall apply to the West End Historic District.

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

(a) When required:

(ii) To erect a new structure or to make an addition to any structure within the district, when said addition can be seen from public right-of-way; and

(b) Type required:

(vi) The following Type III Certificates of Appropriateness shall be reviewed by the commission and shall be required for:

a. All new principal structures.

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

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

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

- (1) Generally: The following building elements and architectural features shall be considered when applying section 16-20.009 of this chapter to the West End Historic District: doors, windows, foundations, finished floor elevations, roofs, roof features, gutters, downspouts, cornices, siding, porches, steps, terraces, dormers, shutters, awnings, gateways, archways, louvres, walls, fences, and gates.
- (2) Building Façades:
- (a) All new construction shall conform to the existing building orientation by having sidewalks, front yards, porches and front doors facing and parallel to the street, and if located on a corner, the main façade shall face the principal street whenever possible.
  - (b) At a minimum, the front of all new construction, including any portion thereof, shall be placed at the distance from the street determined by the compatibility rule. This requirement shall also apply to those sides of corner lots which also face a street.
  - (c) All building materials, which upon completion are visible from the public right-of-way, are subject to the compatibility rule.
  - (d) Siding repair or replacement shall match the original in material, scale and direction. For new construction and additions, brick, wood or horizontal smooth cementitious siding is permitted.
  - (e) Contemporary design of new construction, compatible with adjacent and surrounding structures, is permitted.
  - (f) Height of the first floor of the front façade above grade shall be subject to the compatibility rule. Notwithstanding the compatibility rule, the first floor of the principal structure shall be on foundations and shall be elevated above grade at the front façade a minimum of two entrance risers each of which shall be not less than seven inches in height. Slab-on-grade construction is not permitted.
  - (g) No structure shall exceed that height established by the compatibility rule.
- (3) Windows and Doors:
- (d) If muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
  - (e) The replacement and reconfiguration of windows on the side elevations to accommodate kitchens and bathrooms is permitted.
  - (f) Dropped ceilings, when located below the head of a window, shall be sufficiently recessed from the window opening to maintain the original exterior appearance.
  - (h) The ratio of openings to solid for all new construction (for example, windows to wall) shall be established by the compatibility rule.
  - (i) The scale, size, proportion, and location of all openings in new construction shall be established by the compatibility rule.
  - (k) New or replacement doors shall be made of wood and shall contain a rectangular light opening subject to the compatibility rule as to its scale, size, proportion placement, and style to original doors within that block face.
- (5) Foundations:
- (a) Foundation materials, including infill materials, shall replicate the original materials in size, shape, color, texture and mortar, and shall be installed using construction techniques similar to the original.
  - (b) New foundations shall be of masonry or concrete construction. Other foundation materials are permitted provided they are appropriate to the building on which they are located and in scale, materials and style with adjacent and surrounding buildings.
  - (c) Slab on grade is not permitted.
  - (d) Lattice, painted concrete block, brick or stucco shall be used as infill between foundation masonry piers when infill is otherwise required.

- (6) Chimneys:
  - (a) Chimneys shall match original materials, mortar, color and pattern whenever possible.
  - (b) New chimneys shall be faced with brick or stucco.
  - (c) Siding on chimneys is prohibited.
  - (d) When any portion of a chimney is visible from a public street as a façade element, the chimney shall originate at grade.
- (7) Roofs:
  - (b) Cold-rolled roofing is permitted only on flat roofs. Corrugated metal and corrugated fiberglass roofs are not permitted.
  - (c) The use of synthetic roofing materials is permitted if not visibly distinguishable from the original as viewed from the public street.
  - (d) The shape and pitch of roofs for new construction shall be subject to the compatibility rule.
- (8) Decks: Decks shall be constructed to the rear of the structure and shall not extend beyond the sides of the structure. Decks on the corner lots shall be screened with fencing or vegetation to reduce visibility from the public street.
- (9) Porches:
  - (d) New or replacement porches shall contain balustrades, columns and other features consistent with the architectural style of the house or other original porches in that block. The height of the top rail shall be no more than 33 inches above the finish porch floor, except as required by the City's building code.
- (12) Paved Surfaces:
  - (a) The original layout, patterns and paving materials of sidewalks, driveways, alleyways, curbs and streets shall be retained. The design and material of new replacement paving materials shall be subject to the compatibility rule.
  - (b) The design and material of new paved surfaces areas, other than those specified in subsection (a) above, including driveways, walkways, and patios, or portions thereof, shall be subject to the compatibility rule.
  - (c) New driveways shall not exceed a width of ten feet not including the flare at the street.
- (13) Off-Street Parking Requirements:
  - (a) Off-street parking shall not be permitted in the front yard or half-depth front yard.
  - (b) Carports and garages shall be behind the rear of the main structure. If the main structure is located on a corner lot, the front yard setback for that side street shall apply to the construction of a carport or garage.
  - (c) The use of alleys for access to such parking is permitted. No variance is required for driveways accessed from an alley.
- (17) Public Sidewalks and Planting Strips:
  - (a) Existing public sidewalks, planting strips, and associated topography shall be retained.
  - (b) The public sidewalk shall be the same width as the sidewalk on abutting properties.
  - (c) The compatibility rule shall apply to public sidewalk paving materials.
  - (d) Where a public sidewalk to be replaced is adjacent to poured concrete, original concrete hexagonal pavers or poured concrete with stamped hexagonal motif, the new sidewalk shall be poured concrete bordered with brick laid flat.

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

The Applicant provided no compatibility rule information. The District regulations base the front yard setback, building height, first floor height, roof form and pitch, window size / patterns, building materials, and sidewalk paving materials on the contributing buildings on the block face, which includes the same side of the street between the next two intersections. In this case, the following addresses would be the points of comparison:

376 and 380

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

*In the revised submission, the Applicant provided compatibility rule information regarding the building height, first floor height, and setbacks, as well as provided current photographs of the two houses showing their fenestration pattern and roof form. No information was provided about the roof pitches and materials. The Staff would retain its previous recommendation as it relates to roof pitches and materials, and clarifying to what point was the front yard setback measured.*

The compatibility rule information now includes roof pitch, but does not include building materials, though much of that information can be determined from the photographs provided of the two houses.



### **Setbacks and Site Plan**

As noted above, the front yard setback is determined by the compatibility rule. Given no information was provided about the front yard setbacks on the block, the Staff cannot confirm that the proposed front yard setback meets the District regulations. The Staff would recommend the front yard setback meet the District regulations.

*Based on the compatibility rule information provided, the front yard setback meets the District regulations.*

The revised design now includes a 30 ft. setback to the front edge of the front porch, which does not meet the compatibility rule requirement. The Staff would recommend the front yard setback meet the compatibility rule.

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

The revised design still meets the side yard setback requirements.

The project includes a driveway that goes beyond the front façade of the house. To avoid parking in the front yard, the driveway must proceed at least 20 ft. past the front façade of the house, which the proposed driveway does not. The Staff would recommend the driveway proceed at least 20 ft. past the front façade of the house.

*The driveway not extends 20 ft. past the front façade of the house.*

The revised design does not show the driveway extending at least 20 ft. past the front façade of the house. The Staff would recommend the driveway length meet the District regulations.

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

*A walkway now extends from the front porch to the public sidewalk.*

The revised design includes the walkway directly to the public sidewalk as well.

### **Massing and Building Height**

As noted above, the building height is determined by the compatibility rule. Given no information was provided about the building heights on the block, the Staff cannot confirm that the proposed approximately 32 ft. height (as measured to the peak of the front facing gable) meets the District regulations. The Staff would recommend the building height meet the District regulations. The Staff would also add that the elevations (upon which the building height will be measured) do not reflect the topography of the house, which would affect the actual height and appearance of the elevations when built.

*Based on the compatibility rule information provided, the proposed house height of about 24 ft. meets the District regulations.*

The revised designs height of about 20 ft. meets the District regulations.

Regardless of the specific height measurement, the Staff doubts the proposed house will be able to meet the height requirement as the only two contributing houses on the block face are one-story houses that are very likely less than 32 ft. tall.

Further, first floor height is determined by the compatibility rule. Given no information was provided about the first floor heights on the block face, the Staff cannot confirm that the proposed first floor height meets the District regulations. The Staff would recommend the first floor height meet the District regulations.

*Based on the compatibility rule information provided, the proposed first floor height of about 2 ft. does not meet the District regulations as the range is 3.7 ft. to 4.29 ft. The Staff would retain its previous recommendation.*

The revised design's first floor height is still about 2 ft. which still does not meet the District regulations. The Staff would retain its previous recommendation.

On the block face, both contributing buildings have gable roofs – one front facing and one side facing - making the proposed gable roof form generally compliant with the District regulations. However, as noted above, the roof pitch is determined by the compatibility rule. Given no information was provided about the roof pitches on the block face or the roof pitch of the proposed house, the Staff cannot confirm that the proposed roof pitch meets the District regulations. The Staff would recommend the roof pitch meet the District regulations.

*In the revised submission, no information was provided about the roof pitches. The Staff would retain its previous recommendation.*

The Staff would note that one of the contributing houses on the block face has a hipped roof, thus making a gable roof or hipped roof a compliant roof form. Further, in the revised submission the roof pitches of the contributing houses is documented (6:12) making the proposed roof pitch compliant.

The Staff is further concerned about the use of the two “wings” or side facing dormers. The Staff is not aware of any such roof components on the block face or any such roof components that are original elements of contributing house in the District. The Staff would recommend the roof “wings” / dormers be eliminated from the proposed design.

*In the revised design, the dormers on the side roof planes have been eliminated; given the house is now a side to side gable roof form.*

The revised design includes an accent gable over the front porch and a small accent gable on the right side elevation, both of which meet the District regulations.

On the block, the predominant front porch form is a ½ or 2/3 width projecting front porch – that is a porch that is ½ or 2/3 the width of the front façade and has a separate, projecting roof form. The proposed front porch width does not meet the District regulations, but the projecting roof form does. Further the Staff is concerned about the lack of depth to the front porch, which is about 6 ft. deep. The Staff finds that this porch depth is not consistent with front porch depths on the block or in the District. The Staff would recommend the front porch roof form and depth be redesigned to meet the District regulations and be compatible with contributing houses on the block.

*In the revised design, the front porch consists of a covered stoop, which does not meet the District regulations. The Staff would retain its previous recommendation.*

In the revised design, the porch is full width and integral to the main roof. Both of these characteristics do not meet the District regulations. The Staff would retain its previous recommendation as to front porch roof form and width.

Taking into account the concerns noted above, the Staff finds that it is not likely that the house in its current design will meet the District's regulations related to size and massing.

### **Building Facades**

In the District, the Commission reviews those facades or portions thereof visible from a public street, which in this case would include the front and side facades.

### **Windows and Doors**

The District regulations require that the ratio of openings to solid for all new construction (for example, windows to wall) meet the compatibility rule, with a permitted differential of ten (10) percent. Further, they require that the scale, size, and proportion of all openings in new construction shall be established by the compatibility rule with a permitted differential of ten (10) percent. As noted above, the almost all aspects of the fenestration are subject to the compatibility rule. Given no information was provided about the fenestration of the other contributing houses on the block face, the Staff cannot confirm that the proposed fenestration pattern meets the District regulations. Regardless of what the compatibility rule analysis would show, the Staff has concerns about specific characteristics of the windows and front door. First, the side facades have only a few windows, leaving significant amounts of blank wall. Second, there are horizontally proportioned, "transom" windows. The Staff would recommend the windows and doors are compatible with the house and meet the District regulations.

*Thought the house has been completely redesigned, all of the window and door issues noted above still remain in the new design. Further, the triple window on the front façade is not compatible with the District and the grouped windows do not have a compatible trim package. The Staff would retain its previous recommendation.*

In the revised design, most of the window and door elements meet the District regulations, though there are still a few outstanding issues such as the amount of blank wall in the left elevation, the location of the front most window on the left elevation, and spacing of the windows on the right side of the front elevation. The Staff would retain its previous recommendation.

### **Porch / Deck**

The District regulations require that porches shall contain balustrades, columns and other features consistent with porches in that block. Given no information was provided about the front porch elements, the Staff cannot confirm that the proposed front porch elements meet the District regulations. Nonetheless, the predominant front porch column design on the block is a split column with a brick base. Further, the Staff has concerns about the open ends of the front porch stairs are not compatible with other front porch stairs on the block. The Staff would recommend that the front porch elements meet the District regulations.

*As noted above, the front porch consists of a front stoop. The Staff would retain its previous recommendation.*

The revised design includes split, tapered columns on a brick base (the comparable house has straight columns over a brick base), brick steps with cheek walls, and a front porch railing that could be compliant if more details are known (i.e. butt jointed pickets).

The proposed deck meets the District regulations.

The chimney is suspended from the side of the house without a foundation.

The proposed chimney in the revised design has a foundation and is sheathed in stucco.

### **Building Materials**

The Staff is concerned about the wood front porch column bases, wood front porch stairs, and the unspecified trim elements on the house. The Staff would recommend that all the materials of the house meet the District regulations.

*In the revised design, no material notes are included in the elevations, though the wood front porch stairs have been changed to brick stairs. Further, the chimney is sheathed in siding and doesn't have a foundation. The Staff would retain its previous recommendation.*

In the revised design, the foundation is brick, no material is specified for the siding, and only some of the architectural elements are labeled. The Staff would retain its previous recommendation.

### **General Conclusions**

*In addition to taking into account all of the concerns noted above, the Staff finds that the revised design is not compatible with the District. The "American Small House" or "Cape Code Cottage" style and massing is not found in the District (or on the block face) and there are a variety of elements that do not meet specific District regulations, including the first floor height, front stoop, grouped windows, suspended chimney, nested gables, small dormer, roof pitch, different sized windows, and a lack of windows on the side facades. The Staff would recommend the house be substantially redesigned to be compatible with the houses on the block face and to meet specific District regulations.*

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

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

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-17-032) for a new single family house at **388 Atwood Street** - Property is zoned R-4A/West End Historic District/ Beltline, to allow time for the applicant to address the following concerns and comments:

1. The front yard setback shall meet the compatibility rule, per Section 16-20G.006(2)(b);
2. The driveway length shall meet the District regulations, per Section 16-20G.006(13);
3. The first floor height shall meet the District regulations, per Section 16-20G.006(2)(f);
4. The front porch roof form and width shall be redesigned to meet the District regulations and shall be compatible with contributing houses on the block face, per Section 16-20G.006(9)(d);
5. The windows and doors shall be compatible with the house and shall meet the District regulations, per Section 16-20G.006(3);
6. The front porch elements shall meet the District regulations, per Section 16-20G.006(9);
7. All the materials of the house shall meet the District regulations, per Section 16-20G.006(2)(c);  
and
8. The Applicant shall submit any revised materials (including the required number of copies) at least eight (8) days prior to the meeting to which this application is deferred.



# CITY OF ATLANTA

**KASIM REED**  
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT  
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**TIM KEANE**  
Commissioner

OFFICE OF DESIGN

## STAFF REPORT March 22, 2017

**Agenda Item:** Application for a Type III Certificate of Appropriateness (CA3-17-104) for a front porch enclosure/addition at **307 Georgia Ave.** Property is zoned R-5 / Grant Park Historic District (Subarea 1).

**Applicant:** Brandy Morrison  
485 Oakland Ave.

**Facts:** According to the District photographic inventory, this existing single family residence was constructed in 1904 and is considered contributing to the District.

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

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

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

3. Front porches on the principal structure shall be required and shall be a minimum of one-third the width of the front façade and a minimum of seven feet in depth. Side porches shall be a minimum of four feet in depth. Porches may be enclosed by screen wire only, provided all the main features of a porch are maintained in place and the screening
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.
  - 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) *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 additions and alterations to contributing structures. Staff finds that neither of the two criteria would allow for the enclosure of the porch as proposed.

The first of the two criteria requires additions to be consistent with and reinforce the historic architectural character of the entire existing contributing structure and comply with the applicable regulations for new construction. While the request would meet several of the qualitative and quantitative requirements, the District regulations allow for front porch enclosures by use of screen wire only and would therefore prohibit the addition as proposed.

The Second of the two criteria requires that new additions not destroy historic materials that characterize the property. The proposed addition will result in the loss of portions of the historic front and side facades. Therefore Staff finds the proposed project would not meet the requirements of the second criteria.

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

- 1) The project does not meet the regulations, per Sec. 16-20K.007;

**Staff recommends** denial of an Application for a Type III Certificate of Appropriateness (CA3-17-104) for a front porch enclosure/addition at **307 Georgia Ave.**