



CITY OF ATLANTA

M. KASIM REED
MAYOR

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

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

January 23, 2013

Agenda Item: Application for a Type III Certificates of Appropriateness (CA3-12-304) for an addition and other renovations at **777 Ashland Avenue**-Property is zoned R-5/Inman Park Historic District (Subarea 1).

Applicant: Maura Mitzner
1107 Moreland Place, SE

Facts: According to the Inman Park Inventory form of August 2000, this contributing dwelling was built in 1920 and is considered contributing.

Analysis: The following code sections apply to this application:

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

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

1. General Criteria.

- a. Except as otherwise provided herein, the procedures for determining the appropriate type of Certificate of Appropriateness shall be those specified in Section 16-20.008 of the Zoning Code.
- b. In the Inman Park Historic District, the Commission shall apply the standards referenced below only if the standards set forth elsewhere in this Chapter 20L do not specifically address the application including multifamily residential, institutional, commercial, industrial and mixed use structures in Subarea 1:
 - i. A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
 - ix. New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
 - x. New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
- d. **Compatibility Rule:** The intent of the Mayor and Council in establishing the regulations of the Inman Park Historic District is to ensure that alterations to existing structures, and new construction, in Subarea 1 and alterations to existing contributing structures in Subarea 2 and Subarea 3 are compatible with the historic design, scale, and general character of the entire district as it existed in 1945, of the contributing structures in each subarea, and of the contributing structures in the immediately adjacent environment of a particular block face, and further, to ensure that lot platting in Subarea 1 is compatible with the historic platting pattern of Subarea 1 and of a particular block face as it existed in 1945. 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.) it shall be compatible with that which predominates in contributing structures on that block face and shall be internally consistent with the historic design of the structure.

2. Certificates of Appropriateness.

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

d. Type III Certificates of Appropriateness shall be required for:

i. All new principal structures.

6. Tree Preservation and Replacement.

The provisions of the City of Atlanta Tree Ordinance, Atlanta City Code Section 158-26, shall apply to this District.

Section 16-20L.006. Specific Regulations for Inman Park Core District, Subarea 1.

In the Inman Park Core District, Subarea 1, the Commission shall apply the standards referenced in Section 16-20L.005(1)(b) only if the standards set forth below in this Chapter 20L do not specifically address the application:

1. Design Standards and other criteria for construction of and for additions to one- and two-family residential structures.
 - a. No individual house design shall be substantially repeated on the same side of a street block.
 - b. An unpaved planting strip adjacent and parallel to the public street shall be provided. The Compatibility Rule shall apply to the dimensions and location of planting strips.
 - c. A sidewalk between the planting strip and the required front yard and parallel to the public street shall be provided. The Compatibility Rule shall apply to sidewalks. The sidewalk shall be the same width as the sidewalk on abutting properties or it shall be the width required by law, whichever is greater. If no sidewalk exists in the block, the new sidewalk shall not be less than six feet wide. If no sidewalk paving material predominates in the block, the sidewalk shall be constructed of the historically accurate material for that block, either hexagonal pavers, concrete inlaid with hexagonal imprint, or brick.
 - d. A paved walkway from the front sidewalk to the front entry of the principal structure shall be provided.
 - e. All front facades, front porches, front steps, and front doors of the principal structure shall face and be parallel to the street, except in those blocks in which the historic pattern is such that houses are situated at an angle to the street, in which case the Compatibility Rule shall apply.
 - f. The Compatibility Rule shall apply to the form and pitch of the primary roof of the principal structure.
 - g. The Compatibility Rule shall apply to the height, scale, and massing of the principal structure. In no case shall the height of a structure exceed 35 feet. (See Section 16-28.022 for excluded portions of structure.)
 - h. Height of the first floor of the front façade above grade shall be subject to 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 7 inches in height. Slab-on-grade construction is not permitted.
 - i. Front porches on principal structures shall be required. The Compatibility Rule shall apply to the design and size of said front porches, provided that such porches shall be a minimum of 12 feet wide or one-half of the width of the front façade, whichever is greater, and a minimum of 8 feet deep. Front porches shall contain roofs, balustrades, columns, steps, and other features compatible with porches in the existing block. Front porches may extend up to 10 feet into the required front yard. All front porch steps shall have closed risers and ends.
 - j. Decks are permitted only when located to the rear of the principal structure and such decks shall be no wider than the width of the house.
 - k. The use of chimneys with new principal structures is encouraged. When any portion of a chimney is visible from a public street or park as a façade element, the chimney shall originate at grade.
 - l. Fences and walls, excluding retaining walls, visible from a public street or park upon completion, subject to the provisions of Section 16-28.008(5) and the following limitations, may occupy required yards:
 - i. Fences not exceeding 4 feet in height may be erected in the front yard or half-depth front yard. Walls, excluding retaining walls, are not permitted in the front yard or in other yards adjacent to public streets.
 - ii. Fences and walls not exceeding 6 feet in height may be erected in side or rear yards.
 - iii. The Compatibility Rule shall apply to all fences located in a required front yard adjacent to a street. Such fences shall be constructed of brick, stone, ornamental iron, or wood pickets. Chain link fencing is not permitted in front yards or in other yards adjacent to public streets.
 - m. The Compatibility Rule shall apply to portions of retaining walls located in a required front yard or in a required yard adjacent to a public street that are visible from a public street or park. Such retaining walls shall be faced with stone, brick, or smooth stucco. The Compatibility Rule notwithstanding, no single section of such retaining wall shall exceed 4 feet in height.
 - n. The compatibility rule shall apply to the following aspects of fenestration, if visible from a public street or park upon completion:
 - i. The style of the individual window.

- (1) Windows in the front façade shall be predominantly vertical in proportion.
- (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.
- (3) Window and door casings widths and depths are subject to the Compatibility Rule.
 - ii. The size and shape of individual window openings.
 - iii. The overall pattern of fenestration as it relates to the building façade.
- o. Mechanical equipment shall be located to the side and rear of the principal structure and where possible in the location least visible from a public street or park. Screening with appropriate plant material or fencing is required if the equipment is visible from a public street or park.
- p. Wood lap siding, cementitious lap siding, brick, stone, external insulating finishing system (“EIFS”), and true stucco systems are permissible building materials for the façade of the principal structure. Corrugated metal, aluminum siding, and vinyl siding are not permitted.
- q. The Compatibility Rule shall apply to building materials and design elements, if visible from a public street or park upon completion, and in addition to all other applicable regulations, as follows:
 - i. The dimensions of the exposed face of lap siding and wood shingles.
 - ii. The type of brick and pattern of brickwork.
 - iii. The type of stone and pattern of stonework.
 - iv. The material and texture of stucco.
 - v. The size and type of doors.
 - (1) Exterior doors shall be wood panel or fixed glass panel in wood frame.
 - vi. The materials and pattern of roofing.
 - vii. Paving materials for walks and drives.
 - (1) Asphalt is not permitted.
 - viii. Visible foundation materials.
 - (1) Foundations shall constitute a distinct building design element and shall contrast with the primary façade siding material. Exposed concrete or CMU foundation walls are prohibited as a finished surface.
 - ix. Visible portions of chimneys.
 - (1) Chimneys shall be faced with masonry. Siding on chimneys is not permitted.
2. Minimum Yard Requirements. The following minimum yard requirements and maximum floor area ratio shall apply to all permitted uses of new construction and to additions to existing structures: Front, side, and rear setbacks shall be subject to the Compatibility Rule.
3. Off-street parking and driveways. In addition to the provisions of Section 16-28.008(7), which shall apply and are incorporated herein, the following parking requirements shall apply to all permitted uses:
 - a. Off-street parking shall not be permitted between the principal structure and any public street.
 - b. Parking shall not be permitted on walkways that are located between the street and the façade of the principal structure.
 - c. The use of alleys for access to such parking is both permitted and encouraged. No variance is required for driveways coming off of an alley.
 - d. Driveways shall not exceed a width of 10 feet not including the flare at the street.
 - e. Side by side driveways are not permitted except upon approval of the Urban Design Commission.
4. Principal uses and structures:
 - a. Properties that have an underlying zoning designation of R-5 shall be used only for the following principal purposes subject to the following provisions:
 - i. Single-family detached dwelling.
 - ii. Two-family dwelling, subject to the limitations and requirements set forth herein.
 - iii. In no case shall there be more than one principal building and one principal use on a lot.
 - iv. A lot shall not be used for more than two dwelling units.
 - v. Floor area ratio shall not exceed 0.50.
 - vi.

Setbacks and Development Controls

According to the survey submitted, this interior lot fronts 50.11' on Ashland Avenue and has a depth of 119.48' on its longest side. In looking at the City of Atlanta cadastral map, the lot measurements are slightly different. Staff suggests the Applicant contact the Office of Planning subdivision Staff to resolve any lot discrepancies.

The side yard setback of the proposed addition is no closer than the existing contributing house. Staff finds the side yard setback of the proposed addition meets the requirements. Per regulations, the rear yard setback is based on the compatibility rule. The Applicant did not provide information regarding the rear yard setbacks of the other contributing houses on the block face. Staff recommends the Applicant provide documentation the rear yard setback has been met.

Per regulations, the maximum lot coverage allowed is 55%. According to the Applicant, the proposed lot coverage is less than 55%. Staff recommends the Applicant provide details regarding the lot coverage calculations. Per regulations, the maximum floor area ratio (FAR) allowed is .50. According to the Applicant, the proposed FAR is less than .50. Staff recommends the Applicant provide details regarding the FAR calculations.

Site Work

The Applicant is proposing to extend an existing driveway at the rear of the property to provide additional parking. The project also includes a new walkway that will lead to the proposed covered porch addition. In general, Staff has no concerns regarding the extension of the driveway and the addition of a walkway at the rear of the property. The material details are not indicated on the plans. Staff recommends the site plan indicate an appropriate material for the driveway and walkway.

The Applicant is proposing to remove the existing 6' privacy fence on the right elevation and replace it with a 4' fence. Staff has no concerns regarding the removal of the existing fence or the installation of a new 4' fence. Staff recommends the Applicant provide information regarding the material and design details of the new fence. The Applicant is proposing to repair or replace the existing 6' privacy fence on the left elevation. Staff recommends any repair or replacement of the existing fence on the left elevation be done in-kind.

Front Elevation

The Applicant is proposing replace the existing roof, columns and railings on the front porch. In looking at pictures of the existing house, Staff finds it likely that the roof, columns and railings are not original to the house. Staff finds the roof, railing and columns proposed by the Applicant are consistent and compatible with other similar porches. Staff does not have concerns regarding the front porch alteration.

The Applicant is proposing to replace the existing front door and picture window. In looking at pictures, Staff finds the existing picture window and door are not original to the house. Staff finds the new door and window proposed by the Applicant is consistent and compatible with the existing architecture. Staff has no concerns regarding the proposed window and door on the front façade.

Additions and Alterations

Staff finds the rear elevation, including the rear porch addition cannot be seen from a public street or park. As such, Staff will not comment on the alterations at the rear of the property.

The Applicant is proposing to demolish an existing rear addition in order to build a larger addition. While the addition is not original, Staff finds the addition could be historic. While the addition may be

historic, Staff finds the demolition of the addition will still allow the original principal structure to remain the dominant feature. Staff finds the overall materials, fenestration, design, height and scale of the proposed addition is consistent and compatible with the existing house.

The Applicant is proposing to replace some of the windows. It is not clear from the pictures submitted why the windows cannot be repaired and retained. Staff recommends the Applicant provide documentation that the existing windows on the side elevations require replacement. If replacement is warranted, Staff has no concerns regarding the proposed replacement. The Applicant is proposing to install a transom window. Staff finds a single transom window is not consistent and compatible with other historic windows in the district. Staff recommends the window indicated as a transom be a smaller appropriate double hung window.

Staff Recommendation: Based upon the following:

1) Except as noted above, the proposal meets the District regulations, per Section 16-20L.005 and 16-20L.006.; and

Staff recommends approval of an application for a Type III Certificates of (CA3-12-304) for an addition and other renovations at **777 Ashland Avenue**-Property is zoned R-5/Inman Park Historic District (Subarea 1), with the following conditions:

1. The Applicant shall provide documentation the rear yard setback has been met, per Section 16-20L.006(2);
2. The Applicant shall provide details regarding the lot coverage calculations, per Section 16-07.008(6);
3. The Applicant shall provide details regarding the FAR calculations, per Section 16-20L.006(4)(v);
4. The site plan shall indicate an appropriate material for the driveway and walkway, per Section 16-20L.006(10)(q)(7);
5. The Applicant shall provide information regarding the material and design details of the new fence, per Section 16-20L.006(1)(l);
6. Any repair or replacement of the existing fence on the left elevation shall be done in-kind, per Section 16-20L.006(1)(l);
7. The Applicant shall provide documentation that the existing windows on the side elevations require replacement, per Section 16-20.008;
8. The window indicated as a transom shall be a smaller appropriate double hung window, per Section 16-20L.006(1)(n); and
9. Staff shall review and if appropriate, approve the final plans.



CITY OF ATLANTA

M. KASIM REED
MAYOR

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

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT January 23, 2013

Agenda Item: Review and Comment (RC-12-314) for the replacement of the Edgewood Avenue Bridge and other improvements at **Edgewood Avenue from Randolph Street to Krog Street.**

Applicant: C.W. Matthews Contracting
1600 Kenview Drive

Facts: The proposed project consists of the following actions:

- Demolish the existing Edgewood Avenue bridge and construct a new bridge over the Beltline corridor;
- Reconfigure the travel lanes leading up to the new bridge, including wider sidewalks, on-street parking and bike lanes; and
- Construct one set of Beltline access stairs and ramp from the east side of the bridge to the Beltline corridor.

Analysis: The following code section applies to this application.

Per Section 6-4043:

(5) The commission shall review the proposed location and design of buildings, bridges, viaducts, elevated ways, streets, highways, gates, fences, railings, lamp standards, and other structures or fixtures to be erected or placed on land belonging to the city, or on any private or public property which extends over or upon any property or right-of-way owned or controlled by the city.

(7) The commission shall review the alteration, demolition, movement or construction of any structures, 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.

The application does not provide any information about the existing bridge. It is the Staff's understanding that the existing bridge is at least several decades old. If there are any dedication or construction-related plaques or markings on the existing bridge, the Staff would recommend that they are removed or photographed (if carved or etched) prior to demolition. The Staff would further recommend that any physical elements removed from the existing bridge are retained by

Atlanta Beltline, Inc., on behalf of the City of Atlanta, for use in the interpretive or descriptive efforts the Staff understands are proposed along the Beltline corridor.

A concern that the Staff has voiced before on streetscape improvement projects is the creation of a hard edge between those areas that received improvements and those that have not such that surrounding areas appear forgotten or overlooked. Given the somewhat modest level of work (and basic materials used), this would not appear to be a problem with this particular project.

Where new sidewalk or sidewalk segments are proposed, the actual sidewalk material is standard poured concrete. This material and design will be easier to maintain and repair than previous streetscape and pedestrian improvements from the 1990s still found in the City. It also appears that existing granite curbing will be retained and reinstalled at the appropriate curb height. The Staff would assume that the curbing on the bridge itself will be concrete.

Regarding the signage, the proposal includes a modest amount of vertical signage and pavement markings, most of which appear to be required for the new travel lane configuration and turning movements. This will limit the visual “clutter” associated with the new bridge and approaches.

The Staff does have design concerns about the proposal, though. First, the proposed railing along the bridge itself, while it includes an appropriate level of finish for the lower, concrete panel sections, uses a “stainless steel pedestrian handrail with mesh Type B”. The Staff is concerned that this “mess” will appear like chain link which is too utilitarian and unfinished for a multi-modal, Beltline-related bridge like the one proposed in this application. Even if it is not actually chain link, given the rest of the bridges somewhat traditional finish treatments (including the concrete panels and City-standard lighting), a more contemporary mesh panel will still look out of place. Further, the ramp and stair connections down to the Beltline corridor will have aluminum, vertical picket handrails. This treatment difference will create inconsistency within the project itself. The Staff would recommend that the pedestrian handrail on the bridge have the same level of “finish” detail and refinement as the concrete panels on the bridge and handrails on the connections down to the Beltline corridor.

Second, it is not clear the level of lighting proposed underneath the bridge as well as if any lighting is proposed along the stair and access ramp connections down to the Beltline.

Third, the Staff is unsure of the role of most of the landscaping proposed around the access ramp to the Beltline corridor, given the ramp’s position above the surrounding grade. With the exception of the switch back landing area it would appear that the mostly low perennials and shrubs on either side of the ramp won’t be very visible from someone going up and down the ramp.

Staff Recommendation: Confirm that the Staff and Commission comments were delivered at the Commission meeting regarding the Review and Comment (RC-12-314) for the replacement of the Edgewood Avenue Bridge and other improvements at **Edgewood Avenue from Randolph Street to Krog Street.**



CITY OF ATLANTA

M. KASIM REED
MAYOR

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

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT January 23, 2013

Agenda Item: Application for Type III Certificate of Appropriateness (CA3-12-315) for construction of a new accessory structure and site improvements at **1284 Fairview Road**– Property is zoned Druid Hills Historic District.

Applicant: Watershed Development, LLC
321 W. Hill Street

Facts: According to the architectural survey in 2002, this dwelling built in 1925 is contributing.

Analysis: The following code sections apply to this application:

Per Section 16-20.007 of the Atlanta Land Development Code:

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

(3) Landmark buildings and sites:

(b) To change the exterior appearance of any structure within any Landmark District;

Per Section 16-20B.003 of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to the entire district which includes both (1) the Ponce de Leon Corridor; (2) Fairview Road; and (3) Springdale/Oakdale/Lullwater.. Any proposed development shall require a certificate of appropriateness from the urban design commission and shall conform to the following regulations:

- (5) *Minimum architectural controls:* Any construction in the Druid Hills District shall maintain the general architectural scale and character reflected in the original development of Druid Hills in order to preserve the historic character of the district.

Exterior architectural changes shall follow the standards set forth by the secretary of the interior. The secretary of the interior's standards for historic preservation projects are designed to assist individual property owners formulate plans for the development and continued use of historic properties. Separate guidelines are given for each of seven (7) treatments. (Refer to the Secretary of the Interior's Standards of Historic Preservation Projects.)

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

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

- (1) *Permitted principal uses and structures:*
 - a. Single-family dwellings.
 - b. Parks, playgrounds and community buildings owned and operated by a governmental agency.
 - (2) *Permitted accessory uses and structures:* Uses and structures which are customarily incidental and subordinate to permitted principal uses and structures, including but not limited to the following, subject to limitations and requirements set forth herein or elsewhere in this chapter:
 - a. Greenhouse, fallout shelter, garden shed, private garage, storage room.
 - b. Guest house, servants quarters, dwelling or lodging facilities for caretaker or watchman.
 - c. Swimming pool and accessory buildings, tennis courts and the like not less than 25 feet from side or rear lot line.
 - d. Home occupations.
 - (4) *Lot coverage:* Lot coverage for all structures, parking and driveways shall not exceed 35 percent of the lot area.
 - (5) *Minimum yard requirements:*
 - a. Setbacks:
 1. North side, Moreland Avenue to Springdale Road, NE:

Front yard: 65 feet.

Side yards: 20 feet.

Rear yard: 50 feet.
- (3) *Maximum height:* No building shall exceed a height of 35 feet.

The Secretary of the Interior's Standards for the Treatment of Historic Properties, 1995, Standards for Rehabilitation

REHABILITATION IS DEFINED AS the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will 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 elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

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

Site Plan

In looking at the City of Atlanta cadastral map, the lot in question fronts 120' on Fairview and has a depth of 232.5'. Staff finds there is a discrepancy between the survey submitted and the City records. Staff suggests the Applicant contact the Office of Planning subdivision Staff to resolve the discrepancy.

The Applicant is proposing to construct a new accessory structure. Per regulations, the side yard setback shall be no less than 20' and the rear yard setback shall be no less than 50'. The project as proposed does not meet the setback requirements. In 2002, variances were approved to reduce the rear and side yard setback in order to construct an accessory structure. Staff finds the previously approved variances apply to this project as the proposed accessory structure will be located on the same footprint. As such, Staff has no concerns regarding the proposed setbacks.

The Applicant is proposing to add a trash enclosure within the setback on the east side. Staff initially had concerns that this was a structure and therefore should meet the setback requirements. In speaking with the Office of Buildings Staff, the proposed trash enclosure is not considered a structure and would be treated like a fence. As fences can be located in the setback, Staff has no concerns regarding the proposed setbacks. As the enclosure is treated like a fence, Staff finds it can be no taller than 6'. The proposed enclosure is 5' and therefore meets the height requirement.

The Applicant is proposing to install a new 6' privacy fence and gate to match the existing. Staff has no concerns regarding the location, height or design of the proposed fence and gate. The Applicant is proposing to replace the existing concrete driveway in-kind. In looking at pictures of the driveway, it is clear it is in severe disrepair. Staff has no concerns regarding the replacement of the existing driveway in-kind.

Per regulations, the maximum lot coverage allowed is 35%. As the proposed accessory structure will be constructed on an existing foundation, Staff has no concerns regarding the lot coverage.

Accessory Structure

The Applicant is proposing a new accessory structure. As previously mentioned, Staff has no concerns regarding the proposed setbacks. Per regulations, the height can be no more than 35'. The proposed accessory structure is less than 35' and therefore meets the height requirement. Overall, Staff finds the design, material and fenestration of the proposed accessory structure is appropriate. Staff finds the fenestration helps connect the accessory structure to the principal structure. Staff further finds the difference in materials, design and massing help differentiate the accessory structure while allowing the principal structure to remain the dominant feature.

Staff has one concern regarding the roof form. Specifically, Staff finds the curving of the roof on the north elevation is more compatible with a Tudor Style home. As the existing principal structure is

Georgian, Staff finds the curving of the roof is not appropriate. Staff recommends the curve of the roof on the north elevation is eliminated from the design.

Staff Recommendation: Based upon the following:

- a) The plans meet the regulations, with the exceptions noted in the above analysis, per Section 16-20G.006.

Staff recommends approval of the Application for Type III Certificate Appropriateness (CA3-12-315) for construction of a new accessory structure and site improvements at **1284 Fairview Road**– Property is zoned Druid Hills Historic District, with the following conditions:

1. The curve of the roof on the north elevation shall be eliminated from the design, per Section 16-20B.003(3); and
2. Staff shall review and if appropriate, approve the final plans.



CITY OF ATLANTA

M. KASIM REED
MAYOR

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

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT January 23, 2013

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-12-316) for alterations to an existing building at **188 Walker Street**- Property is zoned Castleberry Hill Landmark District (Subarea 1).

Applicant: Steven Barton
570 Tanacrest Circle

Facts: According to the Castleberry Hill inventory sheets, this existing two-story building was built in 1930 and is considered contributing.

Analysis: The following Atlanta Land Development code sections apply to this application:

Section 16-20N.005. Certificates of Appropriateness.

1. Except as otherwise provided herein, the procedures for determining the appropriate type of certificate of appropriateness shall be those specified in section 16-20.008 of the Zoning Code.
3. Type II certificates of appropriateness shall be required for: minor alterations to the façade of any principal structure, including but not limited to: exterior stairs, landings, railings, awnings, canopies, and front stoops; and the construction of fences, walls, retaining walls, accessory structures, and paving. If the proposed alteration meets the requirements of section 16-20N.006, 16-20N.007, and 16-20N.008, then the director of the commission shall issue the type II certificate of appropriateness within 14 days of application for such certificate. If the proposed alteration does not meet the requirements of section 16-20N.006, 16-20N.007, and 16-20N.008, the director of the commission shall deny the application. Appeals from said decision of the director regarding the issuance and/or denial of type II certificates of appropriateness may be taken by any aggrieved person by filing said appeal in the manner prescribed in the appeals section of chapter 16-20.008(a) for type I certificates of appropriateness.

Section 16-20N.006. General Regulations.

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

1. In the District, the commission shall apply the standards referenced below only if the standards set forth elsewhere in this chapter 20N do not specifically address the application or any portion of the application:
 - (a) The historic character of a property shall be retained and preserved.
 - (b) The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.
 - (c) Each property shall be recognized as a physical record of its time, place, and use. Changes shall not be undertaken that create a false sense of historic development, such as adding conjectural features or elements from other historic properties.
 - (d) Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
 - (e) Distinctive materials, features, finishes, and construction techniques, or examples of craftsmanship that characterize a property, shall be preserved.

- (f) Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and, where possible, materials.
- (g) Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
- (h) Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
- (i) New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
- (j) New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
- (k) Contemporary design for new construction and for additions to existing properties shall not be discouraged when such new construction and additions do not destroy significant historical, architectural, or cultural material, and such construction or additions satisfy section 16-20N.007 or section 16-20N.008, as applicable.
- (l) The height of a structure shall be measured on the façade facing the public street and measurement shall be taken from the highest point of such grade to the top of the parapet wall.

2. Compatibility rule.

(a) The intent of the regulations and guidelines is to ensure that alterations and additions to existing structures and new construction are compatible with the design, proportions, scale, and general character of the block face, the entire block, a particular subarea or the district as a whole. To permit flexibility, some regulations are made subject to the compatibility rule, which states: "Where not quantifiable, the element in question (building proportion, roof form, fenestration, etc.) shall match that which predominates on the contributing buildings in the subarea. Where quantifiable, the element in question (i.e., distance of first floor above sidewalk grade), shall be no smaller than the smallest or larger than the largest such dimensions of the contributing buildings in the subarea."

(b) Those elements to which the rule applies are noted in the regulations by a reference to the "compatibility rule."

10. Exterior Stairs & Landings.

(a) Except for the primary pedestrian entrance to a unit or building, all exterior stairs and landings must be on the side or rear of the principle structure and substantially parallel to the structure.

(b) Stair treads must be equal widths.

(c) Exterior stairs and landings shall be constructed of metal or poured concrete.

Section 16-20N.007 - Specific Regulations for Historic Core, Subarea 1.

In the Castleberry Hill Historic Core, Subarea 1, the commission shall apply the standards referenced in section 16-20N.006(1) only if the standards set forth in section 16-20N.007 do not specifically address the application or any portion thereof:

Design standards and other criteria for construction of, additions to, or alterations of principal buildings:

(c) All building elements shall be utilized in a meaningful, coherent manner, rather than a mere aggregation of random historic elements, including but not limited to their: design, size, dimension, scale, material, location on the building, orientation, pitch, reveal and amount of projection from the façade:

(d) Fenestration.

i. The compatibility rule shall apply to the following aspects of fenestration:

a. The style and material of the individual window or door.

b. The size and shape of individual window and door openings.

As this is a Landmark District, Staff reviews alterations to all facades. The Applicant is proposing to create a new door opening in a former window opening that is currently bricked in. Staff has no concerns regarding the installation of a new door on the rear façade. Staff finds the location and material of the proposed door are appropriate and similar to other buildings in the district.

The Applicant is proposing to install a wood landing, stair and railing to service the proposed door. Per regulations, all exterior stairs and landings shall be constructed of poured concrete or metal. While Staff does not have concerns regarding the design or location of the proposed stair, railing and landing, Staff finds the proposed materials do not meet the regulations. Staff recommends the plans indicate either poured concrete or metal for the landing, stairs and railing.

Staff Recommendation: Based upon the following:

(a) The plans meet the regulations per Section 16-20N.006 and 16-20N.007; except as noted above

Staff recommends approval of the Application for a Type II Certificate of Appropriateness (CA2-12-316) for alterations to an existing building at **188 Walker Street**- Property is zoned Castleberry Hill Landmark District (Subarea 1), with the following conditions:

1. The plans shall indicate either poured concrete or metal for the landing, stairs and railing, per Section 16-20N.006(10)(c); and
2. Staff shall review and if appropriate approve the final plans.



CITY OF ATLANTA

M. KASIM REED
MAYOR

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

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

January 23, 2013

Agenda Item: Review and comment (RC-13-001) for demolition of three buildings/structures at **800 Cherokee Avenue** (Zoo Atlanta)- Property is zoned R-5.

Applicant: Antrell Gales
1751 Bolton Road

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

- (4) The commission shall review the proposed location and design of any proposed park and any plan or proposal for the relocation or significant change, alteration or addition to any existing park.
- (5) The Commission shall review the proposed location and design of buildings, bridges, viaducts, elevated ways, streets, high-ways, gates, fences, railings, lamp standards, and other structures or fixtures to be erected or placed on land belonging to the city, or on any private or public property which extends over or upon any property or right-of-way owned or controlled by the city.
- (7) The commission shall review the alteration, demolition, movement or construction of any structure, site or building which involves the use of capital expenditures by the City of Atlanta or capital expenditures by other public agencies or authorities which are required to submit plans for review by the city.

Per Section 16-20.009. Same; further standards.

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (7) Whenever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

The Applicant is proposing to demolish a wall, a one story block building and a third building. It is not clear from the application when the structures were constructed, what the structures are used for and why they are being demolished. It is also not clear whether the third building will be completely demolished or whether it is the wood shed connected to the building that is proposed for demolition.

According to the notes on the application, the demolition is for green space. As the existing structures are separated by gravel and concrete, it is not clear whether the proposed demolition will be used to create one green space or separate green space areas. It is not clear what the green space will be used for.

In general, Staff finds the application lack details regarding the existing and proposed conditions. Staff suggests the Applicant provide information regarding the history, condition and use of the existing structures. Staff further suggests the Applicant provide information regarding the function and design of the proposed green space. Given the information we have at this time, Staff cannot fully comment on this application.

Staff Recommendation: Staff recommends the Commission deliver its comments at the meeting.



CITY OF ATLANTA

M. KASIM REED
MAYOR

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

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT January 23, 2013

Agenda Item: Application for a Review and Comment (RC-13-007) on the demolition of a portion of the structure at 801 Glenwood Avenue (Maynard H. Jackson High School) - Property is zoned O-I.

Applicant: Susanne Blam / Perkins + Will
1315 Peachtree Street, NE

Facts: In July, 2012 the Commission reviewed and commented on an extensive renovation of Maynard Jackson High School (RC-12-051). At that time, the Applicant's architect provided standard background material about the proposed renovation, including: a narrative generally describing the project, a list of the proposed actions, as well as design development plans and elevations.

After the renovation work had already started, Atlanta Public Schools changed the program for the school, which necessitated different and additional types of assembly, athletic, and performance space. As noted in their narrative, the Applicant evaluated these new programmatic requirements vs. the existing renovation plans and physical characteristics of the structure. They concluded that the "best way" to accommodate the program was to demolish the existing gym and build back a new, larger and more flexible gym space that would accommodate the new Atlanta Public School's programmatic requirements.

The proposed demolition of the portion of the school is before the Commission at this time. The Staff anticipates that the rebuild proposal for this portion of the school will be heard at the Commission's February 13, 2013 Commission meeting.

As noted in the Applicant's submission for RC-12-051, the school was designed by J. W. Robinson and Associates, and Dougherty, Fernandez, and Marchant, Inc. The most unique feature of the school is its construction into a hillside and the grass covered roof.

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

- (4) The commission shall review the proposed location and design of any proposed park and any plan or proposal for the relocation or significant change, alteration or addition to any existing park.
- (5) The Commission shall review the proposed location and design of buildings, bridges, viaducts, elevated ways, streets, high-ways, gates, fences, railings, lamp standards, and other structures or fixtures to be erected or placed on land belonging to the city, or on any private or public property which extends over or upon any property or right-of-way owned or controlled by the city.
- (7) The commission shall review the alteration, demolition, movement or construction of any structure, site or building which involves the use of capital expenditures by the City of Atlanta or capital expenditures by other public agencies or authorities which are required to submit plans for review by the city.

Per Section 16-20.009. Same; further standards.

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (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) Whenever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

The Staff would note that while the building is not eligible for historic recognition due to its more-recent age (constructed in 1985), it is a very unique structure and would likely be eligible for historic recognition when it met the 50 year old threshold. As such, the demolition of a modest-sized, but very visible, portion of the building should only be done after thorough consideration of all available options. The Staff would recommend that prior to demolition some basic archival photographs are taken of the interior and exterior of the portion of the building to be demolished and provided to Atlanta Public Schools for future reference and research.

Staff Recommendation: The Staff recommends that the Commission confirm that all the comments of the Commission and Staff have been delivered at the Commission meeting on the application for a Application for a Review and Comment (RC-13-007) on the demolition of a portion of the structure at 801 Glenwood Avenue (Maynard H. Jackson High School).



CITY OF ATLANTA

M. KASIM REED
MAYOR

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

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

January 9, 2013

Updated

January 23, 2013

(updated information in italics)

Agenda Item: Applications for Type III Certificates of Appropriateness (CA3-12-308) for a variance to allow less fenestration at the side walk level, interior parking within the first eight feet of the façade, alternative façade materials, *to allow a garage entrance on the front façade* and a rooftop addition that is greater than 25% of the roof area; and (CA3-12-307) for a second story addition and other renovations at **289 Peters Street** – Property is zoned Castleberry Hill Landmark District (Subarea 1).

Applicant: Maken Payne
289 Peters Street

Facts: The existing single story building has a basement and has a footprint that takes up the entire lot. According to the Castleberry Hill inventory sheets, this commercial building was built in 1910 and is considered contributing.

At the January 9th meeting, this application was deferred to allow the Applicant time to submit an additional variance and to address the concerns of Staff and the Commission.

Analysis: The following code sections apply to this application:

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

The following general regulations shall apply to all properties located within the proposed Castleberry Landmark District.

Section 16-20N.005. Certificates of Appropriateness.

4. Type III certificates of appropriateness shall be required for:

(b) All major alterations and additions to an existing principal structure, including all major alterations and additions to the roofs of principal structures.

Section 16-20N.006. General Regulations.

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

1. In the District, the commission shall apply the standards referenced below only if the standards set forth elsewhere in this chapter 20N do not specifically address the application or any portion of the application:

(a) The historic character of a property shall be retained and preserved.

(b) The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.

(c) Each property shall be recognized as a physical record of its time, place, and use. Changes shall not be undertaken that create a false sense of historic development, such as adding conjectural features or elements from other historic properties.

- (d) Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
- (e) Distinctive materials, features, finishes, and construction techniques, or examples of craftsmanship that characterize a property, shall be preserved.
- (f) Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and, where possible, materials.
- (g) Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
- (h) Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
- (i) New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
- (j) New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
- (k) Contemporary design for new construction and for additions to existing properties shall not be discouraged when such new construction and additions do not destroy significant historical, architectural, or cultural material, and such construction or additions satisfy section 16-20N.007 or section 16-20N.008, as applicable.
- (l) The height of a structure shall be measured on the façade facing the public street and measurement shall be taken from the highest point of such grade to the top of the parapet wall.

2. Compatibility rule.

(a) The intent of the regulations and guidelines is to ensure that alterations and additions to existing structures and new construction are compatible with the design, proportions, scale, and general character of the block face, the entire block, a particular subarea or the district as a whole. To permit flexibility, some regulations are made subject to the compatibility rule, which states: "Where not quantifiable, the element in question (building proportion, roof form, fenestration, etc.) shall match that which predominates on the contributing buildings in the subarea. Where quantifiable, the element in question (i.e., distance of first floor above sidewalk grade), shall be no smaller than the smallest or larger than the largest such dimensions of the contributing buildings in the subarea."

(b) Those elements to which the rule applies are noted in the regulations by a reference to the "compatibility rule."

3. Variances, special exceptions, and appeals. Variance applications, applications for special exceptions, and appeals from these regulations shall be heard by the commission. The commission shall have the authority to grant or deny variances from the provisions of this chapter when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, and criteria for decisions regarding such variances shall be the same as those specified in chapter 26 of this part 16. The commission shall have the authority to grant or deny applications for special exceptions pursuant to the standards in chapter 25. The commission shall have the authority to grant or deny applications for appeal pursuant to the standards in section 16-30.010 and the appeal provisions for said decision, set forth in section 16-30.010(e), shall also apply to the commission's decision.

4. Financial hardship exemptions

(a) These regulations set forth a minimum standard of architectural compatibility with the rest of the district. However, in order to balance other equally important objectives of economic development, neighborhood revitalization, and prevention of displacement of residents, the commission may allow reasonable exemptions from these regulations to a property owner's principal residence on the ground of economic hardship to the property owner.

(b) The burden of proving economic hardship by a preponderance of the evidence shall be on the applicant.

(c) The commission shall consider the following factors in determining whether an economic hardship exemption in whole or in part will be granted:

- i. The present income of the property owner(s) and those occupying the property.
- ii. The age of the property owner.
- iii. The length of time the property owner has resided in the neighborhood or in the residence for which the exemption is sought.
- iv. The availability of other sources of funds that are appropriate to the circumstances of the applicant, including loans, grants and tax abatements.
- v. The costs associated with adherence to these regulations.
- vi. The degree of existing architectural significance and integrity of the structure; and
- vii. The purpose and intent of this chapter.

(d) The commission shall consider these factors and shall grant an exemption, in whole or in part, as appropriate upon a finding that the applicant's economic hardship outweighs the need for strict adherence to these regulations.

5. Subdivisions of lots. The subdivision of any lot within this district shall be subject to review and approval by the commission. No subdivision of lots shall be approved by the director of the bureau of planning unless said matter has first been submitted to and approved by the commission. The commission shall find that the resulting lots are so laid out that

buildings that are compatible in design, proportion, scale, and general character of a particular subarea or the district as a whole, may be reasonably situated and constructed upon such lots.

6. Aggregation of lots. No lots shall be aggregated except upon approval of the commission. Applications shall be made to the commission. The commission shall find that the resulting lots are so laid out that buildings that are compatible in design, proportion, scale, and general character of the subarea, and the district as a whole, may be reasonably situated and constructed upon such lots.

7. Tree preservation and replacement. The provisions of the City of Atlanta Tree Ordinance, Atlanta City Code section 158-26, shall apply to this district.

8. Off-street and off-site parking.

- (a) All new construction, alterations, or additions that increase the number of dwelling units and/or increase the square footage of nonresidential uses, or any change in use shall include the required off-street parking.
- (b) The number of required off-street parking spaces is set out in each subarea.
- (c) Off-street or off-site parking located adjacent to public streets or sidewalks shall include landscape buffer strips along the public street or sidewalk. Landscape buffer strips shall be: a minimum of three (3) feet in width, planted with a mixture of evergreen groundcover or shrubs a minimum of three gallons at time of planting with a maximum mature height of 30 inches; and planted with canopy street trees that are a minimum of 3.5 inch caliper measured 36 inches above ground and a minimum of twelve (12) feet in height at time of planting placed no further than twenty-five (25) feet on center. All landscape buffer strips shall be maintained in a slightly manner.
- (d) Use of shared driveways and/or alleys is encouraged. Required driveways may be located outside the lot boundaries if they directly connect to a public street and are approved by the commission.
- (e) Curb cuts and driveways are not permitted on any arterial street when reasonable access may be provided from a side or rear street or from an alley.
- (f) 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.
- (g) Sidewalk paving materials shall be continued across intervening driveways.
- (h) Entrances to garages that serve residential units shall be located in a side or rear yard.
- (i) All contiguous ground-floor residential units shall share one common drive, located in rear yards or side yards, to serve garages and parking areas.

9. Design standards and other criteria for construction of, additions to, or alterations of principal buildings:

(c) All street-fronting sidewalk level development shall provide fenestration for a minimum of 60 percent of the length of the frontage, beginning at a point not more than three (3) feet above the public sidewalk, for a height no less than nine (9) feet above the sidewalk.

(d) Sidewalk level development without fenestration shall not exceed a maximum length of ten (10) feet of façade.

(e) Nothing may be erected, placed, planted, or allowed to grow in such a manner as to impede visibility within visibility triangles at street intersections between the heights of two and one-half (2 ½) feet and eight (8) feet above grade.

(f) Relationship of building to street.

i. The first eight (8) feet of all building levels that have sidewalk level arterial street frontage shall have a commercial, office, or residential use and shall not be used for parking or storage.

ii. The primary pedestrian entrance to all uses and business establishments with sidewalk level street frontage shall:

a. Be visible from the street.

b. Be directly accessible, visible, and adjacent to the sidewalk, pedestrian plaza, courtyard, or outdoor dining area adjacent to such street.

c. Face and be visible to an arterial street when located adjacent to such arterial streets.

iii. A street address number shall be located above the principal building entrance, shall be clearly visible from the sidewalk, shall contrast with their background, and shall be a minimum of four inches in height with a minimum stroke of 0.5 inch.

(g) Façade Materials. Brick, stone, and true stucco systems with a smooth finish shall be the predominant building materials for the façades of the principle structure. Concrete block and other masonry materials may be used on facades of principal structures that do not face a public street. Aluminum siding and vinyl siding are not permitted on any facade.

11. Structures on the roofs of principal buildings.

(a) All components of a structure or addition on the roof of a principal building visible from a public street shall be metal or masonry.

(b) The enclosed floor area of a structure shall not exceed 25% of the total roof area, unless otherwise necessary to meet the minimum requirements for mechanical and elevator equipment, stairwells, elevator, and stair landings.

(c) Enclosed structures shall not exceed 10 (ten) feet in height above the parapet wall and shall be setback no less than 10 (ten) feet from all street-fronting facades.

(d) All components of a structure or addition on a roof of a principal building shall be set behind the parapet wall.

15. Applications. Materials necessary for complete review of an application shall be submitted with the application as set forth by the director. In addition, a scaled site plan of the property showing all improvements, photographs of existing conditions and adjoining properties, and elevation drawings of all improvements shall be submitted for all type III

certificate of appropriateness applications. For new construction of a principal building, the application shall also include a scaled drawing showing setbacks, heights of, and widths of, and the distances between all existing buildings on the block face, along with those of the proposed structure.

Section 16-20N.007 - Specific Regulations for Historic Core, Subarea 1.

In the Castleberry Hill Historic Core, Subarea 1, the commission shall apply the standards referenced in section 16-20N.006(1) only if the standards set forth in section 16-20N.007 do not specifically address the application or any portion thereof:

Design standards and other criteria for construction of, additions to, or alterations of principal buildings:

(a) The compatibility rule shall apply to the general façade organization, proportion, scale, and roof form of the principal structure.

(c) All building elements shall be utilized in a meaningful, coherent manner, rather than a mere aggregation of random historic elements, including but not limited to their: design, size, dimension, scale, material, location on the building, orientation, pitch, reveal and amount of projection from the façade:

(d) Fenestration.

i. The compatibility rule shall apply to the following aspects of fenestration:

a. The style and material of the individual window or door.

b. The size and shape of individual window and door openings.

c. The overall pattern of fenestration as it relates to the building façade.

d. 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. 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.

iv. Subject to the compatibility rule, glass block may be used for door surrounds and transoms.

(e) Facades.

i. Brick, stone, and true stucco systems with a smooth finish shall be the predominant building materials for the façades of the principal structure. Concrete block and other masonry materials may be used on facades of principal structures that do not face a public street. Corrugated metal, aluminum siding, and vinyl siding are not permitted on any facade.

ii. Covering of the original façade shall not be permitted.

iii. Painting of unpainted stone, terra cotta, and brick 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.

2. Permitted principal uses and structures: A building or premises shall be used only for the following principle purposes:

(a) Multi-family dwellings, two-family dwellings, and single-family dwellings.

3. Off-Street Parking Requirements

The following parking requirements shall apply to all uses:

(a) Off-street parking shall not be permitted between the principal building and the public street.

(b) Off-street parking may be located in a rear or side yard.

(c) All dwellings: Off-street parking requirements shall be as follows: See section 16-08.007, Table I, for applicable ratios according to the appropriate floor area ratio.

(d) All other uses: No off-street parking is required.

Variance Requests

Fenestration

The regulations require that All street-fronting sidewalk level development shall provide fenestration for a minimum of 60 percent of the length of the frontage, beginning at a point not more than three (3) feet above the public sidewalk, for a height no less than nine (9) feet above the sidewalk; and Sidewalk level development without fenestration shall not exceed a maximum length of ten (10) feet of façade.

According to the Applicant, a variance is needed because having fenestration that meets the regulations would create safety concerns. Specifically, the existing building will be used as both a residence and a

business. The Applicant has concerns regarding protecting both personal items and expensive equipment associated with two different businesses.

It is clear from looking at the existing building that the original fenestration was removed before the districts designation and in-filled with siding and inappropriate windows. Staff would note that while the façade as currently configured does not meet the regulations, the Applicant is not required to renovate the façade to meet the regulations. While retaining the existing façade is not the best solution, it would eliminate the need for a variance.

In general, the point of the sidewalk level fenestration requirement is to have a first floor that appears to be a storefront and helps to activate the street. In looking at similar contributing buildings in the district, they are defined by either large storefront windows or multi-pane commercial windows that take up a great deal of the façade. While Staff understands the concerns regarding safety, there are many buildings in the district that house businesses and or residences that have been able to meet this requirement and provide a secure environment.

According to the Applicant, the garage door helps meet the fenestration requirement. Given the function and design of the proposed door, Staff finds the proposed garage door while an opening does not meet the fenestration requirement as described in the regulations. Staff finds there are solutions that would allow the Applicant to protect their property and meet the regulations. Staff is not convinced that the only solution is the design as proposed by the Applicant. Staff does not find that the variance requirements have been met as outlined in the variance addendum. Given the information we have at this time. Staff does not support the variance for fenestration. Staff recommends the variance from the fenestration requirement be removed from the request.

In an updated elevation, the Applicant has indicated the front elevation will feature a glass storefront and garage door that meet the percentage and height requirements. As such, Staff finds a variance for the fenestration is no longer needed. Staff retains its recommendation regarding removal of the variance request.

Parking

The use of the building was converted from commercial to residential and commercial. As such, parking is required for the residential portion. The regulations require entrances to garages that serve residential units to be located in a side or rear yard; and the first eight (8) feet of all building levels that have sidewalk level arterial street frontage not be used for parking or storage.

The Applicant is proposing to have parking and a garage door at the front of the building. The variance request for the garage door was not included in the original application. Staff discovered the need for this variance after an initial review. Since that time, the Applicant has submitted a variance request for the garage door and will be heard at the February 23rd meeting.

In looking at the City Cadastral map, Staff finds there is an alley behind the property that would allow for a garage entrance at the rear of the building. According to the Applicant, they have no access to alley. The Applicant has provided pictures that indicate that parts of the alley are blocked by private fences. Private fences are not allowed in alleys. The only way to get a fence permitted for an alley is if all property owners agreed to close the alley and legally take ownership of the alley. The properties would then need to be re-platted with the City of Atlanta to reflect that the alley no longer existed and each property would receive half of the alley.

Staff researched City records and found no evidence the alley has been closed and re-platted. As such, Staff finds the fences are there illegally. Staff finds the Applicant could legally have access to the alley and therefore to the rear of the property. The Applicant indicates that even if there was access to the alley, there is not enough of a turning radius to properly maneuver in and out. The existing alley is 12' in width. While it may difficult, Staff finds there is no documentation indicating that it is impossible to maneuver in and out.

Whenever there is an accessible alley, the preferred option is to use the alley to access of-street parking. Given the pictures provided, Staff acknowledges that even if the Applicant has legal right to use the alley, it may be difficult to physically obtain the right to use the alley. Staff finds there is not enough information or documentation to show that the Applicant has no legal right to use the alley. Staff finds the Applicant has shown there is currently no physical access, however the Applicant has not shown that physical access could not be obtained. Staff finds the Applicant has not provided documentation that it is impossible to maneuver a car in and out of a rear parking area.

Given the information we have at this time, Staff cannot support the variance from the parking requirement. Staff recommends the Applicant provide additional documentation and information regarding legal and physical access to the alley and the concern regarding the turning radius.

In order to create parking at the rear of the property, the Applicant would need to access Defoor's Lane through Jeanette Street. While the ownership and status of Jeanette Street is still not unknown, the Applicant submitted a picture that clearly shows that a car could not drive down Jeanette Street to get to Defoor's Lane. As such, Staff finds that parking at the rear of the property is not feasible.

Staff finds that parking is a requirement for this project. Staff finds that parking where the regulations would otherwise allow is not feasible. Staff finds that denying this variance would be a hardship as the Applicant would not be able to meet the parking requirement. Given the information we have at this time, Staff is in support of the variance to allow interior parking within the first eight feet of the façade.

The regulations require for all garage entrances to be on the side or rear. As we have established that parking in the rear is not feasible and the sides are on a zero lot line, Staff finds the only place for the garage door is on the front façade. As Staff is in support of the variance to allow parking, Staff supports the variance to allow a garage door on the front façade.

Height

The regulations require that rooftop additions be no more than 10' higher than the existing parapet wall. In looking at the elevations of the proposed addition, the front of the addition is taller than the rear and the roof slopes back to the rear. It is only the front portion of the addition that violates the height requirement. According to the Applicant, the height is required in order to have a sloped roof that would prevent rain water from collecting. Staff finds there are other design solutions for the roof that would meet the height requirement and prevent rain water from collecting. Staff finds the Applicant has not shown why it is a hardship to use a different design solution. Given the information we have at this time, Staff cannot support this variance. Staff recommends the variance from the height requirement be removed from the request.

The elevation is not properly scaled, therefore it is not clear whether the height requirement has been met. Staff retains its recommendation regarding the removal of the variance.

Rooftop Square Footage

The regulations require that an enclosed structure not exceed 25% of the total roof area. The Applicant is proposing to have a total roof area of 36.3% in order to accommodate additional living space. According to the Applicant, the size of the living space is needed because their loan is tied to the value of the property after renovation. According to the Applicant, the initial project submitted was a basement renovation that was not feasible due to the lack of egress. According to the Applicant, an addition with an area of 36.3% must be constructed in order to meet the terms of the loan. While Staff understands that there is an issue regarding the loan as it relates to the square footage, the variance criteria do not include a hardship based on loans or finances.

The Applicant points out that the addition is significantly recessed from the front of the building and will be difficult to see from the street. One of the concerns with the size of roof top additions was to make sure that the existing historic build remain the dominant feature. Given the location of the addition, Staff finds the existing historic building will remain the dominant feature. With that said, Staff finds the Applicant has not proven a hardship on the variance criteria. Given the information we have at this time, Staff cannot support the variance request. Staff recommends the variance from the square footage requirement be removed the request.

The plans indicate the addition will be reduced to meet the square footage requirement. As the project will meet the requirements, Staff retains its recommendation regarding the removal of the variance request.

Alternative Materials

In the original application, the Applicant requested a variance from the requirement that metal or masonry be used as a façade material. In an updated package, the Applicant has indicated that metal will be used as a façade material instead of metal. As such, Staff finds a variance to allow alternative materials is no longer needed. Staff recommends the variance from the façade material requirement be removed from the request.

The plans indicate the addition will be metal and the front elevation will be glass. As such, Staff finds the project meets the material requirements. Staff retains its recommendation regarding the removal of the alternative material variance.

Renovations and Additions

Front Façade Changes

The first floor of the front façade is defined by vertical wood siding and two different types of windows. As mentioned in the variance portion, the original façade was removed and in-filled before the district's designation. The façade as currently configured does not meet the regulations. The Applicant is proposing to remove the existing siding and windows in order to install a new façade, windows, a new door and a garage door. As the existing façade is not original or historic, Staff has no concerns regarding the removal of the existing elements.

Staff would note that the current plans indicate wood siding, the Applicant has submitted updated information that the façade material will be metal. Additionally, Staff would note that the proposed garage door is the subject of a variance that will heard at a future meeting.

As Staff does not support the variance regarding the reduction in fenestration, Staff finds the fenestration of the front façade needs to be redesigned. Specifically, the first floor façade needs to reflect the fenestration pattern of similar contributing buildings. Staff recommends the front façade be redesigned to include either storefront windows or multi-pane commercial windows that meet the

regulations. Staff finds that using either metal or wood as a façade material for the first floor does not meet the regulations. Staff recommends that no wood or metal siding be used as a façade material on the first floor.

While the updated elevation meets the percentage, height and material requirements, Staff has concerns regarding the overall design. Staff finds the overall design is not consistent and compatible with historic storefronts on other contributing buildings. Staff retains its recommendation regarding the design of the front elevation.

Addition

As previously mentioned, the Applicant is proposing a second story addition. As Staff does not support the variances from the height and square footage requirement, Staff recommends the addition meet the height requirement. Staff further recommends the addition meet the square footage requirement. The Applicant has indicated the addition will be metal. Staff finds the façade material of the addition meets the regulations. Staff recommends the Applicant submit updated elevations that indicate what type of metal will be used and how the addition will look.

Staff retains its recommendations regarding the height, square footage and materials.

Notwithstanding the concerns regarding height, square footage requirements and façade materials, Staff finds the overall design of the addition is appropriate. Staff does find the fenestration on the front of the addition is not consistent and compatible with the windows on similar buildings in the district. Staff recommends the windows on the addition meet the fenestration requirements. In this district, all facades are reviewed whether the elements are visible from the street or not. There were no elevations submitted for the rear of the addition. Staff recommends the Applicant submit an elevation of the rear façade.

As there were no properly scaled elevations submitted, Staff cannot confirm that all of the regulations have been met. It is also not clear what the addition will look like. Staff recommends the Applicant provide properly scaled elevations for all elevations.

Staff Recommendation: Based upon the following:

(a) The plans meet the regulations per Section 16-20N.006 (3) except as noted above ;

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-12-308) for a variance to allow less fenestration at the side walk level, interior parking within the first eight feet of the façade, attentive façade materials, *to allow a garage entrance on the front façade* and a rooftop addition that is greater than 25% of the roof area at **289 Peters Street** – Property is zoned Castleberry Hill Landmark District (Subarea 1), with the following conditions:

1. The variance from the fenestration requirement shall be removed from the request, per Section 16-20N.006;
2. The variance from the height requirement shall be removed from the request, per Section 16-20N.006;
3. The variance from the square footage requirement shall be removed the request, per Section 16-20N.006; and
4. The variance from the façade material requirement shall be removed from the request, per Section 16-20N.006.

Staff Recommendation: Based upon the following:

(a) The plans meet the regulations per Section 16-20N.006; except as noted above

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-12-307) for a second story addition and other renovations at **289 Peters Street** – Property is zoned Castleberry Hill Landmark District (Subarea 1), with the following conditions:

1. The front façade shall be redesigned to include either storefront windows or multi-pane commercial windows that meet the regulations, per Section 16-20N.007(1)(d);
2. No wood or metal siding shall be used as a façade material on the first floor, per Section 16-20N.007(1)(e)(i);
3. The addition shall meet the height requirement, per Section 16-20N.006(11)(c);
4. The addition shall meet the square footage requirement, per Section 16-20N.006(11)(b);
5. The Applicant shall submit updated elevations that indicate what type of metal will be used and how the addition will look;
6. The windows on the addition shall meet the fenestration requirements, per Section 16-20N.007(1)(d);
7. The Applicant shall submit properly scaled elevations for all elevations; and
8. Staff shall review and if appropriate, approve the final plans.