



# CITY OF ATLANTA

**M. KASIM REED**  
MAYOR

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

**CHARLETTA WILSON JACKS**  
Director, Office of Planning

## STAFF REPORT April 10, 2013

**Agenda Item:** Application for a Review and Comment (RC-13-068) for a rear addition at or a variance to at **30 Camden Road** – Property is zoned R-4/ Brookwood Hills Conservation District.

**Applicant:** William Verhey  
3585 Fallen Oak Lane, Buford, GA

**Facts:** According to the Brookwood Hills Inventory, the single-family dwelling was built in 1927 and is considered contributing.

The Applicant previously submitted applications for Review and Comment (RC-12-113) for a variance to reduce the east side yard setback from 7ft. (required) to 3ft. (proposed), reduce the rear yard setback from 15ft. (required) to 12ft (proposed), and increase the total maximum lot coverage allowed from 50% (required) to 57.7% (proposed); and (RC-12-089) for a rear addition. The Applicant eventually withdrew these applications and therefore the Commission denied without prejudice the applications in October of 2012.

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

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

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

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

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

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

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

Brookwood Hills Conservation District does not have specific architectural regulations similar to Atlanta's historic or landmark districts, therefore the Commission should refer to Further Standards listed in Chapter 20 of the zoning ordinance, which apply to all locally designated districts and properties.

The proposed rear addition is located behind an existing non-historic addition. As such, Staff finds the proposed addition will not have a physical negative impact on the existing historic house. Staff has some concern regarding the height, massing and materials of the proposed addition. While the addition does not impact the physical historic fabric of the existing house, the combination of the existing addition and proposed addition will create nearly the same amount of space as the existing house. Staff finds the combination of existing and proposed additions will compete with the existing house. Staff would note that this impact would not be seen from the street.

Staff has concerns that the proposed addition is taller than the existing house. In general, additions should be slightly lower in height than the existing house when possible. Staff has concerns regarding the proposed stone façade of the proposed addition. While the proposed material will help delineate the addition from the existing house and the previous addition, Staff finds the proposed material is not consistent and compatible with the existing house. The fact that the proposed façade material matches the historic retaining wall is concerning as the addition should not appear to be a huge retaining wall. The rear façade is not cohesive as it has cementitious siding and glass block. Staff suggests the facades of the addition are consistent in design and materials.

Staff has concerns regarding the proposed site plan. In the previous proposal, several variances were required. The site plan appears to be slightly revised to eliminate many of the variances. While the Applicant indicates that all the setback requirements have been met, the scaled plans indicate the setback requirements have not been met. It is possible that the site plan is not properly scaled. Staff suggests the Applicant provide documentation that all underlying zoning requirements have been met.

The Applicant is proposing the addition of windows on the existing addition. Staff has no concerns regarding the proposed new windows. Staff finds the addition of windows helps eliminate the appearance of blank walls.

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



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Director, Office of Planning

## STAFF REPORT

April 10, 2013

*Updated*

*May 8, 2013*

*(updated information in italics)*

**Agenda Item:** Application for a Type IV Certificate of Appropriateness (CA4H-13-069) for demolition of an existing single family residence due to a threat to health and safety at **696 Oakland Avenue** – Property is zoned R-5/Grant Park Historic District (Subarea 1).

**Applicant:** Rich Grace  
2751 Glenwood Avenue

**Facts:** According to the Grant Park Inventory, this single family dwelling built in 1928 is considered contributing.

In 2012 an Application for a Type IV Certificate of Appropriateness (CA4H-12-253) for demolition due to a threat to health and safety was reviewed by the Commission. The application was eventually withdrawn by the Applicant and subsequently denied without prejudice by the Commission.

*At the April 10<sup>th</sup> meeting, this application was deferred to allow the Applicant additional time to address the concerns of Staff and the Commission. At the April 24<sup>th</sup> meeting, this application was deferred due to the lack of quorum.*

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

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

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

(4) Historic Districts:

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

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

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

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

(5) Historic Districts:

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

Per Section 16-20.008

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

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

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

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

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

a. Threats to public health and safety:

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

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

(1) Certificates of Appropriateness.

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

## **Staff Response to the Application Submitted**

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

The Applicant provided documentation from a previous application with a recent letter from the engineer indicating that the situation has worsened. Specifically, the letter indicates that anyone entering the building would be in immediate danger due to the collapsing roof and flooring. Staff finds the following comments from the original application still apply: The Applicant provided a report from an engineer regarding the current condition of the house. According to the engineer there are various issues with the house including a partial roof collapse, water damage, 75% wall damage that requires repair or replacement, new sheathing and siding would be required, rotten floor framing and repairs to the foundation, including new piers and footings would be required.

Staff finds that a major and imminent threat exists when the building is in danger of collapse. While the report makes it clear that there are issues with the house, some caused by the damage to the roof and some inherent given the age of the home, the report does not indicate that the house must be demolished. The report indicates that the house in its current condition is unsafe. Given the pictures and the issues detailed in the engineer's report, Staff would agree. While Staff finds the house is currently unsafe, Staff does not find that the report documents a major and imminent

threat exists. Staff recommends the Applicant provide additional documentation that indicates a major and imminent threat to public health and safety exists.

*The Applicant provided a roof plan that indicates five different areas where the roof is fully collapsed, partially collapsed or is in the process of collapsing. Most of these areas are towards the middle and rear of the house. Staff finds the previously submitted pictures support the report of the Applicant in regards to the roof. The roof plan also indicates two different areas of rotten roof framing and disjointed framing. The issues with the roof framing occur both towards the rear and front of the house.*

*The Applicant submitted a framing and foundation plan that indicates either partial or total collapse. There are eight different areas of foundation failure indicated. There are five different areas of partial or total framing collapse. The plan also indicates two areas where the framing is off the foundation.*

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

According to the Applicant, exterior bracing can be installed as a temporary safety measure and rebuilding the structure is not possible due to advanced decay. Staff finds that there are other alternatives that should be explored before demolition. Staff recommends the Applicant provide detailed alternatives that include repairs to put the house in safe condition, repairs and renovations to make the house habitable and an alternative that includes renovations, additions and partial demolition. Staff further recommends that the alternatives submitted include cost and analysis regarding feasibility.

*The Applicant has provided information regarding other alternatives, including cost and analysis regarding feasibility.*

**3. Demonstrate that the costs associated with rectifying the threat would create a condition whereby the investments in the project are incapable of earning a reasonable economic return. This finding shall be made by considering, and the applicant shall submit to the Commission evidence establishing, each of the following factors:**

**a) The applicant's knowledge of the landmark designation at the time of acquisition, or whether the property was designated subsequent to acquisition.**

The property owners are aware of the historic designation.

**b) The current level of economic return on the property as considered in relation to the following:**

**(1) The amount paid for the property, the date of purchase, and party from whom purchased, including a description of the relationship, if any, between the owner of record or applicant and the person from whom the property was purchased.**

According to the Applicant, the property was purchased \$85,000. There was no relationship between the seller and the buyer.

- (2) **The annual gross and net income, if any, from the property for the previous three (3) years; itemized operating and maintenance expenses for the previous three (3) years; and depreciation deduction and annual cash flow before and after debt service, if any, during the same period.**

According to the Applicant, the property does not generate income and has been vacant for several years.

- (2) **Remaining balance on any mortgage or other financing secured by the property and annual debt service, if any, during the prior three (3) years.**

The Applicant did not provide answer. Staff recommends the Applicant provide information regarding the mortgage, financing or debt service for the last three years.

4. **Real estate taxes for the previous four (4) years and assessed value of the property according to the two (2) most recent assessed valuations.**

2012	\$1009.44
2011	\$1129.47
2010	\$1839.69
2009	\$3027.46

2011 Assessed value- \$25, 260

2012 Assessed value- \$28, 360

5. **All appraisals obtained within the previous two (2) years by the owner or applicant in connection with the purchase, financing or ownership of the property.**

There were no appraisals available.

6. **The fair market value of the property immediately prior to its designation and the fair market value of the property (in its protected status as a designated building or site) at the time the application is filed.**

According to the Applicant the property was purchased for \$5000 before the districts designation. The Applicant did not provided comps for as-is properties, repair properties and new construction properties. Staff finds the comps for new construction are not relevant for this question. Out of the other four comps, only one is in the historic district and it sold for \$230,000. Staff finds that additional information is needed to establish the fair market value. Staff recommends the Applicant provides documentation regarding the fair market value using similar properties located within the Grant Park Historic District.

*The Applicant has provided two comps for an "as is" renovation, renovation and addition and new construction. These properties are all located in the district. The sale of these houses occurred between 2000 and 2009.*

7. **Form of ownership or operation of the property, whether sole proprietorship, for-profit or not-for-profit corporation, limited partnership, joint venture, or both.**

According to the Applicant the property is owned by an LLC.

**8. Any state or federal tax returns on or relating to the property for the past two (2) years.**

According to the Applicant, there are not tax records available.

**9. That the property if not marketable or able to be sold, considered in relation to any listing of the property for sale or rent, price asked, and offers received, if any, within the previous two (2) years. Including testimony and relevant documents regarding:**

**a) Any real estate broker or firm engaged to sell or lease the property.**

According to the applicant, this question does not apply.

**b) Reasonableness of the price or rent sought by the applicant.**

According to the Applicant the property is not for rent or for sale.

**c) Any advertisement placed for the sale or rent of the property.**

According to the Applicant, no advertisements have been placed and the property has not been listed.

**10. The infeasibility of alternative uses that can earn a reasonable economic return for the property as considered in relation to the following:**

**a) A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of any structures on the property and their suitability for rehabilitation.**

The Applicant provided a previously submitted report and a new letter from a licensed engineer.

**b) Estimate of the cost of the proposed construction, alteration, demolition, or removal, and an estimate of any additional cost that would be incurred to comply with the recommendation and decision of the commission concerning the appropriateness of the proposed alterations.**

According to the Applicant renovation/repair would cost \$142,000 and new construction would cost \$150,000. The Applicant did not provide information regarding other alternatives, details regarding the estimate for new construction or the cost of demolition. Staff recommends the Applicant provide estimates for additional alternatives, a detailed estimate for new construction and an estimate for demolition.

*The Applicant has provided information a chart regarding demolition, renovations, additions and new construction.*

**c) Estimated market value of the property in the current condition; after completion of the proposed construction, alteration, demolition, or removal; and, in the case of a proposed demolition, after renovation of the existing property for continued use.**

According to the Applicant the value of the property in its current condition is \$42,000. The Applicant has not provided documentation regarding this value. Staff recommends the Applicant provide documentation regarding the market value estimate. According to the Applicant the estimated value after renovation would be \$180,000 and after new construction would be \$325,000. Staff recommends the Applicant provide documentation regarding the estimated values associated with the completion of the renovations and new construction.

*The Applicant has provided a chart that indicates the cost of the purchase, the cost of renovation, addition or new construction and the value of the house when the project is completed.*

- d) **In the case of a proposed demolition, the testimony of an architect, developer, real estate consultant, appraiser, or other real estate professional experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure on the property.**

According to the Applicant, the general contractor has indicated that none of the existing structure is re-useable. Staff recommends the Applicant provide more detailed information regarding why virtually none of the structure is re-useable.

*The Applicant has provided additional documentation regarding roof failure and collaps, foundation failure and framing failure.*

There is a letter from a real estate agent that indicates that renovating the property is not economically feasible. According to the agent the highest and best use is a 3 bedroom, 2 bathroom home. The letter further states that the current footprint does not support the highest and best use. There is no indication as to why an addition cannot be used to allow for a three bedroom 2 bathroom home. Staff finds further information is needed. Staff recommends information be provided regarding the feasibility of an addition to the existing home.

*The Applicant provided an alternative that includes partial demolition and an addition. According to the Applicant, a partial demolition and addition project would result in a loss of \$8,000.*

- e) **The infeasibility of new construction around, above, or below the existing protected building or site, and the infeasibility of a transfer of development rights, including an assessment of the monetary value that could be derived from such a transfer, pursuant to section 16-28.023 of the Code of Ordinances.**

According to the Applicant, the failure of the existing foundation and structure make construction above or below impossible. The Applicant also indicates that the limited size of the lot makes construction around infeasible. Staff recommends the Applicant provide more details regarding the infeasibilities of the options indicated in (10)(e).

**11. Economic incentives and/or funding available to the applicant through federal, state, city, or private programs.**

The Applicant did not provide in details regarding the different economic incentives available and why they apply or do not apply to the property in question. Staff recommends the



Applicant provide information on each economic incentive with an explanation as to why the incentive in question is not feasible.

*The Applicant provided a chart of seven different options with indications as to whether the incentives applied to the proposed new construction and alternatives.*

12. Also, please provide photographs of the existing conditions of the building, both exterior and interior.

The Applicant provided pictures.

#### **Comment on Application Materials by the Bureau of Buildings**

One of the requirements of the Type IV Certificate of Appropriateness process is for the Office of Buildings to comment on the application materials via a written report. Staff has submitted a request to the Office of Buildings to inspect the property and produce a report regarding this property. When the inspection and report are complete, Staff will include the report in the file for future reference.

*Staff has received a report from the Office of Buildings regarding the condition of the building. According to the Chief Building Inspector, the existing structure is unsafe and can be demolished.*

#### **Overall Comments**

Based on the engineers report and letter, the letter from the realtor and pictures, Staff finds that the existing building is in a state of disrepair. It is clear that the most of the roof needs to be replaced, the exterior walls need to be repaired and in some instances replaced, the interior floor systems need to be replaced and there are issues with the foundation.

While Staff finds that the building in its current condition is unsafe and a nuisance, Staff does not find the Applicant has proven the property is an imminent and major threat to public health and safety. As previously mentioned, a major and imminent threat to public health and safety exists when the building is in danger of collapsing. Based on the information submitted, Staff finds a major and imminent threat has not been proven.

Staff finds that the requirement for reasonable alternatives applies when a major and imminent threat to public health and safety has been proven. As Staff has determined that a major and imminent threat to public health and safety has not been proven, Staff finds the alternatives presented are moot as this time. With that said, Staff still has concerns regarding the alternatives presented. As discussed above, Staff finds there are not enough alternatives presented. Staff finds further documentation is required regarding the following: value of the property currently and after the alternatives are explored, economic incentives, infeasibility of rehabilitation or reuse of the property and feasibility of additions. Given the information we have at this time, Staff cannot support the application for demolition.

*In looking at all the information submitted, Staff finds it is clear that there are serious problems with the existing structure. Staff finds that it is clear that most of the rear of the house likely needs to be demolished. Staff finds that anyone entering the house would be in an unsafe condition. With that said, the house is not in danger of collapse on someone passing by on the street. The real danger is in entering the house.*

*The problem is that too much of the existing house has to be replaced with new material. The roof, floor and framing would likely need to be replaced. Portions of the foundation might require replacement. As previously mentioned, the rear of the house would likely need to be demolished. It*

*appears that the front wall and possibly the side walls could be retained. Staff finds that in the end the house would mostly be new and there would be very little historic fabric left. Further, Staff finds the cost and time associated with both a renovation project and a partial demolition/addition project would cause a financial loss to the Applicant. As the renovation and addition alternative will not preserve historic fabric and the result will essentially be a mostly new house, Staff finds that a demolition is appropriate in this case.*

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

- a) The Applicant has not proven a threat to public health and safety, per Section 16-20.008;
- b) A renovation and addition alternative would not preserve a significant amount of historic fabric;
- c) The renovation and addition alternative would result in a mostly new house;

Staff recommends approval of the application for a Type IV Certificate of Appropriateness (CA4H-13-069) for demolition of an existing single family residence due to a threat to health and safety at **696 Oakland Avenue** – Property is zoned R-5/Grant Park Historic District (Subarea 1).



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## STAFF REPORT

April 24, 2013

**Agenda Item:** Review and Comment (RC-13-078) on a variance application (V-13-047) for active recreation adjacent to a public street for a pool at **631 Grant Street**- Property is zoned R-5/ Grant Park Historic District (Subarea 1).

Applicant: Julie and Melissa Varnadoe  
631 Grant Street

**Facts:** According to the Grant Park Inventory, this is a vacant lot. In 2012, the Commission reviewed and approved Applications for Type III Certificates of Appropriateness (CA3-12-165) for a variance to allow off street parking in the front yard off of Kent Street where it is otherwise prohibited, to allow a deck facing Kent Street where it is otherwise prohibited, to allow a two-car garage facing Kent Street where otherwise prohibited, to allow a 6' high wall on Kent Street where otherwise a 4' high fence is permitted, to allow a driveway that is not connected to a public street and an increase in the front yard setback on Kent Street from 23.4' (required) to 153.3' (proposed); and (CA3-12-156) for a new single family residence.

**Analysis:** The following code sections apply to this application:  
Per Section 6-4043 of the Atlanta City Code:

- (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 Applicant is requesting a variance to allow an active recreation adjacent to a public street in order to install a pool. While the Applicant has described the property, the Applicant has not provided any information in regards to the variance criteria. Staff suggests the Applicant provide information regarding each variance criteria. The lot in question fronts on both Grant Street and Kent Street. As such, anywhere the pool is located would require a variance for an active recreation adjacent to a public street. Staff finds the location of the pool and the distance from Kent Street is appropriate. As pools are allowed in the district, Staff does not have concerns regarding the proposed variance.

Staff recommends that a letter with the comments of the Staff and Commission be sent to the Applicant and appropriate City agencies.



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## STAFF REPORT May 8, 2013

**Agenda Item:** Application for a Type III Certificate of Appropriateness (CA3-13-093) for a new accessory structure at **2867 Burden Street**- Property is R-4A/Whittier Mill Historic District.

**Applicant:** Leslie Simpson  
2867 Burden Street

**Facts:** According to the Whittier Mill Inventory this house was built in 1927 and is considered contributing.

The pergola is located in the side yard of the property.

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

### **Sec. 16-20J.005. General regulations.**

The following regulations shall apply to all properties within the Whittier Mill 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. 16-20J.006. - Specific regulations—Residential Subarea I.**

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

- (1) Certificates of Appropriateness: Certificates of appropriateness within this subarea shall be required as follows:
  - a. When required:
    1. To change the exterior appearance of the following elements of a structure within the subarea, when said changes can be seen from the public right-of-way: foundations, siding, chimneys and roofs;
    2. To change the exterior appearance of the following elements of the front facade of a structure: windows, doors, architectural details and porches. For the purpose of this chapter, front facade means the elevation of the building which faces the front yard as defined in code of ordinances section 16-28.007(3) and (4).
    3. To erect a new structure;

- b. Type required:
  - 1. Type I certificates of appropriateness for ordinary repairs and maintenance are not required in this subarea. This exemption in no way obviates the requirements for certificates of appropriateness for all minor alterations (Type II), major alterations (Type III) and demolitions (Type IV, except partial demolitions).
- (2) Architectural Standards:
  - a. Building facades:
    - 1. There shall be two (2) side yards, one (1) on each side of the principal building, each having a width of not less than the width of the side yards for the block as established by the compatibility rule.
    - 2. There shall be a rear yard of not less than 10 feet.
    - 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/argeboards are left in place or replaced with new material to match the original.
    - 5. No new construction of additions shall exceed the height of the existing structure on the site or, for new construction, that of the tallest structure of like use on the block.
  - b. Foundations:
    - 1. Foundations shall be of brick, painted concrete block or stuccoed.
    - 2. Foundations shall be of masonry pier or continuous wall construction closed with solid or screen infill wall.
    - 3. Lattice, painted concrete block, brick or stucco shall be used as infill between foundation masonry piers when infill is otherwise required.
    - 4. Slab on grade is not permitted.
  - h. Accessory structures: Accessory structures, such as carriage houses, smoke houses, tool sheds, greenhouses, tenant and alley houses, air conditioners and heating units, shall be located to the side or rear of the main structure within the buildable area of the lot and shall not project beyond the front of the main structure. In addition, said structures shall be located in the least visible location within permissible areas. Screening with appropriate plant or fence materials is required if said structure is visible from the public right-of-way.

### **Setback Analysis**

The Applicant notes in their submission that the proposed pergola is “inside the setbacks”. In looking at the regulations, accessory structures are allowed in the buildable area of the lot as established by the compatibility rule for the side yard setbacks. The requirement for the rear yard setback is set at 10’. In general, the compatibility rule is based on comparing contributing structures of like use. In this case, there are no contributing accessory structures in the district; all accessory structures are non-contributing. As there are no contributing structures of like use, the Staff finds that all accessory structures of like use should be used.

In looking at the application materials submitted for this particular review, the Applicant did not provide calculations for the side yard setbacks of any accessory structures. Staff recommends the Applicant provide side yard setback distances for each accessory structure being used as a point of comparison to confirm the 5 ft. side yard setback noted on the site plan.

### **Heights Analysis**

The height of accessory structures is limited to the height of tallest contributing structure of like use on the block. In this case, there are no contributing accessory structures in the district; all accessory structures are non-contributing. As there are no contributing structures of like use, the Staff finds that all accessory structures of like use should be used in the comparison.

The pergola is 8 ft. 10 in. tall. The Applicant has not provided the height of any of the accessory structures used as points on comparison. The Staff recommends the Applicant provide the heights of all accessory structures that are used as a point of comparison.

### **“Least Visible Location” Analysis**

Apart from the Staff’s concerns about the lack of set back and height information contained in this particular application, the Staff most significant concern is the location of the pergola and its visibility from the public street. While vines are proposed to grow on the pergola, the Staff finds that the pergola itself will still be highly visible from Burden Street given its proposed location. The “natural area” shown in the front, left hand corner of the property will only shield the view of the pergola from one section of Burden Street.

The site plan appears to indicate some trees in the back, left hand corner of the lot, but their size and root zones are not indicated. It would appear then that the pergola could be moved farther into the back, left hand corner of the property. It would also appear that a more substantial landscape buffer could be established in front of the pergola decreasing (along with a location deeper in the lot) the visibility of the pergola from Burden Street. The Staff would note that a pergola, which only has four ground-disturbing points, could have a less substantial effect on tree root zones than a building as an accessory structure.

The Staff would recommend that the Applicant provide more information about the size and root zones of the trees shown on the site plan. The Staff would also recommend that based on the additional tree information, the pergola be moved as far to the rear of the lot as possible without damaging the root zones of the trees noted on the site plan. The Staff would lastly recommend that a much more substantial landscape buffer be installed between the pergola and the public street so as to substantially screen the pergola from the public street.

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

- (a) The plans meet the regulations, with the exception of the comments above, per Section 16-20J.005 and 16-20J.006.

Staff recommends deferral of the Application for a Type III Certificate of Appropriateness (CA3-13-093) for a new accessory structure at **2867 Burden Street**- Property is R-4A/Whittier Mill Historic District to allow the Applicant time to address the following concerns of Staff:

1. The Applicant shall provide side yard setback distances for each accessory structure being used as a point of comparison to confirm the 5 ft. side yard setback noted on the site plan, per Section 16-20J.005(1) and .006(2)(h);
2. The Applicant shall provide the heights of all accessory structures that are used as a point of comparison, per Section 16-20J.006(2)(a)(5);
3. The Applicant shall provide more information about the size and root zones of the trees shown on the site plan, per Section 16-20J.006(2)(h);
4. Based on the additional tree information, the pergola shall be moved as far to the rear of the lot as possible without damaging the root zones of the trees noted on the site plan per Section 16-20J.006(2)(h);
5. A much more substantial landscape buffer shall be installed between the pergola and the public street so as to substantially screen the pergola from the public street, per Section 16-20J.006(2)(h); and
6. The additional materials and/or revised design documents shall be provided to the Staff (along with the required number and type of copies) at least eight (8) days prior to the Commission meeting to which this application is deferred.



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JAMES SHELBY  
Commissioner

CHARLETTA WILSON JACKS  
Director, Office of Planning

### STAFF REPORT

May 8, 2013

**Agenda Item:** Applications for Type III Certificates of Appropriateness (CA3-13-094) for a variance for front steps that are not parallel to the street, an enclosed storage compartment under the front porch, and skylights visible from a public street at **833 Virgil Street** – Property is zoned R-5/Inman Park Historic District (Subarea 1).

**Applicant:** Janet Best  
833 Virgil Street

**Facts:** According to the District inventory sheet, the house was built in 1925 and is considered contributing to the District. The one-story, hipped-roof bungalow sits on a rectangular lot. The lot slopes rises from front to back. There is a small retaining wall next to the sidewalk. The front porch is accessed by a set of site stairs up from the sidewalk through the retaining wall.

In March of this year, the Commission reviewed and approved with conditions an application (CA3-13-042) for renovations and an addition to the subject property. Three of the several conditions included as part of that approval called for:

- *The proposed design shall include front stairs that are parallel to the street or the proposed front porch stair design shall be removed from the proposed design and the Applicant shall apply for a variance for the desired front stair design, per Section 16-20L.006(1)(e) and (i);*
- *The foundation access door under the front porch landing shall be removed from the proposed design, per Section 16-20L.005(1)(b)(ix) and Section 16-20L.006(1)(q)(viii);*
- *The Applicant shall document the visibility from the public street of the skylight locations and the rationale for their installation, per Section 16-20L.006(1)(q)(x);*

The application before the Commission at this time seeks to retain the front stair design as originally proposed (i.e. stair treads not parallel to the street), retain the front porch storage design as originally proposed (i.e. under the front porch stairs), and include all of the skylights as originally proposed (i.e. right side of roof plane). The retention of all of the design features requires a variance from the District regulations.

**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.
  - ii. The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.
  - iii. Each property shall be recognized as a physical record of its time, place, and use. Changes shall not be undertaken that create a false sense of historical development, such as adding conjectural features or elements from other historic properties.
  - iv. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
  - v. Distinctive materials, features, finishes, and construction techniques, or examples of craftsmanship that characterize a property, shall be preserved.
  - vi. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and, where possible, materials.
  - vii. Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
  - viii. Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
  - ix. New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
  - x. New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
- d. Compatibility rule:
  - i. 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.
  - ii. To further that intent and simultaneously permit flexibility in design, the regulations provide a compatibility rule which is as follows:
    - (a) 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.
    - (b) 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.



- f. Building height shall be measured on the front elevation from the average point of grade on the front elevation to the highest point of the roof or façade, whichever is higher.
- 2. Certificates of appropriateness.
  - a. Notwithstanding any other provision herein, no certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
  - d. Type III certificates of appropriateness shall be reviewed by the commission and shall be required for:
    - ii. Additions that are visible from a public street or park, unless such additions are specifically exempted from a certificate of appropriateness in the subarea regulations.
  - e. Type IV certificates of appropriateness shall be required for demolition or moving of any contributing principal structure. A partial demolition of a contributing principal structure shall require a Type IV certificate of appropriateness only when said partial demolition will result in the loss of significant architectural features that destroys the structure's historic interpretability or importance.

Sec. 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.
  - d. A paved walkway from the front sidewalk to the front entry of the principal structure shall be provided.
  - e. All front façades, 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, except as noted below. In no case shall the height of a structure exceed 35 feet. (See section 16-28.022 for excluded portions of structure.)
    - i. The height of additions shall not be subject to the compatibility rule, but shall be no higher than the existing structure.
    - ii. Notwithstanding the compatibility rule, any new roof ridge line shall be no higher than the highest roof ridge line of the existing structure.
  - 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 eight 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 ten feet into the required front yard. All front porch steps shall have closed risers and ends.
  - m. The compatibility rule shall apply to the height of 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 four 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.
  - 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.
  - x. Skylights are permitted where not visible from a public street or park wherever possible. Protruding bubble skylights are prohibited.
- 2. *Setback requirements:*
  - b. *New additions to existing structures:* The following setback requirements and maximum floor area ratio shall apply to all permitted uses of new additions to existing structures: Rear setbacks shall be subject to the compatibility rule. The compatibility rule shall not apply to the front and side setbacks of any addition to an existing structure, however the front and side yard setbacks of the addition shall not be less than the respective setback, at its closest point, of the existing structure.
- 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.
    - v. Floor area ratio shall not exceed 0.50.

Per Section 16-26.003:

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

As noted above, the Applicant has applied for a three variance requests. Each of the three variance requests will be addressed separately by the Staff. The Applicant's variance argument was included in their application.

#### Analysis of Front Porch Stair Variance

The Staff concurs with the Applicant's variance analysis. The location of the current stair run immediately adjacent to the front porch is a function of closeness of the front porch to the public sidewalk. As can be seen in the photographs provided with the application, the existing front porch stairs have irregularly-sized risers and treads which likely do not meet the building code and appear too steep to meet the building code. If the existing stairs are replaced with a building code compliant stair, there is not enough horizontal distance to get from the front porch level to the side walk level in one run of stairs.

The Staff would recommend approval of this variance request.

### Analysis of Variance for Enclosed Storage Compartment under the Front Porch

The Staff found only two contributing houses on the block face have actual driveways, with many not even having enough room for a driveway even if one was desired. There are some contributing houses on opposite block face with driveways as well. Given this condition, the Staff would acknowledge that there are fewer options for the storage of the garbage cans when they are not located at the curb / sidewalk. It would appear from the District inventory photographs that most garbage cans are either pulled along the side of the house in the side yard or on a side walkway or left somewhere at the front of the house.

As noted in the Staff Report for CA3-13-042:

*“While the Staff acknowledges that foundation access doors are almost universal in the District, it is not aware of a large number of such doors on the front façade. Further, when such doors do exist, they are smaller than the one proposed in the submission. These two characteristics, along with the accompanying cut in the retaining wall and walkway to the door directly from the sidewalk, would make a normally unnoticed, utilitarian, and little-used architectural element a very obvious and prominent architectural element.”*

The Staff does understand the aesthetic and logistical considerations about the garbage cans remaining at the front of the house all the time noted in the current application. However, it would appear that there are several reasonable options to avoid the concerns noted by the Applicant and at the same time meet the District regulations. For example, the garbage cans could be pulled up the lower run of stairs to behind the proposed landing and then behind a 4 ft. high fence / gate.

The Staff still finds that the proposed design solution does not meet the District regulations. Further, there appear to be other reasonable options potentially available to address the problem and the lack of enclosed storage under the front porch stairs would not create a hardship under the terms of the Zoning Ordinance. As such, the Staff further finds that this request does not meet all of the variance criteria.

The Staff would recommend that the foundation access door under the front porch landing shall be removed from the proposed design and an alternative, District compliant solution be included in the design for storage.

### Analysis for Skylight Variance

The Applicant has provided additional photographic analysis about the visibility of the skylights which are located in the middle of the right side roof plane. The subject property is located above the sidewalk and street elevation which would reduce the view of the skylights regardless of the vegetation between the subject property and the adjacent house to the right. The photographs appear to show that the rear most skylight (over the bathroom) would be difficult to see. In addition, the Staff finds that having natural light into a bathroom is a reasonable design consideration. The Staff would further find that not having natural light into a bathroom (i.e. not having the skylight) would be a hardship.

The Staff is more concerned about the skylight proposed above the kitchen which is the most forward of the two proposed in the design and thus more visible. The Applicant notes a lack of privacy in their kitchen to due to the alignment of the only window in the kitchen with the

neighbor's window. This causes them to cover their kitchen window, reducing the natural light into the kitchen. Given that there is the possibility of natural light into the kitchen (unlike the bathroom situation); the Staff finds that the lack of the skylight in the kitchen, even if its visibility will be limited, would not create a hardship under the terms of the Zoning Ordinance.

The Staff would recommend that the kitchen skylight be removed from the proposed design.

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

(a) Some of the variance requests meet the standards for issuing a variance, per Section 16-26.003(1).

Staff recommends approval of an Applications for Type III Certificates of Appropriateness (CA3-13-094) for a variance for front steps that are not parallel to the street, an enclosed storage compartment under the front porch, and skylights visible from a public street at **833 Virgil Street** – Property is zoned R-5/Inman Park Historic District (Subarea 1), with the following conditions:

1. The foundation access door under the front porch landing shall be removed from the proposed design and an alternative, District compliant solution shall be included in the design for storage, per Section 16-20L.005(1)(b)(ix), Section 16-20L.006(1)(q)(viii), and Section 16-26.003(1);
2. The kitchen skylight shall be removed from the proposed design, per Section 16-20L.006(1)(q)(x) and Section 16-26.003(1);
3. All conditions included in the Commission's approval of CA3-13-042 not modified by the variance requests shall be met in the final design proposal, per CA3-13-042; and
4. The Staff shall review, and if appropriate approve, the final elevations, plans, and documentation for compliance with applications CA3-13-042 and CA3-13-094.



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Commissioner

**CHARLETTA WILSON JACKS**  
Director, Office of Planning

## STAFF REPORT

May 8, 2013

**Agenda Item:** Review and Comment (RC-13-095) for the demolition of a house at 94 Flat Shoals Avenue (Lang-Carson Park) – Property is zoned R-5 / Beltline.

**Applicant:** Marie Mack / Mack's Hauling, Inc.  
890 Warner Street

**Facts:** In 2011, the Commission reviewed and commented on the proposed Master Plan for Lang-Carson Park, which was developed as part of the Beltline's Subarea 4 master planning process. The Review and Comment before the Commission as this time is the demolition of a single family house immediately adjacent to the existing park that has been acquired as part of the park's expansion.

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

Per Section 6-4043 of the Atlanta City Code:

- (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 structure 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.

One of the key underlying actions to the final master plan design reviewed in 2011 was the demolition of the house at 94 Flat Shoals Avenue. The Staff still has the same concerns now as it did in 2011. The one-story house is considered a contributing resource to the Reynoldstown National Register of Historic Places Historic District. It also does not appear to be in deteriorated condition.

While the Staff appreciates the proposed design benefits outlined in the 2011 Master Plan regarding removal of the house, the Staff must note that the demolition of this house would permanently remove historic fabric from the National Register Historic District. The Staff would strongly recommend that alternatives to the demolition of the house be considered, such as moving the house to a vacant lot within the National Register Historic District. Whether the house is demolished or moved to another location within the National Register Historic District, the Staff would recommend that the house and its context are photographically and archivally recorded.

**Staff Recommendation:** Staff recommends that the Commission deliver its comments regarding Review and Comment (RC-13-095) for the demolition of a house at 94 Flat Shoals Avenue (Lang-Carson Park) to the Applicant at the Commission meeting.



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## STAFF REPORT

May 8, 2013

**Agenda Item:** Application for Type II Certificate of Appropriateness (CA2-13-096) for renovations and site work at **1221 Fairview Road**– Property is zoned Druid Hills Historic District.

**Applicant:** William Carney  
1221 Fairview Road

**Facts:** According to the architectural survey in 2002, this dwelling built in 1922 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.)

**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

The Applicant is proposing to remove an existing concrete driveway and replace it with a new concrete driveway on the same footprint. In looking at pictures submitted by the Applicant, the existing driveway has severe deterioration and damage at several places in the driveway. Staff finds that spot repair of the driveway would not be feasible and in the end would lead to a mostly new driveway. Staff finds that replacement of the driveway in-kind is warranted and appropriate. Staff has no concerns regarding the proposed project.

**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 II Certificate of (CA2-13-096) for renovations and site work at **1221 Fairview Road**– Property is zoned Druid Hills Historic District.



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## STAFF REPORT May 8, 2013

**Agenda Item:** Application for Type II Certificates of Appropriateness (CA2-13-098) for renovations at **951 Cherokee Avenue**— Property is zoned R-5/Grant Park Historic District.

**Applicant:** Drew Kinney  
533-3 Amsterdam Avenue

**Facts:** According to the Grant Park Inventory sheet this existing dwelling built in 1942 is considered contributing.

**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.

- (2) Certificates of Appropriateness.
- (B) Type III Certificates of Appropriateness shall be required for:
  - 1. All new principal structures;

Per Section 16-20K.007:

- (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.
    - 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 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.).

4. All front facades 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.

14. Fences and walls, adjacent to a public street upon completion, shall be subject to the provisions of section 16-28.005(5) and the following limitations:

- a. Fences not exceeding four (4) feet in height may be erected in a front yard. Fences not exceeding six (6) feet in height may be erected in a half-depth front yard. Other than retaining walls, walls shall not be erected in a front yard or half-depth front yard.
- b. Fences and walls not exceeding six (6) feet in height may be erected in the side or rear yards.
- c. In a half-depth front yard, when a fence exceeds four (4) feet in height, the standard zoning requirements for a variance are in effect. Where no sidewalk exists, the fence shall be set back three (3) feet from a public street. Portions of retaining walls facing a public street and located in a required front yard or half-depth front yard shall be faced with brick, stone or masonry wall covered with a parge coat of stucco, such as Portland stucco cement.
- d. The finish side or front side of one-sided fences shall face the public street.

(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.

In the Grant Park Historic District, only changes that face a public street are reviewed by the Commission. As this is an interior lot, Staff will only make comments regarding the Cherokee Avenue elevation and the site.

### **Existing Conditions**

In comparing the existing conditions to the original survey pictures, there have been several changes made to the existing house. Specifically, the metal awnings have been removed, the porch columns and roof have been altered, the siding, shutters, front door and fence have been replaced, a stone entryway has been added and it appears the stairs and cheek walls may have been altered. In looking a permit records, there was a general repair issued in 2004 for a bathroom repair. Staff finds the various alterations to the house were not approved by the Commission and not properly permitted.

In looking at the previous alterations, Staff does not have a concern with the removal of the metal awnings as this was not an original feature of the house. In looking at a picture of the siding at the

time, it appears to be asbestos siding. Staff has no concerns regarding the replacements of asbestos siding. In looking at other similar houses, Staff finds there are stone entryways, although less common in Grant Park. Staff finds the stone entryway meets the regulations. Staff has no concerns regarding the material or design of the existing wood picket fence. Staff recommends the fence meet the height requirement and be properly indicated on the site plans.

Staff has concerns regarding the alterations to the porch as it appears the original columns were removed and the porch appears slightly smaller. It is also not clear if the stairs and cheeks walls were replaced, or if the paint on the stairs and walls were removed. Staff recommends the Applicant provide information regarding the current alterations to the house.

### **Site**

According to the site plan submitted by the Applicant, this lot fronts 49.91' on Cherokee Avenue and has a depth of 189.26' on its longest side. In looking at the City of Atlanta cadastral map, Staff finds the dimensions do not match. Staff suggests the Applicant contact the Office of Planning subdivision staff to resolve the discrepancy. Per underlying zoning, the maximum FAR (floor area ratio) allowed is .50 of the net lot area. The FAR is indicated as .16 and therefore meets the regulations. Per underlying zoning, the maximum lot coverage allowed is 55%. The lot coverage is indicated as 36.8% and therefore meets the regulations.

The Applicant is proposing a new rear addition. Per regulations, the side yard setback shall be 7' or no closer than the existing contributing house. Staff finds the side yard setback requirement has been met. Per regulations, the rear yard setback shall be no less than 7'. Staff finds the rear yard setback requirement has been met.

### **Proposed Alterations**

The Applicant is proposing to extend the roof over the stairs and add a wrought iron guardrail and hand rail. In looking at other similar houses in the district, Staff finds that having an extended roof and rails to create a stoop area is not unusual. Staff finds the material and simple design is consistent and compatible with the existing house. Staff does not have a concern regarding the proposed roof extension, guardrail and handrail.

The Applicant is proposing to replace the existing siding. The existing vinyl siding is not original or historic. As such, Staff has no concerns regarding the removal of the existing siding. The Applicant is proposing to install cementitious siding. While Staff finds the material meets the regulations, Staff recommends the plans indicate smooth cementitious siding.

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

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

Staff recommends approval of the application for a Type II Certificate of (CA2-13-098) for renovations at **951 Cherokee Avenue**– Property is zoned R-5/Grant Park Historic District, with the following conditions:

1. Staff recommends the fence meet the height requirement and be properly indicated on the site plan, per Section 16-20K.007(2)(B)(14);
2. The Applicant shall provide information regarding the current alterations to the house, per Section 16-20K.007(2)(D);
3. The plans shall indicate smooth cementitious siding, per Section 16-20K.007(2)(D); and
4. Staff shall review and if appropriate, approve the final plans.



# CITY OF ATLANTA

**M. KASIM REED**  
MAYOR

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**JAMES SHELBY**  
Commissioner

**CHARLETTA WILSON JACKS**  
Director, Office of Planning

## STAFF REPORT May 8, 2013

**Agenda Item:** Review and Comment (RC-13-102) for renovations at **52 Wakefield Drive**- Property is zoned R-4/Brookwood Hills Conservation District.

**Applicant:** Michele Garren  
52 Wakefield Drive

**Facts:** According to the Brookwood Hills Inventory, this contributing house was constructed in 1920 with alterations in 1940, 1966, 1975 and 1988.

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

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

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

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

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

The Applicant is proposing to extend the existing front gable, enlarge the existing stoop, install columns and install a new stone walkway. In looking at pictures of the existing house, Staff finds the front entryway is typical of Tudor style houses in the district. In looking at the Tudor style in general, Staff finds there are varying roof depths over the stoop area. As such, Staff finds that extending the roof over the stoop is in keeping with the Tudor style. Staff initially had concerns regarding the proposed columns, as most entry ways for this style are often enclosed. In doing further research, Staff did find examples of covered front stoops with columns.

In regards to enlarging the stoop, Staff does not have a concern with enlarging the stoop, however Staff finds the proposed stone material may not be compatible with the existing house. In looking at pictures, the majority of the house is brick. The only stone appears to be around the door. Staff suggests the Applicant provide information regarding how the stone on the stoop and walkway will look. While many Tudor style houses use many different materials, including stone, this house has very little stone. Staff suggests the stoop and walkway material be consistent and compatible with the existing house.

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



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Commissioner

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Director, Office of Planning

## STAFF REPORT May 8, 2013

**Agenda Item:** Application for Type III Certificate of Appropriateness (CA3-13-0104) for a new single family house at **1160 Oak Street**-Property is zoned R-4A/West End Historic District.

**Applicant:** James Higgs  
P.O. Box 242, Conley

**Facts:** According to the West End Historic district inventory this is a vacant lot.

**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.

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

(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:*

- (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.

(4) *Storm Doors, Storm Windows, Shutters and Awnings:*

- (a) Shutters shall not be added to the building if they were not a part of the original building.
- (b) Shutters shall be operable or appear operable, and shall fit the size of the window.
- (c) Replacement shutters shall match the original shutters in design, materials and configuration.

(d) Storm doors, screen doors or storm windows shall be of compatible design and shall not cover, obscure or dominate significant architectural details.

(e) Fabric and metal awnings are permitted. All other types of canopies and awnings are prohibited.

(5) *Foundations:*

(a) Foundation materials, including infill materials, shall replicate the original materials in size, shape, color, texture and mortar, and shall be installed using construction techniques similar to the original.

(b) New foundations shall be of masonry or concrete construction. Other foundation materials are permitted provided they are appropriate to the building on which they are located and in scale, materials and style with adjacent and surrounding buildings.

(c) Slab on grade is not permitted.

(d) Lattice, painted concrete block, brick or stucco shall be used as infill between foundation masonry piers when infill is otherwise required.

(6) *Chimneys:*

(a) Chimneys shall match original materials, mortar, color and pattern whenever possible.

(b) New chimneys shall be faced with brick or stucco.

(c) Siding on chimneys is prohibited.

(d) When any portion of a chimney is visible from a public street as a façade element, the chimney shall originate at grade.

(7) *Roofs:*

(a) Replacement roofing materials shall be of the same size, texture and material as existing, exposed roofing materials when the existing, exposed roofing materials constitute a significant architectural feature of the structure.

(b) Cold-rolled roofing is permitted only on flat roofs. Corrugated metal and corrugated fiberglass roofs are not permitted.

(c) The use of synthetic roofing materials is permitted if not visibly distinguishable from the original as viewed from the public street.

(d) The shape and pitch of roofs for new construction shall be subject to the compatibility rule.

(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.

## **Site**

The subject block face contains contributing houses at 1154, 1156, 1178 and 1185 Oak Street. The rest of the block face is vacant. The lot in question fronts 52.5' on Oak Street and has a depth of 150'. Per regulations, the allowed front yard setback is based on the compatibility rule. According to the Applicant, the contributing houses on the block face have front yard setbacks that range from 22' to 37'. The proposed front yard setback is 29' and therefore meets the requirement. The Applicant did not provide information on how the front yard setbacks were calculated. Specifically, how were the measurements gathered and is the measurement to the porch foundation wall or the façade wall. Staff recommends the Applicant provide information regarding how the front yard setback was measured.

Per underlying zoning, the side yard shall be no less than 7' and the rear yard shall be no less than 15'. Staff finds the proposed side and rear yard setbacks meet the setback requirement. Per underlying zoning, the maximum floor area ratio (FAR) allowed is .50. In looking at the plans, the total heated space is 2113 sq. ft. As the square footage of the lot is 7875 sq. ft., Staff finds the proposed FAR meets the requirements. The maximum lot coverage allowed is 55%. The proposed lot coverage is 41% and therefore meets the requirements.

### **Massing Roof Form and Building Height**

The proposed house has a depth of 79' and a width of 32'. While the regulations do not require the depth and width to be based on the compatibility rule, Staff initially had concerns regarding the proposed depth and width. In looking at a GIS map available online, Staff found that the widths of the houses on the block face range from 27' to 36' and depths range from 56' to 74'. As the proposed width is 32', Staff finds the proposed depth is similar to the houses on the block face. The proposed depth is 79' and therefore 5' more than the largest house on the block face. Staff suggests the depth of the house be no more than 74'.

Per regulations, the roof form and pitch are based on the compatibility rule. According to the Applicant, most of the houses have an 8 in 12 roof pitch. The proposed roof pitch is 8 in 12 and therefore meets the requirement. In looking at survey pictures and pictures submitted by the Applicant, there are two predominate roof forms on the block face. One is a hipped roof with a dormer and the other is a hipped roof with a front facing gable. The Applicant is proposing a front facing gable roof. While the proposed roof form exists in the district, it is not present on the block face. Staff finds the proposed roof form does not meet the compatibility rule. Staff recommends the roof form be redesigned to meet the regulations.

Per regulations, the house height is based on the compatibility rule. According to the Applicant, the height of the contributing houses on the block face range from 20' to 26'. The proposed height is less than 24' and therefore meets the requirements. The Applicant did not provide information regarding how the height was measured. Per regulations, house height shall be measured on the front façade. Staff recommends the Applicant provide information regarding how the house height was measured. Per regulations, the height of the first floor is based on the compatibility rule. The Applicant did not provide information regarding the first floor heights on the block face. Staff recommends the Applicant provide documentation the proposed first floor height meets the regulations.

### **Building Facades**

The Commission reviews the façades visible from a public street. As this is an interior lot, Staff will only make comments on the front and side façades.

### ***Windows and Doors***

A single front door is parallel and facing the street frontage, as required by the regulations. The front door has a transom, half glass in its upper portion and wood panel in its lower portion. Staff finds the proposed front door is appropriate.

The windows found on the block's contributing buildings have sashes vertical in proportion, are 1 over 1, double hung and take up an equal portions of wall space. The proposed windows have appropriate headers, sills, space between units and trim. The majority of the façades have an appropriate amount of windows. Staff recommends the addition of one window towards the front of the right elevation to eliminate the appearance of a blank wall.



### *Building Materials*

The following main building materials will be used on the exterior of the new residence: asphalt roofing shingles, smooth cementitious siding with a 4" reveal, and a painted CMU and brick foundation, wood windows and a siding covered chimney. Staff finds most of the materials meet the regulations.

While Staff finds that both brick and painted CMU are allowable materials for the foundation, Staff finds the foundation should be one material. Staff recommends the plans indicate one foundation material that meets the regulations. Per regulations, siding is not allowed on chimneys. Staff recommends the plans indicate a chimney that is faced with brick or stucco. It appears the proposed chimney does not originate at grade. Staff recommends the chimney originate at grade.

### *Porches*

The proposed full width porch has a depth of 8'. Staff finds the overall configuration and depth of the proposed porch is appropriate. Staff finds the overall design and porch elements, including the railing, columns, frieze, architrave and stairs are appropriate. Given Staff's concerns regarding the roof, Staff finds some elements of the porch may need revision. Staff would note that the houses on the block face have porch roofs that are attached and porches that are under the main roof. Staff recommends the porch roof design is consistent and compatible with other similar houses on the block face.

**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 of Appropriateness (CA3-13-0104) for a new single family house at **1160 Oak Street**-Property is zoned R-4A/West End Historic District, with the following conditions:

1. The Applicant shall provide information regarding how the front yard setback was measured, per Section 16-20G.006(2)(b);
2. The roof form shall be redesigned to meet the regulations, per 16-20G.006(1) and (7)(d);
3. The Applicant shall provide information regarding how the house height was measured, per Section 16-20G.006(2)(g);
4. The Applicant shall provide documentation the proposed first floor height meets the regulations, per Section 16-20G.006(2)(f);
5. The plans shall indicate one foundation material that meets the regulations, per Section 16-20G.006(1);
6. The plans shall indicate a chimney that is faced with brick or stucco, per Section 16-20G.006(6)(b) and (c);
7. The chimney shall originate at grade, per Section 16-20G.006(6)(d);
8. The porch roof design shall be consistent and compatible with other similar houses on the block face, per Section 16-20G.006(9)(d); and
9. Staff shall review and if appropriate, approve the final plans.



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**CHARLETTA WILSON JACKS**  
Director, Office of Planning

## STAFF REPORT May 8, 2013

**Agenda Item:** Review and Comment (RC-13-105) for renovations at **27 Wakefield Drive**- Property is zoned R-4/Brookwood Hills Conservation District.

**Applicant:** Jason Cole  
27 Wakefield Drive

**Facts:** According to the Brookwood Hills Inventory, house was constructed in 1973 and is considered non-contributing.

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

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

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

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

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

In general, Staff finds the overall design, material and layout of the existing house is not typical of the district. In looking at examples of shingle style houses outside of the district, Staff found examples of some of the design elements, roof forms and shapes of the existing house.

The Applicant is proposing to alter the front façade by installing a new front facing gable entryway and a new front bridge with stone supports to replace existing conditions. As this is non-contributing house, Staff has no concerns regarding the replacement of the front bridge or the installation of the front gable entryway. In looking at the bridge railing, the pickets are nailed to the exterior like a deck railing, Staff suggests the bridge railing have a two part top and bottom rail with pickets that butt joint the top and bottom rail.

The Applicant is proposing to change the look of the house by replacing the existing vertical siding with shingles and changing the front entryway material to stone. Staff has no general concerns about removal of the existing façade material as it is not historic and not compatible with other houses in the district. In looking at examples of the shingle style, Staff found that it is not unusual to have shingle style houses that use the shingle material in conjunction with stone elements. As such, Staff has no concerns regarding the addition of shingles and stone on the existing house.

The Applicant is proposing to remove the existing rear deck and build a new one on the same footprint. Staff has no concerns regarding the removal of historic fabric. Staff finds the overall materials and design of the proposed rear deck area are appropriate.

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



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Director, Office of Planning

## STAFF REPORT

May 8, 2013

Review and Comment (RC-13-107) on the Master Plan for Rev. James Orange Park and implementation of Phase 1 of the Master Plan at **1305 Oakland Drive (Rev. James Orange Park)** - Property is zoned R-5.

Applicant: Patricia Katz  
233 Peachtree Street NE

**Facts:** The existing park has frontage on Oakland Drive and Epworth Street in the Oakland City neighborhood. The park is not located within the locally designated Oakland City Historic District.

**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.

## **General Master Plan Comments**

Staff finds that Rev. James Orange Park should be assessed and planned as a whole so that the park as a public amenity is sustainable and reflects the changing interests of the constituents. Staff finds it is important to have community input for plans such as these. According to the narrative there was a charette process that engaged the community to come up with the proposed vision plan.

Given that a Parks Master Plan, by its very nature, does not have all of the design details resolved, the Staff does not necessarily know the types or amounts of the various materials proposed for the parks. At the same time, the Staff and Commission have reviewed numerous intersection, sidewalk, and path projects throughout the City. Over time, the Staff has found that the following characteristics have created the best, long-term results. First, the emphasis of the design, funding, and materials should be on any “vertical” components of the proposal (lights, signage, benches, bollards, etc.). The Staff finds these elements create the greatest visual effect and difference in the user’s experience. The “horizontal” elements of the proposal (hardscape, paving, curbing, ramps, etc.) should be simple and relatively common materials that accomplish the long-term goal of the proposal (i.e. increased general access, handicapped access, elimination of difficult grades, etc.).

All of the elements of the proposal and particularly the horizontal materials should be ones that are easily maintained and replaced in the long term. For example, standard poured concrete, red brick, and natural granite in various combinations can create a variety of designs and at the same time are materials that are not hard to find or replace.

## **Signage**

The master plan does not include a section regarding proposed signage. Staff finds that signage is key to orient and direct visitors to their points of interest. Staff suggests the Applicant clarify whether signage will be proposed as part of the master plan. Staff is concerned that enough signage be included to help visitors access all parts of the park. There will also need to be signage that will help explain the different amenities visitors have access to. In general, Staff finds that signage for City parks should be consistent and compatible with other City of Atlanta Parks. The idea is to create a sense of identity for Atlanta City Parks that is consistent in all parts of the City.

## **Maintenance and Vertical Elements**

Given the proposed redevelopment of the park, Staff has concerns regarding how all of the facilities and amenities will be maintained. There does not appear to be a specific plan as to how all the individual elements will be maintained. Staff suggests the master plan include a section on maintenance that goes over all park elements and indicates how and how often different elements will be maintained.

There does not appear to be a specific design or concept regarding benches, lighting, trash receptacles, water fountains, bollards, etc. Staff wants to make sure that the proposed design and materials for the above mentioned items are consistent and compatible with other City of Atlanta parks.

## **Redevelopment Plan**

In looking at a site plan of the existing park, there are two playgrounds, several gazebos, a pavilion, basketball and tennis courts, a baseball field, a pool, a pool house and a recreation center.

The proposed redevelopment of Rev. James Orange Park includes the following:

- Multi-use field
- Rev. James Orange memorial garden

- Pavilions
- Tree grove
- Outdoor pool
- Multi-aged playground
- Splash pad
- Fitness station
- Reconfigured parking
- Outdoor classroom
- Walking and biking trails

In general, Staff finds the proposed redevelopment plan will create more amenities that are perfect for the size of the park. The park will include both passive areas and active areas that will attract different interests, ages and abilities. In looking at the new parking configuration, Staff finds that having two separate parking areas is important as the lots will serve two very different amenities. Staff finds the overall amenities, design and layout of the proposed park redevelopment is highly appropriate. While the redevelopment plan includes the demolition of the pool, pool house and recreation building, those amenities will be replaced. Staff finds that having a park that provides recreation and meeting space for the community is important. Staff will not make specific comment regarding the different aspects of the project as those will require a separate review and comment.

### **Phase I Redevelopment**

As part of Phase I, the Applicant is proposing to demolish the existing pool, bath house, equipment house, associated fences and hardscape. In looking at pictures of the existing conditions, the area appears abandoned and in disrepair. There is no information regarding when the pool and associated buildings were constructed. It is also not clear why the existing pool cannot be repaired and retained. While the date of construction for the existing buildings are not known at this time, Staff finds the buildings are not architecturally significant.

In looking at the proposed vision plan, it appears the new pool will be located north of the existing pool and partially surrounded by the proposed recreation center. In looking at the scope of work, it appears that only the demolition is proposed at this time. Staff suggests the Applicant provide information regarding when the new pool and associated buildings will likely be constructed.

In looking at the proposed site plan, once the pool and associated buildings are demolished, a parking lot, walkways, retaining walls and playground will be installed. It is not clear what kind of playground is proposed. It is not clear whether there will be equipment and what ages would be appropriate for this area. Staff has some concerns about having a playground so close to the parking lot. According to the narrative, concrete walkways, benches and planted areas will act as a buffer between the playground and the parking area. All of the proposed buffers are not indicated on the site plan, therefore it is difficult to tell how effective the buffers will be.

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