



CITY OF ATLANTA

KASIM REED
MAYOR

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

TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT December 9, 2015

Agenda Item: Applications for A Type III Certificates of Appropriateness (CA3-15-453) for a rear addition at **695 Elbert Street** - Property is zoned R4-A/Adair Park Historic District.

Applicant: Tiara Crumby
1004 Glen Ivy, Marietta

Facts: According to the Adair Park Inventory this single family dwelling built in 1914 is considered a contributing structure.

In 2012, the Commission denied an Application for a Type III Certificate of Appropriateness (CA3-12-150) for a variance to enclose a front porch with siding when otherwise not allowed; and approved a Type III Certificate of Appropriateness (CA3-12-112) for additions and other renovations, with the following conditions:

1. The Applicant shall provide pictures and clarifications regarding the condition of the windows proposed for replacement, per Section 16-20.006(4)(b);
2. Any windows that are missing or beyond repair shall match the original windows in size, material, location and design, per Section 16-20.006(4)(b);
3. The porch railing shall have a two-part top and bottom rail that butt joints the top and bottom rail, per Section 16-20.006(4)(g);
4. The Applicant shall design the porch rail to meet the height requirement while minimizing the height of the actual rail, per Section 16-20.006(4)(g);
5. The existing metal stair railing shall be retained, per Section 16-20.006(4)(g);
6. If replacement of the existing metal stair railing is warranted, a new simple metal stair railing shall be installed, per Section 16-20.006(4)(g);
7. The Applicant shall either create a full width porch or submit an appropriate design for an enclosure using glass or screenwire, per Section 16-20.006(4)(g); and
8. Staff shall review and if appropriate, approve the final plans.

Analysis: The following code sections apply to this application:
Per Section 16-20L.005 of the Atlanta Land Development Code, as amended:

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

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

1. *The Compatibility Rule:* The compatibility rule is a method of requiring that alterations and new construction are sensitive and sympathetic to existing elements of design, scale and general character of the district with particular attention to the immediate environment constituting a particular block. In accordance with this purpose, the compatibility rule is as follows: "To the maximum extent possible, the element in question, such as roof form or architectural trim, shall substantially match that which predominates on that block. When elements are quantifiable, such as building height or floor heights, they shall equal the statistical average of all like elements of all structures of like use in that block." Those elements to which the compatibility rule applies are specified in regulations by reference to "compatibility rule."
2. *Variances:* The urban design commission shall have the power to hear, grant and deny variances from the provisions of this chapter when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, criteria, and appeal provisions for decisions regarding such variances shall be the same as those specified in chapter 26 of this part 16, which provisions are hereby incorporated herein.

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

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

1. *Certificates of Appropriateness:* Certificates of appropriateness within this subarea shall be required as follows:
 - (a) *When required:*
 1. To change the exterior appearance of any portion of a structure within the subarea, when said change can be seen from the public right-of-way;
 2. To erect a new structure or to make an addition to any structure within the subarea, when said new structure or addition can be seen from the public right-of-way; and
 3. To demolish or move any contributing structure, in whole or in part, within the subarea.
 - (b) *Type required:*
 1. Type I certificates of appropriateness for ordinary repairs and maintenance are not required in this subarea. This exemption in no way obviates the requirements for certificates of appropriateness for all minor alterations (Type II), major alterations (Type III) and demolitions (Type IV, except partial demolitions).
 2. Except with regard to Type I certificates, the procedures for determining the appropriate type of certificate required under subsection 16-20I.006(1)a. above shall be those specified in section 16-20.008 of the zoning code, provided, however, that a partial demolition shall require a Type IV certificate of appropriateness only when said partial demolition will result in the loss of significant architectural features which destroys the structure's historic interpretability or importance.
2. *Lot Size:* In addition to the requirements of the subdivision and zoning ordinances, the compatibility rule specified in this chapter 20I shall apply to all subdivisions and aggregations of lots with regard to lot size, dimensions and configurations.
3. *Architectural Standards:*
 - (a) *Building facades:*
 1. All new construction shall conform to the existing building orientation (setbacks) by having sidewalks, front yards, porches and front doors facing and parallel to the street, and if located on a corner, the main facade shall face the principal street whenever possible.
 2. At a minimum, the front of all new construction, including any portion thereof, shall be placed at the distances from the street determined by the compatibility rule. This requirement shall also apply to those sides of corner lots which also face a street.
 3. All building materials which upon completion are visible from the public right-of-way, shall be compatible with those which predominate in the subarea.
 4. Siding repair or replacement shall match the original materials in scale and direction. Wood clapboard, if original is preferred; however, aluminum, masonite vinyl or other horizontal siding is permitted if window trim, cornerboards, and fascia/bargeboards are left in place or replaced with new material to match the original.
 5. Contemporary design of new construction, compatible with adjacent and surrounding structures, is permitted.
 6. No structure shall exceed that height established by the compatibility rule, with a permitted differential of ten (10) percent.
 - (b) *Windows and Doors:*
 1. Architecturally significant windows and doors, including details, trimwork, and framing, shall be retained.
 2. Original window and door openings shall not be blocked or enclosed, in whole or in part.

3. Replacement windows and doors shall be permitted only when originals cannot be rehabilitated. Replacement windows and doors shall match the original in style, materials, shape and size with no more than a one-inch width or height difference from the original size.
 4. Dropped ceilings, when located below the head of a window, shall be sufficiently recessed from the window opening to maintain the original exterior appearance.
 5. New doors and windows, when permitted, shall be compatible in scale, size, proportion, placement, and style to existing windows and doors.
 6. The ratio of openings to solid for all new construction (for example, windows to wall) shall be established by the compatibility rule, with a permitted differential of ten (10) percent.
 7. The scale, size, and proportion of all openings in new construction shall be established by the compatibility rule with a permitted differential of ten (10) percent.
 8. New windows or doors added to existing structures shall be located on sides or to the rear of buildings, rather than on the front.
- (c) *Foundations:*
1. Foundation materials, including infill materials, shall replicate the original materials in size, shape, color, texture and mortar, and shall be installed using construction techniques similar to the original.
 2. New foundations shall be of masonry or concrete construction. Other foundation materials are permitted provided they are appropriate to the building on which they are located and in scale, materials, and style with adjacent and surrounding buildings.
 3. Slab on grade is not permitted.
 4. Lattice, painted concrete block, brick or stucco shall be used as infill between foundation masonry piers when infill is otherwise required.
- (f) *Roofs:*
1. Roofing materials shall be of the same size, texture and materials as existing, exposed roofing materials when the existing, exposed roofing materials constitute a significant architectural feature of the structure.
 2. Cold-rolled roofing is permitted only on flat roofs. Corrugated metal and corrugated fiberglass roofs are not permitted.
 3. The shape and pitch of roofs for new construction shall be subject to the compatibility rules.
 4. Decks, skylights, solar panels and communication equipment, when otherwise allowed by these or other regulations are permitted on roofs of buildings provided they cannot be seen from the public right of way.
- (g) *Porches:*
1. Architecturally significant porches, steps and stoops shall be retained.
 2. Replacement porches, steps and stoops shall match the original in size, style and materials.
 3. Porches may be enclosed with screenwire or glass if the main characteristics of a front porch are maintained.
 4. Porches shall contain balustrades, columns and other features consistent with porches in that block.

The Applicant is proposing to create additional living space by demolishing the existing rear porch in order to install a new addition. Staff finds it likely the porch is not original. As such, Staff has no concern regarding the proposed demolition. The Applicant did not submit a proposed site plan, therefore Staff cannot determine whether the proposed addition impacts the setbacks. In looking at the floor plan, it appears the proposed addition will go no further than the existing rear wall. Staff recommends the Applicant submit a properly scaled site plan of the proposed conditions. Staff recommends the proposed addition meet the setback, floor area ratio and lot coverage requirements. As the proposed rear addition will not be visible from the public right-of-way, Staff has no comments regarding the design of the proposed addition.

In comparing the pictures submitted to the existing and proposed elevations, Staff finds there are some discrepancies. In the elevations, there appears to be a chimney that originates at grade on the west side. While there is a chimney shown in the pictures, it does not appear to be in the same location. Staff recommends the Applicant clarify if there is a new chimney proposed or if the elevations are inaccurate. In looking at the pictures submitted, there appears to be work required on the columns, siding and fascia. The elevations do not indicate any work to the front of the house. Staff recommends the Applicant clarify whether any work is proposed on the front façade.

On the west elevation, one full sized window is proposed for removal and a new small window will be installed. In looking at the floor plans, it is not clear why the full sized window requires removal. Staff recommends the full sized window on the west elevation is retained.

There is a door proposed on the rear elevation. While the rear elevation is not within our purview, Staff would note there is no stair, stoop or deck associated with the rear door. Staff finds that adding a stair, stoop or deck could potentially impact the rear yard setback. Staff recommends the Applicant clarify whether there will be a stair, stoop or deck added to the rear elevation.

Staff Recommendation: Based upon the following:

- (a) Except as noted above, the plans meet the regulations per Section 16-20I.005 and 16-20I.006;

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-15-453) for a rear addition at **695 Elbert Street** - Property is zoned R4-A/Adair Park Historic District, with the following conditions:

1. The Applicant shall submit a properly scaled site plan of the proposed conditions;
2. The proposed addition shall meet the setback, floor area ratio and lot coverage requirements, per Section 16-06A.008;
3. The Applicant shall clarify if there is a new chimney proposed or if the elevations are inaccurate;
4. The Applicant shall clarify whether any work is proposed on the front façade;
5. The full sized window on the west elevation shall be retained, per Section 16-20I.006(3)(b);
6. The Applicant shall clarify whether there will be a stair, stoop or deck added to the rear elevation, per 16-06A.008; and
7. Staff shall review and if appropriate approve the final plans.



CITY OF ATLANTA

M. KASIM REED
MAYOR

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

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT December 9, 2015

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-15-455) for alterations, an addition, and site work at **695 Woodward Ave.** Property is zoned R-5/Grant Park Historic District (Subarea 1).

Applicant: Adam Stillman
350 Sinclair Avenue

Facts: According to the Grant Park Inventory sheet this single family house was constructed in 1902 and is considered contributing to the District. The Applicant is proposing an addition to the previously constructed addition on the rear of the principal structure. As the rear of the lot fronts Narrow Street, and thus the proposed addition would affect a façade facing a public street, review by the Commission is appropriate for this project.

Analysis: The following code sections apply to this application:

Sec. 16-07.008. - Minimum yard requirements.

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

- (1) Front yard: There shall be a front yard having a depth of not less than 30 feet.
- (2) Side yard: There shall be two side yards, one on each side of the main building, each having a width of not less than seven feet, except for zero-lot-line development where no side yard is required along the internal lot line.
- (3) Rear yard: There shall be a rear yard of not less than seven feet except for zero-lot-line units where the internal side or rear lot line may be reduced to zero feet.
- (5) Maximum floor area within this district:
 - a. For a single-family detached dwelling on a lot which meets the minimum lot area requirement described in section 16-07.007(2): The maximum floor area ratio shall not exceed 0.50 of the net lot area.
- (6) Maximum lot coverage: Maximum lot coverage within this district shall not exceed 55 percent of the net lot area.

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

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

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

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

(Ord. No. 2000-20, § 3, 4-11-00; Ord. No. 2002-3, § 1, 1-29-02)

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

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

neighborhood and simultaneously encourages creativity. Additionally, these regulations are intended to integrate the physical characteristics of new construction into the existing neighborhood in a meaningful way so as to restore and promote the public health, safety, and welfare of this neighborhood.

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

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

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

and mechanical equipment shall be located to the side and/or rear of the principal structure within the buildable area of the lot and shall not project beyond the front of the principal structure. If mechanical equipment is visible from a public street, screening with appropriate plant or fence materials is required.

14. Fences and walls, adjacent to a public street upon completion, shall be subject to the provisions of section 16-28.005(5) and the following limitations:
 - a. Fences not exceeding four feet in height may be erected in a front yard. Other than retaining walls, walls shall not be erected in a front yard or a half-depth front yard.
 - b. Fences and walls not exceeding six feet in height may be erected in the side or rear yards.
 - c. In a half-depth front yard, when a fence exceeds four feet in height, the standard zoning requirements for a variance are in effect. Where no sidewalk exists, the fence shall be set back three feet from a public street. Portions of retaining walls facing a public street and located in a required front yard or half-depth front yard shall be faced with brick, stone or masonry wall covered with a parge coat of stucco, such as Portland stucco cement.
 - d. The finish side or front side of one-sided fences shall face the public street.
 15. On those façades of any structure that face a public street, the following regulations on building materials shall apply. Alternate materials may be submitted for review by the commission.
 - a. Paving materials for walks and drives: Black asphalt is prohibited.
 - b. Visible foundation materials: Foundations shall constitute a distinct building design element and shall contrast with the front façade siding material. Brick, stone, concrete, stucco, and architectural concrete masonry units (C.M.U.) shall be permitted. Standard, unfinished concrete block and stacked stone is prohibited.
 - c. Siding/veneer: Horizontal lap siding, vinyl siding, aluminum siding, shingles, brick, hard stucco, and stone shall be permitted. Stacked stone is prohibited.
 - d. Roofing: Asphalt shingles, wood shingles, metal shingles, slate, and pre-finished metal panels shall be permitted.
 - e. Chimneys: Brick, stone, or architectural concrete masonry units (C.M.U.) shall be permitted. Siding is prohibited.
 - f. Fences: Brick, stone, wire mesh, architectural C.M.U., or vertical pickets made of ornamental metal, wood or simulated wood shall be permitted in the front yard and half depth front yard.
- (D) Design Criteria for Alterations and Additions to Contributing Structures. Alterations and additions to contributing structures requiring a Certificate of Appropriateness shall comply with one of the following provided that the mere increase in floor area otherwise authorized in the district shall not constitute a standard for review:
1. Alterations and additions shall be consistent with and reinforce the historic architectural character of the entire existing contributing structure and shall comply with the applicable regulations for new construction set forth in subsection 16-20K.007(2)(B) above; or
 2. New additions, exterior alterations, or related new construction will not destroy historic materials that characterize the property. The new work may differentiate from the old. To protect the historic integrity of the property and its environment, any new work will be compatible with the massing, size, scale and architectural features of the property and environment.

Siteplan and Site work

The allowable Floor Area Ratio for properties in the R-5 zoning category is .50 of the net lot area. The subject property has a maximum allowable FAR of 9,249.5 sq. ft. The structure with

the proposed addition would total 2,134 sq. ft. Staff finds that the FAR requirements for this property have been met.

The allowable lot coverage for properties in the R-5 zoning category is .55 of the net lot area. The Subject property has maximum allowable lot coverage of 10174 sq. ft. The structure with the proposed addition and site work would have a total lot coverage of 3744 sq. ft. Staff finds that the lot coverage requirements for this property have been met.

The proposed addition conforms to the side yard setbacks of the existing structure and is setback from Narrow Street 79 feet. There are two different methods for determining the appropriate setback for additions in the front yard. The first method states that the setback conform to the setback of the previously existing contributing building of like use. The second method states that the setback 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. Staff finds that the first method does not apply to this project as it involves an addition to the original structure. The Applicant has not provided information detailing the allowable Narrow Street setback range based on the contributing structures on the block face in question. Staff recommends that the Applicant provide information detailing the allowable Narrow Street setback based on the contributing structures on the block face in question.

The Applicant is proposing a concrete patio off the proposed addition which will contain a 16 inch high CMU seat wall. Staff has no concerns with the placement of these elements, but recommends that a parge coat of stucco be applied to the proposed wall as is appropriate for walls in a front or half-depth front yard.

Addition and Alterations

The District regulations allow two methods for reviewing alterations and additions to contributing structures. The first method states that the alteration or addition be consistent with and re-enforce the historic character of the entire existing contributing structure and apply to the applicable regulations for new construction. The second method states that the alteration or addition shall not destroy historic materials that characterize the property, and that while the new work can differentiate from the old, the new work must be compatible with the massing, size, scale, and architectural features of both the property and the properties environment. The Proposed addition is to the rear of a previously constructed non-historic addition. As such, Staff finds that the appropriate method to review this project is the second method offered by the regulations.

In general, Staff finds that the massing, size, and scale of the existing structure and previously constructed addition. However, Staff does have concerns over the use of horizontal lap siding on the rear façade of the proposed chimney. Staff finds that the use of horizontal lap siding on the chimney is not consistent with the architectural features of the structure and recommends that the rear façade of the proposed chimney be faced with masonry. At this time, Staff has not received information which details the compatibility of the addition with the properties environment. As such, Staff recommends the Applicant submit information which details the compatibility of the proposed addition with the properties environment.

Staff Recommendation: Based upon the following:

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

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-15-455) for alterations, an addition, and site work at **695 Woodward Ave.** Property is zoned R-5/Grant Park Historic District (Subarea 1), with the following conditions:

1. The Applicant shall provide information detailing the allowable Narrow Street setback based on the contributing structures on the block face in question, per Sec. 16-20.007(1)(A);
2. A parge coat of stucco shall be applied to the proposed wall as is appropriate for walls in a front or half-depth front yard, per Sec. 16-20K.007(2)(B)(14)(c)
3. The rear façade of the proposed chimney shall be faced with masonry, per Sec. 16-20K.007(2)(D)(b);
4. The Applicant shall submit information which details the compatibility of the proposed addition with the properties environment, per Sec. 16-20K.007(2)(D)(b);
5. Staff shall review and if appropriate, approve the final plans and supporting documentation.



CITY OF ATLANTA

KASIM REED
MAYOR

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

TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT December 09, 2015

Agenda Item: Application for Type II Certificates of Appropriateness (CA2-15-460) for alterations at **640 & 642 Gaskill Street** – Property is zoned Cabbagetown Landmark District (Subarea 3) / Beltline.

Applicant: Shona Griffin
4000 Ferry Heights Drive

Facts: According to the 2002 photographic inventory this single-family Georgian Cottage was built prior to 1911 and is considered contributing to the district.

Analysis: The following code sections apply to this application:

Per Section 16-20A.005 (Certificates of Appropriateness) of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to the Cabbagetown Landmark District.

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

(1) When required:

- a) To change the exterior appearance of any portion of a structure within the district;
- b) To erect a new structure or to make an addition to any structure within the district;
- c) To demolish or move any contributing structure, in whole or in part, within the district;
- d) To construct off-street or off-site parking;

(2) Type required:

- a. When a certificate of appropriateness is required under the provisions of subsection (a) above, the procedures for determining the appropriate type of certificate shall be those specified in section 16-20.008 of the Zoning Code. Provided, however, that a partial demolition of a contributing building shall require a Type IV certificate of appropriateness only when said partial demolition will result in the loss of significant architectural features which destroys the structure's historic interpretability or importance.

Per Section 16-20A.006 (General Regulations) of the Atlanta Land Development Code, as amended, the following regulations shall apply to more than one subarea in the Cabbagetown Landmark District, which includes all five (5) subareas. Certificates of Appropriateness required above shall be obtained from the commission or the director, as applicable, in accordance with the following regulations:

- (1) Minimum standards. These regulations constitute the minimum standards that shall be followed and shall be applied by the commission and director.
- (2) The commission shall apply the standards in section 16-20.009 only if the standards set forth elsewhere in this Chapter 20A do not specifically address the application.

- (6) The compatibility rule.
- a) In general, the intent of the regulations and guidelines is to ensure that alterations to existing structures and new construction are compatible with the design, proportions, scale, massing, and general character of the contributing buildings in the immediately adjacent environment of the block face, the entire block, a particular subarea (including appropriate reference to subarea style) or the district as a whole. To permit flexibility, many regulations are made subject to the compatibility rule, which states: “The element in question (roof form, architectural trim, etc.) shall match that which predominates on the contributing buildings of the same architectural style and like use on that block face or, where quantifiable (i.e., buildings height and width as measured at front facade, floor height, lot dimensions, etc.), no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same architectural style and like use in that block face.”
 - b) For the purposes of the compatibility rule, height and width shall be measured at the front façade.
 - c) In any instance where one contributing building of the same architectural style and like use on a block face is higher or wider by more than 10% than any other contributing building of like use on a block face, such structure shall be eliminated in the application of the compatibility rule.
 - d) Those elements to which the rule applies are noted in the regulations by a reference to the “compatibility rule.”
- (9) Minimum lot requirements. There shall be front, rear, and side yard setbacks. The distance of said setbacks shall be determined by the compatibility rule.
- (13) Design standards and criteria for new principal buildings. The following regulations shall apply to new construction of principal buildings.
- a) General criteria:
 2. The general façade organization and proportions shall be subject to the compatibility rule.
 3. All of the following building elements shall be appropriate to the selected house style, regarding design, size, dimension, scale, material, location on the building, orientation, pitch, reveal and amount of projection from the façade:
 - a. roofs, chimneys, and roofing materials;
 - b. siding;
 - c. eaves, soffits, brackets, rafter tails, knee braces, cornice returns, and gable returns;
 - d. cornerboards, fascia boards, bottom boards, decorative trim, and attic vents;
 - e. doors and door transoms;
 - f. windows and window transoms;
 - g. porches, including supports, columns, balustrades, steps, and roofs; and
 - h. foundation walls, foundation piers, and water tables.
 All the elements listed above shall be utilized in a meaningful, coherent manner, rather than a mere aggregation of random historic elements.
 4. Sidewalks, front yards, porches, and front doors facing and parallel to the street shall be provided.
 - b) Facades:
 1. Wood, smooth-surface cementitious siding or Masonite siding are permitted. Siding shall exhibit a horizontal, clapboard profile. Siding shall have no less than a four-inch reveal and no more than a six-inch reveal.
 2. The height of the first floor above street level shall meet the compatibility rule. The foundation shall be a minimum of fourteen (14) inches and a maximum of four (4) feet above the surface of the ground adjacent to the front façade. Brick, stone, smooth finish stucco, and smooth finish concrete are permitted as foundation facing materials.
 3. Windows shall be predominantly vertical in proportion, shall not be constructed in combination of more than two (2) units, and shall be double-hung wood sash with true divided lights. Window organization and fenestration patterns shall meet the compatibility rule.
 4. Exterior doors visible from any public right of way shall be solid wood panel or single-pane fixed glass and shall be composed of no more than 50 percent glass.
 5. Exterior architectural details, such as brackets, decorative trim, corner boards, bottom boards, fascia boards, porch railing, columns, steps and doors, and attic vents, shall be shown on the submitted plans, and shall be subject to the compatibility rule.

- (14) Design standards for alterations and additions to contributing buildings. Alterations and additions to contributing buildings shall be subject to design review by the commission and shall be consistent with and reinforce the historic architectural character of the existing building, shall comply with the appropriate regulations for new construction set forth in section 16-20A.006(13), and shall comply with the following requirements:
- a) All repair work shall match the original materials regarding design, size, dimension, scale, material, location on the building, orientation, pitch, reveal and amount of projection from the façade.
 - b) All replacement materials or building elements shall match the original materials or building elements regarding design, size, dimension, scale, materials, location on the building, orientation, pitch, reveal and amount of projection from the façade.
 - c) Alterations shall not introduce materials or building elements that do not reinforce the architectural character of the building and shall not destroy historic materials that characterize the property.
 - d) The height or width of any alteration or addition shall not exceed the height or width of the existing building.
 - e) Any alterations or additions shall be compatible with the massing, scale and architectural features of the property.

Site Plan

The Applicant has submitted a survey for 640 Gaskill Street which shows the right side of the existing structure encroaching into the property at 642 Gaskill Street approximately 5 feet. After speaking with Staff from the Office of Buildings, Staff has confirmed that the historic preservation and zoning review can move forward with the current survey so long as both addresses are included in the application. Staff suggests the Applicant speak with Staff in the Office of Buildings to determine whether the plans will be sufficient for other required reviews for the eventual permit, including but not limited to the architectural / building code / life safety, etc.

Alterations

Front Façade

The proposed alterations include removal of the non-original metal columns, adding missing wood railing to the right side of front porch, and replacing the existing non-original window with a wood window, replacing the left front entry door with a wood window, and replacing the right entry door in-kind. Staff has no concerns with the removal of the non-original metal columns, the addition of missing wood railing, or the replacement of the non-original window with a wood window. However, Staff is concerned with the removal of the left front entry door. At this time no information has been submitted to show that the double entry door configuration is not original to the structure. Staff recommends that the Applicant provide documentation which shows whether the structure was originally built as a duplex.

Staff is also concerned with the replacement of the right front entry door. The plans do not indicate the material of the existing right entry door, or whether the door is original to the structure. Staff recommends that the Applicant submit information detailing the historic nature of the right side entry door. If the right side entry door is original, Staff recommends that it be retained. If the right side entry door is not original, Staff recommends that the replacement door meet the District regulations in regards to material and design.

Rear Façade

The alterations to the rear façade all affect a non-original addition to the structure. The Applicant is proposing to remove the rear stairs and landing, remove the existing rear entry door on the left side of the façade, remove the rearmost portion of the roof overhang, and install both a window, as well as a new entry door and stoop. As the work is taking place on a non-original portion of the structure, and as the proposed work is consistent with the architecture of the existing structure, Staff has no general concerns with the proposed changes. However, the materials for the proposed entry door and replacement window, entry door, and stoop are not specified on the plans. Staff recommends the plans specify an appropriate material for the new rear entry door, rear stoop, and window. Staff further recommends that the new window on the rear façade contain true divided lites.

Left Side Façade

The alterations to the left side façade will affect both non-original and original portions of the structure. The alterations to the non-original portion of the structure will involve the removal of two stairs and landings, and two side entry doors. The siding will be replaced in-kind. Staff has no general concerns with the proposed changes to the non-original portion of the left side façade as they are consistent with the architecture of the existing structure.

The alteration to the left side façade which will affect the original portion of the structure involves the replacement of a smaller non-original window with a wood true divided lite window which matches the original window opening. Staff has no concerns with the replacement of the non-original window with a wood true divided lite window which matches the original opening.

Right Side Façade:

The alterations to the right side façade include the replacement of a smaller non-original window with a wood true divided lite window which matches the original window opening, and the removal of an existing window. No information has been submitted detailing whether the window proposed for removal is original to the structure. Additionally, no information has been submitted detailing the compatibility of the proposed right side façade window configuration. Staff recommends that the Applicant submit information regarding the historic nature of the window on the right side façade which is proposed for removal. Further, Staff recommends the Applicant submit compatibility information regarding the proposed right side façade window configuration.

Staff Recommendation: Based upon the following:

1. The Application does not meet the regulations, with the exceptions noted above, per Sec. 16-20.008, and Sec. 16-20A.006;

Staff recommends deferral of the Application for Type II Certificates of Appropriateness (CA2-15-460) for alterations at **640 & 642 Gaskill Street** – Property is zoned Cabbagetown Landmark District (Subarea 3) / Beltline – Property is zoned Cabbagetown Landmark District (Subarea 3) / Beltline, to allow the Applicant to address the following Staff Concerns:

1. The Applicant shall provide information which documents whether the structure was originally constructed as a duplex, Per Sec. 16-20A.006(14)(c);

2. The plans shall specify an appropriate material for the new rear entry door, rear stoop, and window, per Sec. 16-20A.006(13)(a)(3);
3. The new window on the rear façade shall contain true divided lites, per Sec. 16-20A.006(14)(a);
4. The Applicant shall submit information regarding the historic nature of the window on the right side façade which is proposed for removal, per Sec. 16-20A.006(14)(c);
5. the Applicant submit compatibility information regarding the proposed right side façade window configuration, per Sec. 16-20A.006(13)(b)(3); and,
6. All new materials must be submitted no less than 8 days before the deferred meeting date



CITY OF ATLANTA

M. KASIM REED
MAYOR

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

www.atlantaga.gov

TIM KEANE,
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT December 9, 2015

Agenda Item: Application for a Type II Certificates of Appropriateness (CA2-15-461) for new signage at **258 Auburn Avenue** - Property is zoned Martin Luther King, Jr. Landmark District (Subarea 4).

Applicant: Ron Wilson
258 Auburn Avenue

Facts: This existing commercial building is considered contributing to the District. It is three-stories with the business that is proposing the signage being located on the third floor. One wall sign will be located on each of the north and east facades of the building (i.e. in the back right hand corner) on the parapet wall. The signs will be LED, self-contained units with the north facing sign being 5 ft. tall by 20 ft. long. The east facing sign will be 5 ft. tall and 13 ft. long. The signs themselves will be composed of 12 in. by 24 in. sign units that will be joined together. The sign units appear to have metal frames and plastic or composite faces.

Analysis: The following code sections apply to this application:
Section 16-20C.004 General Regulations

1. General criteria. The commission shall apply the standards set forth below only when the standards set forth elsewhere in Chapter 20C do not specifically address the application in whole or in part:
 - a. A property shall be used for its historic purpose or be placed in a new use authorized in section 16-20C.005 using minimal change to the defining characteristics of the building and its site and environment.
 - b. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
 - c. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
 - d. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
 - e. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
 - f. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

- g. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
 - h. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
 - i. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
 - j. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
3. Certificates of appropriateness.
- a. General provisions.
 - i. The procedures for determining the correct type of certificate of appropriateness shall be those specified in section 16-20.008, except as otherwise provided herein.
 - ii. No certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - iii. No certificate of appropriateness shall be required to repaint any structure or portion thereof, or, to make ordinary repairs and maintenance using in-kind materials.
 - iv. No certificates of appropriateness shall be required for demolition or moving of non-contributing structures.
 - b. Type II certificates of appropriateness.
 - ii. Type II certificates reviewed by the commission. All required Type II certificates of appropriateness not listed above shall be reviewed by the commission. In addition, the following shall be reviewed by the commission as a Type II certificate of appropriateness:
 - (1) Alterations to any façade of any principal structure; and

Section 16-28A.010

- (27) M.L. King, Jr. Landmark District. The following signs shall be permitted in the M.L. King, Jr. landmark district:
- a. General Regulations: Notwithstanding any other individual district standards, all signs within the M.L. King, Jr. landmark district are subject to the following general regulations:
 - (1.) No billboard signs shall be permitted in the M.L. King, Jr. landmark district.
 - (2.) No freestanding signs shall be permitted in the M.L. King, Jr. landmark district.
 - (3.) No monument signs shall be permitted in the M.L. King, Jr. landmark district.
 - (4.) No LSVD signs shall be permitted in the M.L. King, Jr. landmark district.
 - (5.) No sign shall be permitted within the M.L. King, Jr. landmark district except after approval by the ur
 - (6.) Signs provided for contributing structures shall be designed in a manner that is compatible with the design, materials, and general character of signage from the time period of historical significance for the structure.
 - (7.) Signs provided for non-contributing structures shall be designed in a manner that is compatible with the design, materials, and general character of signage from the time period of historical significance for the district.
 - f. Edgewood Avenue and Auburn Commercial District (Subarea 4): The sign regulations for the Edgewood Avenue and Auburn Avenue Commercial District (Subarea 4) shall be the same as the regulations for the SPI-1 (Central core) district, provided that:
 - (1.) No individual sign shall exceed 100 square feet in sign area.
 - (2.) No projecting sign shall exceed eight square feet in sign area.
 - (3.) Sign location on the building shall correspond with that portion of the building owned or leased by the person erecting the sign.
 - (4.) Sign shall be located as follows:
 - i. In the area of the storefront above the transom and below the second floor windows or centered between the transom and the cornice.
 - ii. On or in display windows or upper facade windows.
 - iii. On or in the glazing of the doors.
 - iv. On the valance of awnings.
 - v. On the fascia or top edge of canopies.
 - vi. Projecting perpendicularly from the building.
 - (5.) Changing signs shall be prohibited.

(12.) SPI-1 Downtown District:

- a. General Regulations: Signs within SPI-1 Downtown District are subject to the regulations set forth in this section (12). For purposes of this section (12), "street" means public streets and private streets, as well as associated public right-of-way including public right-of-way accessible only to pedestrians.
- b. Building Signs:
 1. Type: Wall signs, projecting signs, canopy signs, parapet wall signs, suspended signs, and marquee signs shall be permitted. Only one of the signs may be either suspended or projecting along each street frontage per business establishment, provided that corner business establishments may have two projecting signs limited to one projecting sign per street frontage. Wrap signs, as defined herein, shall be permitted within the time, manner and place limitations contained in (12)(l) herein.
 2. Number:
 - (b) Second-Level Business Establishments: A maximum of three signs shall be allowed for each second-level business establishment engaged in a permitted use listed under the commercial/retail and institutional headings of the Use Table in Section 16-18A.006 and having a facade that faces a street except where additional signage identifying the business is authorized on a monument sign or multi-tenant sign. For purposes of this section (12), "second-level" means the building floor level immediately above sidewalk-level.
 3. Area: Where a business establishment is permitted to have business identification signs, the following regulations shall apply:
 - (c) No individual sign shall exceed 200 square feet except for wrap signs as provided for in (12)1.
 4. Height: The height limitation set forth in Section 16-28A.007(m) may be exceeded as follows:
 - (b) Subject to subsection (12)b.4.(a.) above, no portion of a sign for a second-level business establishment shall be located more than 50 feet in height above the elevation of the nearest sidewalk clear zone provided that:
 - (1) The sign shall be located directly above the independent entrance to the second-level use; or
 - (2.) The sign shall be located directly above or adjacent to the windows for such second-level use.
 - (c.) Notwithstanding the permission for increased height in SPI-1, no portion of any sign shall extend above the top of the building upon which it is located.

The Applicant is proposing two new signs on the building. The general type, number and square footage of the signs complies with the specific District regulations for those characteristics. Further, the signs correspond to the portion of the building where the business will be located.

However, the Staff is concerned about two significant aspects of the signs. First, the Staff finds the location of the signs (at the top of the parapet wall) is not one of the specific sign locations allowed by the District's sign regulations. Parapet wall signs are not one of the options for a multi-story building. The only option that refers to building cornices (which for the purposes of this analysis would be considered equivalent to a parapet wall) contemplates this being on a one story building, hence the reference to "between the transom and the cornice" location. The only option for signs on the upper level of a multi-story building is within the upper façade windows (i.e. signs painted on the window glass). The Staff would recommend the sign's location be one allowed by the District regulations.

Second, the Staff is concerned about the materials and design of the signs, which would appear to include a plastic or composite face with internal LEDs, all internally light graphics, and modular units that would appear to be joined together to create the overall signs. The Staff finds that the plastic or composite material and internal LED system are not compatible with the design, materials, and general character of signage from the time period of historical significance for the structure. The signs will be thoroughly contemporary in design with little resemblance to signs that would have existed during the time period of historical significance of the structure. The proposed signs would be similar to standardized, commercial signage found on many non-historic buildings. The Staff would recommend the sign's materials and design be substantially revised to be compatible with the design,

materials, and general character of signage from the time period of historical significance for the structure.

Staff Recommendations: Based upon the following:

1. The signs' general type, number, and size meet the District regulations, per Section 16-28A.010(27); and
2. The signs' location, materials, and design do not meet the District regulations, per Section 16-28A.010(27).

Staff recommends deferral of an application for a Type II Certificates of Appropriateness (CA2-15-461) for new signage at **258 Auburn Avenue** - Property is zoned Martin Luther King, Jr. Landmark District (Subarea 4) to allow time for the Applicant to address the following concerns and comments:

1. The signs' location shall be one allowed by the District regulations, per Section 16-28A.010(27)(f)(4);
2. The signs' materials and design shall be substantially revised to be compatible with the design, materials, and general character of signage from the time period of historical significance for the structure, per Section 16-28A.010(a)(6); and
3. The Applicant shall submit revised materials (including the required number of copies) to the Staff at least eight (8) days prior to the meeting to which the application is deferred.



CITY OF ATLANTA

KASIM REED
MAYOR

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

TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT December 9, 2015

Agenda Item: Application for a Review and Comment (RC-15-462) for a new pedestrian bridge and site work at **1807 Dixie Street** (Kirkwood Urban Forest Park)- Property is zoned R-4A.

Applicant: Earl Williamson, Kirkwood Neighbors Organization
299 Murray Hill Avenue

Facts: This property, known as the Kirkwood Urban Forest is located in NPU O.

On August 10, 2011 the Commission review and commented on (RC-10-151) on a new community garden, site work and other alterations at **1823 Dixie Street** (Kirkwood Urban Forest Park).

On August 24, 2011 the Commission reviewed and commented on (RC-15-160) on the construction of a picnic pavilion at 1807 Dixie Street (Kirkwood Urban Forest Park).

Analysis: The following code sections apply to this application:
Per section 6-4043 of the Atlanta City Code, as amended:

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

Per Section 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) 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.

The Applicant is proposing to install a new pedestrian bridge over an existing creek. In looking at the overall design, construction details, materials and location, Staff has no general concerns regarding the proposed bridge. The Applicant provided a narrative that describes how the trail is used and talks about the increase in the trails use (physical and educational) when a temporary bridge was installed in 2012. As the Applicant has shown that installation of the bridge will increase access, visitation and educational opportunities, Staff finds the proposed bridge is appropriate and needed.

In looking at the site plan, there is an impervious pathway indicated. It is not clear whether this is an existing or proposed condition. While Staff has no general concerns regarding an impervious pathway, Staff suggests the Applicant clarify whether this is an existing or proposed condition. In looking at the south side of the creek, there does not appear to be an existing or proposed pathway. Staff suggests the Applicant clarify whether there is a pathway planned for the south side of the creek.

Staff recommends that the Commission deliver its comments at the meeting.



CITY OF ATLANTA

KASIM REED
MAYOR

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

TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

December 9, 2015

Agenda Item: Review and Comment (RC-15-469) for site work at **345 Whitehouse Drive (Booker T. Washington High School)** - Property is zoned R-4 / Beltline / Landmark Building / Site (LBS).

Applicant: William Rowse
980 Birmingham Highway, Milton

Facts: Booker T. Washington High School was built in 1924 as the first public secondary school for African-American students in Atlanta. Since its initial construction, the following additions / major renovations have been undertaken:

1938 – six classrooms and laboratory added as part of WPA project

1948 – addition that filled out original plan for the school

1952 – cafeteria added

1954 – physical education / gymnasium added

1965 – capital campaign that “provided for more classrooms and renovation of the science rooms”

1968 – vocational education building and teaching theater added

2000s – rear additions and significant alterations to main building / complex

The Applicant is proposing to remove existing grass inside the existing track and install synthetic turf. No other work is proposed as this time.

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

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

Other APS schools have installed synthetic turf in on their sports fields, in playground areas, and in other high traffic areas or areas prone to erosion. There is no information in the submission regarding why the Applicant is requesting to install synthetic turf in this case. The Staff suggests the Applicant clarify why the installation of synthetic turf is proposed.

Even though the Staff would like additional information regarding the reason for the installation, the Staff finds that synthetic turf is an appropriate alteration to the site. Synthetic turf is highly durable and easier to maintain than grass. The football field / track area of the school property does not have any historic elements or materials. Further, it is separated from the historic school building by previous additions, both older and contemporary. The change from grass to synthetic turf would not diminish the historic character of the Landmark Building / Site property in any way.

It is the Staff's understanding that one issue that can arise with synthetic turf is that some synthetic turf products get too hot and require watering or a sprinkler system to cool it down. This of course creates an additional maintenance issue. Staff suggests the Applicant clarify whether the proposed material will require a sprinkler system.

Staff Recommendation: Staff recommends the Commission deliver its comments at the meeting on Review and Comment (RC-15-469) for site work at 345 Whitehouse Drive (Booker T. Washington High School) - Property is zoned R-4 / Beltline / Landmark Building / Site (LBS).



CITY OF ATLANTA

M. KASIM REED
MAYOR

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

TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT December 9, 2015

Agenda Item: Application for a Review and Comment (RC-15-472) for site work on City of Atlanta at **650 Bishop Street (Hemphill Site)** – Properties are zoned I-2 / Beltline.

Applicant: Michael Russell
504 Fair Street

Facts: The Hemphill facility is located off of Huff Road and Howell Mill Road. The work will consist of building a new parking lot between the existing settled solids building and Howell Mill Road. The parking lot will be accessed through an existing internal roadway and be generally linear in design with a north-south orientation. It is the Staff's understanding that this site is in a secure area of the Hemphill site that is not normally accessible to the general public, the parking lot will be used for more employees who will be moved to the existing building, and the parking lot will be a permanent change to the site.

Analysis: The following code sections apply to this application:

Per Section 6-4043 of the Atlanta City Code:

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

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.

In the location of the proposed parking lot, there is a slight rise from Howell Mill Road to the existing building and a row of oak trees along the fence line along Howell Mill Road. It does not appear that the trees will be impacted by the proposed parking lot and they will provide some visual screening of it from the street.

From a general urban design principal, parking between the building and the street is not a desirable condition if it can be avoided. In this case, “behind” the existing building are the large water holding ponds, and to the south of the existing building are the loading dock / service area and a relatively steep slope, leaving few alternatives to the proposed location. Given the view shed from Howell Will Road onto the property, the Staff would suggest some vegetative screening between the parking lot and Howell Mill Road to lessen the visual impact of the parking lot.

Staff Recommendation: The Staff recommends that the Commission confirm the delivery of its comments at the meeting regarding an application for an application for a Review and Comment (RC-15-472) for site work on City of Atlanta at **650 Bishop Street (Hemphill Site)** – Properties are zoned I-2 / Beltline.



KASIM REED
MAYOR

CITY OF ATLANTA
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303
404-330-6145 – FAX: 404-658-7491
<http://www.atlantaga.gov/Government/Planning.aspx>

TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
DIRECTOR
Office of Planning

STAFF REPORT
September 9, 2015
REVISED
December 9, 2015
(Revised text shown in italic.)

Agenda Item: Application for a Type III Certificate of Appropriateness (*CA3-15-459*) for a variance to allow non-conforming fenestration and foundation heights, CA3-15-330) for a special exception to reduce the on-site parking from 6 spaces (required) to 2 spaces (proposed) and for a shared parking arrangement (CA3-15-185) for a variance to allow a reduction in the transitional yard from 10' (required) to 3' (proposed) and (CA3-15-090) for a new structure at **228 Powell St.** Property is zoned Cabbagetown Landmark District (Subarea 4) / Beltline.

Applicant: Brandy Morrison
485 Oakland Ave.

Facts: The property is located in the middle of the neighborhood at the northeast corner of Powell Street and Gaskill Street. The property is generally rectangular in shape, with the short side facing Powell Street (52.83 ft.) and the long side facing Gaskill Street (129.31 ft.). The eastern most property line appears to be at an angle with a north-south alley running along that same side of the property. To the east and north are single-family houses. The Subarea boundary is the subject property.

On the property now is a residential building with apartments and an addition on the front that is designed as a commercial storefront. The storefront is a few feet back from the back edge of the sidewalk, while the front façade of the residential portion of the building is setback with a small front yard. The storefront appears to be at least an historic addition to the building, if not original to it. Behind the existing building is concrete parking area with three spaces. There is a wood deck on the back of the building which provides access to the apartments.

The Applicant is proposing to build a 750 sq. ft., one story office building along Gaskill Street at the eastern end of the property next to the alley. The parking lot would be reconfigured to provide for two (2) parking spaces on site via an in-out, angled arrangement. A variance would be needed for the reduction in the transitional yard to the north and a special exception for a reduction in on-site parking from the required six (6) spaces [the three (3) existing plus three (3) new spaces for the office building at one (1) space per 200 sq. ft. of floor area].

At its September 9, 2015 Commission meeting, the Commission approve the original variance and special exception applications (CA3-15-185 and CA3-15-330, respectively) but deferred the design

review application (CA3-15-090) to allow time for the Applicant to address the concerns and comments of the Staff. On November 17, 2015, the Applicant submitted an additional variance request in response to the Staff concerns (CA3-15-459) and on December 1st, 2015 submitted revised narrative and design materials in response to the Staff concerns. The November 17th and December 1st documents are taken into account in this revised Staff Report.

Analysis: The following code sections apply to this application:

Per Section 16-20A.005 (Certificates of Appropriateness) of the Atlanta Land Development Code, as amended:

The following general regulations shall apply to the Cabbagetown Landmark District.

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

- (1) When required:
 - b) To erect a new structure or to make an addition to any structure within the district;
 - d) To construct off-street or off-site parking;

Per Section 16-20A.006 (General Regulations) of the Atlanta Land Development Code, as amended, the following regulations shall apply to more than one subarea in the Cabbagetown Landmark District, which includes all five (5) subareas. Certificates of Appropriateness required above shall be obtained from the commission or the director, as applicable, in accordance with the following regulations:

- (1) Minimum standards. These regulations constitute the minimum standards that shall be followed and shall be applied by the commission and director.
- (2) The commission shall apply the standards in section 16-20.009 only if the standards set forth elsewhere in this Chapter 20A do not specifically address the application.
- (6) The compatibility rule.
 - a) In general, the intent of the regulations and guidelines is to ensure that alterations to existing structures and new construction are compatible with the design, proportions, scale, massing, and general character of the contributing buildings in the immediately adjacent environment of the block face, the entire block, a particular subarea (including appropriate reference to subarea style) or the district as a whole. To permit flexibility, many regulations are made subject to the compatibility rule, which states: “The element in question (roof form, architectural trim, etc.) shall match that which predominates on the contributing buildings of the same architectural style and like use on that block face or, where quantifiable (i.e., buildings height and width as measured at front facade, floor height, lot dimensions, etc.), no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same architectural style and like use in that block face.”
 - b) For the purposes of the compatibility rule, height and width shall be measured at the front façade.
 - c) In any instance where one contributing building of the same architectural style and like use on a block face is higher or wider by more than 10% than any other contributing building of like use on a block face, such structure shall be eliminated in the application of the compatibility rule.
 - d) Those elements to which the rule applies are noted in the regulations by a reference to the “compatibility rule.”
- (7) Variances. Variance requests shall be heard by the commission which will have the authority to grant or deny variances from the provisions of this chapter when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, criteria and appeal provisions for decisions regarding such variances shall be the same as those specified in chapter 26 of this part 16.
- (9) Minimum lot requirements. There shall be front, rear, and side yard setbacks. The distance of said setbacks shall be determined by the compatibility rule.
- (13) Design standards and criteria for new principal buildings. The following regulations shall apply to new construction of principal buildings.
 - a) General criteria:
 1. All new construction shall be one of the house styles of a contributing building that appears on the block face of the street on which the new construction shall occur.
 2. The general façade organization and proportions shall be subject to the compatibility rule.
 3. All of the following building elements shall be appropriate to the selected house style, regarding design, size, dimension, scale, material, location on the building, orientation, pitch, reveal and amount of projection from the façade:
 - a. roofs, chimneys, and roofing materials;
 - b. siding;
 - c. eaves, soffits, brackets, rafter tails, knee braces, cornice returns, and gable returns;

- d. cornerboards, fascia boards, bottom boards, decorative trim, and attic vents;
- e. doors and door transoms;
- f. windows and window transoms;
- g. porches, including supports, columns, balustrades, steps, and roofs; and
- h. foundation walls, foundation piers, and water tables.

All the elements listed above shall be utilized in a meaningful, coherent manner, rather than a mere aggregation of random historic elements.

- 4. Sidewalks, front yards, porches, and front doors facing and parallel to the street shall be provided.

b) Facades:

- 1. Wood, smooth-surface cementitious siding or Masonite siding are permitted. Siding shall exhibit a horizontal, clapboard profile. Siding shall have no less than a four-inch reveal and no more than a six-inch reveal.
- 2. The height of the first floor above street level shall meet the compatibility rule. The foundation shall be a minimum of fourteen (14) inches and a maximum of four (4) feet above the surface of the ground adjacent to the front façade. Brick, stone, smooth finish stucco, and smooth finish concrete are permitted as foundation facing materials.
- 3. Windows shall be predominantly vertical in proportion, shall not be constructed in combination of more than two (2) units, and shall be double-hung wood sash with true divided lights. Window organization and fenestration patterns shall meet the compatibility rule.
- 4. Exterior doors visible from any public right of way shall be solid wood panel or single-pane fixed glass and shall be composed of no more than 50 percent glass.
- 5. Exterior architectural details, such as brackets, decorative trim, corner boards, bottom boards, fascia boards, porch railing, columns, steps and doors, and attic vents, shall be shown on the submitted plans, and shall be subject to the compatibility rule.

c) Roofs:

- 1. The shape and pitch of roofs, as well as ridge, dormer, overhang, and soffit construction shall meet the compatibility rule.
- 2. Skylight and solar panels are not permitted on the front façade of any structure. "Bubble type" skylights are not permitted anywhere in the Cabbagetown Landmark District. The placement and design of flat profile skylights and/or solar panels, where permitted, shall minimize their ability to be seen from public rights-of-way and is subject to approval by the commission.
- 3. When chimneys are included, chimneys shall be faced in brick, originate at grade and are subject to approval by the commission.
- 4. Boxed gable returns are not permitted.
- 5. Roofing material shall be asphalt shingles. Fiberglass roofs are not permitted. Flat-roofed structures or structures not visible from any public right of way may use any roof covering that conforms to standard architectural specifications.

e) Porches:

- 1. Front porches shall contain balustrades, columns, and have other characteristics, including floor dimension, height, roof pitch, overhang, and column size that meet the compatibility rule.
- 2. Decorative metal, resin, fiberglass and plastic columns are not permitted.
- 3. Porches may be enclosed with recessed screen wire if the main characteristics of the porch are maintained.
- 4. Front porch steps shall be made of wood, brick, or concrete. Metal steps are not permitted.

f) Site development, sidewalks and curbs:

- 1. The sidewalk shall be the same width as the sidewalk on abutting properties. If no sidewalk exists on abutting properties, the new sidewalk shall match sidewalk widths on the block. If no sidewalk exists on the block, the new sidewalk shall be six feet wide.
- 2. Sidewalks shall be brick on a concrete base and laid in a pattern to match existing on abutting properties or elsewhere in the district.
- 3. Curbing shall be granite; poured concrete shall not be used.
- 4. A paved walkway from the front public sidewalk to the front entry of the principal building shall be provided.

(17) Grading and landscaping.

- a) Grading shall not excessively or unnecessarily alter the natural topography of the site, with the exception of grading necessary to protect and preserve the integrity of a structure.
- b) New grades shall meet existing topography in a smooth transition.
- c) Approval of an application for a certificate of appropriateness may be conditioned on the implementation of a landscape plan to mitigate the environmental and visual impacts of construction on adjoining properties. The commission may require that plant materials in a landscape plan reflect the character of the Cabbagetown Landmark District.

(19) Off-street and off-site parking.

- a) All new construction, change in use, alterations, or additions that increase the number of dwelling units and/or increase the square footage of nonresidential or multifamily shall include off-street parking.
- b) The number of required parking spaces is set out in each subarea.
- c) Variances may be allowed from this requirement subject to the standard procedures and requirements for a variance found in these regulations.
- d) Off-street parking shall not be located or authorized between the principal building and the street.
- e) Off-street parking may be located in a rear or side yard.
- f) The driveway of a lot used for residential purposes shall extend at least 20 feet behind the front façade of the house.
- i) Off-street or off-site parking shall include landscape buffer strips placed along sidewalks and public rights of way. Landscape buffer strips shall be: a minimum of three feet in width, planted with a mixture of evergreen groundcover or shrubs a minimum of three gallons at time of planting with a maximum mature height of 30 inches; and planted with canopy street trees that are a minimum of 3.5 inch caliper measured 36 inches above ground and a minimum of 12 feet in height at time of planting placed no further than 25 feet on center. All landscape buffer strips shall be maintained in a sightly manner.
- j) Mesh paver blocks (including the installation of durable ground cover plantings), poured concrete, concrete pavers, decorative stone or brick are permitted paving materials for driveways and surface parking. Asphalt is not permitted.
- k) Use of shared driveways and/or alleys is encouraged.
- l) The commission shall have the authority to vary section 28.006(10) relative to the requirement for an independent driveway connected to a public street.

Sec. 16-20A.010. - Neighborhood commercial/services (Subarea 4).

In addition to the general regulations required in section 16-20A.006, the following regulations shall apply to any new development or the conversion of any existing structures to permitted uses within the neighborhood commercial/services subarea. These regulations are intended to preserve the neighborhood commercial/services subarea and to encourage the continued use of the existing structures for commercial and service use in combination with residential uses and in support of the residential community within the Cabbagetown Landmark District. These regulations further intend to ensure that any conversion in use, which may be permitted for preservation purposes in existing structures, is compatible with the overall character of the district as a whole.

(1) Permitted principal uses and structures. A building or premises shall be used only for the following principal purposes:

- b) Any of the following uses provided that they do not exceed 2,000 square feet of floor area:
 1. Bakeries and catering establishments.
 2. Laundry and dry cleaning establishments where customers operate equipment.
 3. Tailoring, custom dressmaking, millinery, and similar establishments.
 4. Restaurants, bars, coffee shops, delicatessens, and taverns.
 5. Specialty shops such as antique stores, gift shops, boutiques, art and craft stores, and apothecary shops.
 6. Barber shops, beauty shops, manicure shops, and similar personal service establishments.
- c) Any of the following uses provided that they do not exceed 5,000 square feet of floor area:
 3. Offices, studios, clinics (including veterinary if animals are kept within soundproof structures), laboratories, and similar use.

(3) Special permits. The following uses are permissible only by special permit of the kind indicated, subject to limitations and requirements set forth herein and in section 16-25.002(3).

- c) Special exceptions:
 3. Reduction in minimum off-street parking requirements.

(4) Minimum lot requirements. In addition to the setback requirements in section 16-20A.006(9), in the case of new construction between two contributing buildings, the side yard setbacks shall be at least three feet from the lot line.

(5) Maximum building height and width and transitional yards.

- a) The compatibility rule shall apply, but in no case shall the height of a building or structure exceed 28 feet.
- b) Additionally, no portion of any building shall protrude through a height limiting plane beginning 24 feet above the buildable area boundary, as determined by the application of the compatibility rule, which is nearest to the common residential subarea boundary and extending inward over Subarea 4 at an angle of 45 degrees.

(6) Transitional yards:

- a) Side yards: Adjacent to residential use without an intervening street, ten feet is required, that shall not be used for parking, paving or loading or servicing. For a side yard adjacent to a side street, half the required front shall be provided.

- b) Rear yard: There shall be a rear yard of ten feet when adjacent to a residential use district that shall not be used for parking, paving or loading or servicing.
 - c) Screening: Where a lot in this subarea abuts a residential use on the rear lot line without an intervening street, landscaping, opaque fencing or screening not less than six feet in height shall be provided and maintained in slightly condition (see section 16-28.008).
- (7) Lot coverage. The lot coverage shall not exceed 80%.
- (8) Storefront fenestration.
- a) All street-fronting sidewalk level development, with the exception of religious institutions and fire stations, shall provide fenestration for a minimum of 75 percent of the length of the frontage, beginning at a point not more than three feet above the public sidewalk, for a height no less than ten feet above the sidewalk.
 - b) Fenestration for commercial uses shall allow views into the interior or display windows and shall not have painted glass, reflective glass, or other similarly treated fenestration.
 - c) Variances in fenestration requirements may be approved by the commission.
 - d) Sidewalk level development without fenestration shall not exceed a maximum length of ten feet of façade.
- (9) Relationship of building to street.
- a) The primary pedestrian entrance to all uses and business establishments with sidewalk level street frontage shall:
 - 1. Face and be visible from the street;
 - 2. Be directly accessible, visible, and adjacent to the sidewalk, pedestrian plaza, courtyard, or outdoor dining area adjacent to such street;
 - 3. Remain unlocked during normal business hours for nonresidential uses; and
 - 4. Face and be visible to an arterial street when located adjacent to such arterial streets.
 - b) Buildings shall provide continuous street-fronting sidewalk level commercial, office, or residential uses.
 - c) A street address number shall be located above the principal building entrance, shall be clearly visible from the sidewalk, and shall be a minimum of six inches in height.
- (10) Storefront illumination and lighting.
- a) Security, decorative, and other lighting adjacent to residential uses shall minimize light spillage onto residential properties by providing cutoff luminaries that have a maximum 90-degree illumination. The commission may also require other elements to reduce light spillage.
 - b) Any security, decorative, or other lighting luminaries shall be located a minimum height of eight feet above the sidewalk, drive or pedestrian area.
- (11) Loading areas, loading dock entrances and structure mechanical and accessory features.
- a) Commercial dumpsters and loading areas may not be located within 30 feet of an adjoining residential subarea boundary, and shall be screened with opaque fences or walls six feet in height.
 - b) Residential dumpsters and loading areas shall be encircled with walls six feet in height. Walls shall be smooth finish stucco or same material as the principal building.
 - c) Loading dock entrances for nonresidential uses shall be screened so that loading docks and related activity are not visible from any public right-of-way.
 - d) Building mechanical and accessory features shall be located to the side and rear of the principal building and shall be in the least visible location from the public right-of-way. Screening with appropriate plant and/or fence materials shall be required if the equipment is visible from the public right-of-way.
 - e) When located on rooftops, building mechanical and accessory features shall be incorporated in the design of the building and screened with materials similar to the building.
 - f) Building mechanical and accessory features shall not be permitted between the principal building and any public street.
- (12) Roofs. Roofing materials shall be asphalt shingles or batten seamed metal.
- (14) Porches. Front porches are permitted.
- (15) Fences and walls.
- a) Chain link or similar elements shall not be visible from any public plaza, outdoor dining area, or public right-of-way. Chain link fencing, where permitted, shall be clad in either black or dark green coating. Canopies and associated service areas shall not be located between a building and the street.
 - b) No fences are permitted between the principal building and the sidewalk.
 - c) Walls shall be wood, smooth finish stucco or brick.
 - d) No walls, except retaining walls, shall be located between a building and the sidewalk, with the exception of walls that screen commercial dumpsters and loading areas, which shall have a maximum height of six feet.
 - e) The commission may by variance permit retaining walls that are greater than two feet in height between the building façade line and the street.
- (16) Curb cuts, driveways and surface parking areas.
- a) At least one-third of any driveway or surface parking area shall be pervious.

- b) Alternate paving materials may be approved upon review by the commission if such materials are pervious and do not detract from the historic character of the landmark district.
 - c) All sidewalk-paving and curbing materials shall be continued across any intervening driveway.
 - d) Driveway and curb cut widths shall be a maximum of 24 feet for two-way entrances and 12 feet for one-way entrances.
 - e) Required driveways may be located outside the lot boundaries if they directly connect to a public street and are approved by the commission.
 - f) No circular drives shall be located between any buildings and any public street.
 - g) Except as authorized above in this subsection, parking areas or driveways are not permitted between the sidewalk and a building, and shall be perpendicular to any adjacent street, except for a driveway to reach the side or rear yard or an on-site parking facility. Driveways for childcare centers, kindergartens, and special schools may be located between the sidewalk and the building if approved by the commission.
 - h) No more than one curb cut is permitted for each development. Developments with more than one street frontage may have two curb cuts. Two curb cuts on properties with street frontage greater than 300 feet may be approved by the commission.
 - i) No drop-off lanes are permitted along public streets.
- (17) Lighting, security, and maintenance requirements for surface parking lots. All surface parking lots shall have the following minimum requirements:
- a) Lighting shall be provided throughout all parking facilities to equal a minimum of one-fifth foot-candle of light. A foot-candle of light is a uniformly distributed flux of one lumen on a surface of one square foot in area. Where applicable, public street lighting may be utilized to either partially or totally fulfill the lighting requirements; however, where such street lighting is removed, it shall be the responsibility of the parking facility to independently provide these required levels of illumination.
 - b) Parking lots adjacent to residential areas shall minimize light spillage onto residential properties by providing cutoff luminaries that have a maximum 90-degree illumination and shall in all other ways be in compliance with Illuminating Engineering Society of North America Recommended Practice #33 - Lighting for Exterior Environments.
 - c) Parking facilities shall be maintained in a clean, safe, sanitary, and attractive condition. Parking spaces and driving lanes shall be clearly defined and maintained as such. Parking lots shall not be operated when any damage impairs the drivability of the parking lot.
- (18) Minimum landscaping for parking lot and barrier requirements. Each of the provisions of the Code of Ordinances, chapter 158 Vegetation, article II Tree Protection, and section 30 Parking lot requirements shall apply to all lots of ten spaces or more in this subarea. In addition to these regulations, the following requirements shall apply:
- a) All landscaped areas shall be planted with evergreen ground cover or shrubs with a maximum mature height of 30 inches.
 - b) Landscape buffer strips as described in section 16-20A.006(19)(i) shall be required.
 - c) Variances in surface parking lot landscaping and barrier requirements may be approved by the commission per the criteria set out in section 158-30(14).
- (19) Minimum off-street parking requirements. The following parking requirements shall apply to all permitted uses, including those approved by special permits. (See also sections 16-28.013 and 16-28.014.) Design of parking facilities shall be subject to review by the commission.
- j) For all other nonresidential uses: One space for each 300 square feet of floor area.
- (20) Off-street parking variances.
- a) Reductions in parking requirements may be approved by the commission if a written shared parking arrangement that meets, the following criteria is secured:
 - 1. The arrangement shall avoid conflicting parking demands and provide for safe pedestrian circulation and access.
 - 2. All shared parking spaces shall be clearly marked and signed as reserved during specified hours.
 - b) An applicant shall submit the following information as part of the application to reduce parking requirements and avoid conflicting parking demands:
 - 1. A to-scale map indicating location of proposed parking spaces.
 - 2. Indicate hours of business operation.
 - 3. Written consent of property owners agreeing to the shared parking arrangements;
 - 4. Copies of any parking leases. Renewed leases shall be provided to the commission as they are signed. Lapse of a required lease agreement shall terminate the permit.

Analysis of Relationships between District and Beltline Zoning Regulations

The Staff has completed a general zoning analysis and reached the following conclusions about the relationship between the District regulations and the Beltline Overlay Zoning District:

1. In addition to its design requirements, the District regulations also address more basic, “standard” zoning requirements, including: allowed uses (principal, accessory, special), transitional characteristics (uses, height planes, yards, and screening), density, setbacks, lot size, yard requirements, height, and the number of off-street parking spaces.
2. The Beltline Zoning Overlay District have requirements related to design, building articulation and fenestration, facades, design of parking, streetscapes, and site arrangement.
3. In some cases, the Beltline Zoning Overlay District has requirements that are stricter than the District regulations, and thus are the governing requirement for that topic.
4. The Beltline Zoning Overlay requirements will be addressed through a concurrent Beltline Special Administrative Permit (SAP) review process also administered by the Office of Planning.

The Staff would recommend that the Staff review, and if appropriate approve, design changes to the proposed project due to any Beltline Zoning Overlay Zoning requirements that would supersede the District regulations or would be considered an alternative, but still compatible, method for compliance with the District regulations.

Compatibility Rule Analysis

In this case, there is an unusual relationship between the proposed building, the subject property and the block face. There are no commercial buildings on the block face (or on the opposing block face) to which the proposed building will actually face (Gaskill Street). The proposed building is on a corner lot that is assigned to / associated with Powell Street for the purposes of determining the block face (i.e. the subject property has a Powell Street address). There are no commercial buildings (or commercial portions of larger residential buildings) on the Powell Street block face. This portion of Subarea 4 within the District only contains the subject property. The other building on the lot contains a distinct commercial portion (either original or a historic addition) of a larger building that faces the Powell Street block face – the primary street of the corner property. Given these very unique circumstances, the Staff finds that the point of comparison for the proposed building should be the commercial portion of the larger building facing Powell Street that is already on the property.

Fenestration and Foundation Height Analysis (CA3-15-459)

The Staff agrees with the Applicant’s response to the variance criteria. This is a situation where the Staff has previously determined that the only point of comparison for the proposed new structure was the commercial portion of the existing structure on the same lot. Given the comparable property sits on a portion of the lot with a surrounding grade that has a different elevation from the location of the proposed building, the starting point of the storefront fenestration, the foundation height, and the first floor height above the sidewalk can’t all be met at the same time. For example, if the finish floor height were to meet the District regulations, the starting point and arrangement/proportionality of the fenestration would not. If the foundation height were to meet the District regulations, the first floor height would not. Further, the Staff finds that the proposed design proportionally arranges the fenestration, includes an appropriate foundation height, and the finish floor height reflects the topography of the portion of the lot where the proposed building will be located.

The Staff would recommend approval of the variance for non-confirming fenestration and foundation heights.

Special Exception Analysis (CA3-15-330)

The District regulations allowed for a reduction in parking through a shared parking arrangement, if the arrangement shall avoid conflicting parking demands and provide for safe pedestrian circulation and access, and all shared parking spaces shall be clearly marked and signed as reserved during specified hours.

Further the District regulations require that the following documentation be submitted as part of the request:

1. A to-scale map indicating location of proposed parking spaces.
2. Indicate hours of business operation.
3. Written consent of property owners agreeing to the shared parking arrangements;
4. Copies of any parking leases. Renewed leases shall be provided to the commission as they are signed.

The regulation notes that a lapse of a required lease agreement would terminate the permit.

In this case, the Applicant proposes to use the off-street parking of a church which is directly across Powell Street from the subject property. While the Staff agrees that a church and office space will not have conflicting parking demands and there will be no pedestrian access issues, it is not clear how the parking will be allocated on the church property and how it will be signed as required by the District regulations. This is particularly a concern because the current parking lot of the church is not uniformly paved, spaces are not marked, and it is not clear how many current spaces they would have available. The Staff would recommend the Applicant clarify the parking conditions at 650 Gaskill Street, which spaces will be reserved and when for the subject property, and provide a plan for the signing and marking of the spaces at 650 Gaskill Street that will be reserved for the subject property.

Further, the Staff would recommend the Applicant provide a to-scale map indicating location of proposed parking spaces as to which lot and where within the lot and the written consent of property owners agreeing to the shared parking arrangements beyond the submitted, signed lease.

This application was approved with conditions at the September 9, 2015 Commission meeting.

Variance Analysis (CA3-15-185)

The Applicant's response to the variance criteria have been previously sent to the Commission members.

The variance request relates to the reduction of the transitional yard along the northern property line to accommodate a revised design to an existing turnaround for the parking area. Transitional yards are not allowed to have parking, paving or servicing. The Staff concurs with the Applicant's variance analysis. First, a paved area is already located in the transitional yard. Second, about the forward one-half of the lot is occupied by the existing, contributing building and its "front yard" and rear deck area leaving little of the lot for on-site parking. Third, the property can accommodate a non-residential use given the permitted use and density allowances. Fourth, the encroachment is limited to an area about 12 ft. wide and 8 ft. deep.

However, the Staff would recommend that transitional screening that meets the District regulations is installed along the northern property line from the rear portion of the existing building to the northeast corner of the property.

This application was approved with conditions at the September 9, 2015 Commission meeting.

General Development Controls and Site Plan Elements (CA3-15-090)

The Applicant notes in their narrative and indicates on their site plan a lack of clarity about the eastern most property line of the property adjacent to the house that faces Gaskill Street. Given that this eastern property line is directly related to the setback and location of the proposed office building and is somewhat related to the variance and shared parking arrangements, the Staff would recommend the Applicant resolve the location of the eastern property line.

The location of the eastern property line has been resolved by the property owner of the subject parcel buying the disputed area and consolidating it with the existing property. The Staff would note that the City's records already indicated the subject parcel as one parcel with no disputed eastern property line.

Non-residential buildings are allowed in the subarea even on lots that already have residential (including multifamily) uses. Office buildings are permitted to be up to 5,000 sq. ft. – well above the proposed 750 sq. ft. space.

The proposed lot coverage is indicated as 63% (about 4,100 sq. ft. of the 6,786 sq. ft. lot size), which meets the District regulation of 80% maximum.

Regarding the setbacks (and the Staff's conclusion regarding the compatibility rule comparison to the commercial portion of the larger building on the property), the Staff would recommend the Applicant document compliance with the front yard setback. The Staff further finds that the comparison structure does not have a rear yard setback so the proposed building should comply with the transitional yard requirement for the adjacency to the residential use. The Staff also finds that the right side yard setback of the comparison structure (the half depth front yard) is not applicable to the proposed building so the proposed building should comply with the transitional yard requirement for the adjacency to the residential use. Lastly, the Staff finds that while the comparison structure does have a left side yard setback, the proposed building does not change the left side yard setback as the existing building on the property already establishes that setback through its relationship to Powell Street.

In the revised materials, the Applicant notes that the front yard setback of the proposed building is 0 ft. and the front yard of the comparison building is 0 ft. These distances appear to be measured from the front property line to the front of the respective retaining walls, when they should be measured from the front property line to the front façade of the buildings. It would appear that the accurate measurement technique would still be able to document compliance as both building appear to be setback the same distance from the front property line. The Staff would retain its previous recommendation.

No fences, walls, retaining walls, loading areas, grading, landscaping or dumpsters are proposed as part of the project, except for the “rebuilding” of an existing retaining wall along the front property line. The Staff would recommend the Applicant provide more information about the condition of the existing front retaining wall and the “rebuilding” action.

In the revised materials, the Applicant provided more information about the existing retaining wall and their proposed action. The Staff would recommend that any existing retaining wall elements be salvaged and reused in a coherent manner in a new, District compliant retaining wall.

The Staff would recommend that if the public sidewalk is substantially damaged during construction, a new sidewalk is installed that meets all District regulations.

No new information was provided about this concern. The Staff would retain its previous recommendation.

Mechanical equipment is not shown on the site plan or the elevations. The Staff would recommend the mechanical equipment for the new building meet the District regulations.

The new HVAC equipment is shown to the rear of the proposed building in what the Staff considers to be the least visible location and is screened from view from the public street.

Though the parking area is not located in the front yard (given how close the building is to the street), there are several concerns regarding the proposed parking lot. One-third of the surface area is not indicated as pervious surface. The material of the parking lot is not indicated. There is no lighting indicated on the site plan. There are no calculations of the landscaping requirements. No sidewalks are shown in and from the parking area to the public sidewalk along Gaskill Street. The Staff would recommend the parking area meet all of the District regulations, including but not limited to treatment of surface area, lighting, landscaping, and access sidewalks.

In the revised materials, the Applicant indicates that no new lighting will be installed in the parking area. There is no indication of one-third of the parking area being pervious, or the material of the new portions of the driveway / parking area, landscaping, and sidewalk access. The Staff would retain its previous recommendation for those requirements that apply to this parking situation.

General Massing and Architectural Components (CA3-15-090)

Many of the massing (building height and width), façade organization, architectural components, and materials are based on the compatibility rule which in this case requires comparison to commercial portion of the building already on the property.

The Staff finds that the overall massing (rectangular) and roof form (front to rear gable) are similar to the comparison building. There is no real front porch included in the design, similar to the comparison building. The general façade organization and proportions are similar to the comparison building as the proposed building essentially tries to re-create the appearance of the comparison building. The primary pedestrian entrance is facing and directly visible from the street. The building will provide sidewalk level office use. No lighting is shown on the building.

The building will have more than 75% of its façade as fenestration, however due to the existing topography of the lot the fenestration starts more than three (3) above the public sidewalk. The starting point for the measurement is the public sidewalk, not the base of the storefront facade. While this requirement (and the way to measure it) would appear to conflict with the requirements related to the general façade organization and proportion being subject to the compatibility rule, both requirements need to be met. The Staff would recommend a variance be applied for regarding the fenestration beginning point in relationship to the public sidewalk.

Given the variance submitted and the Staff's recommendation, the Staff does not have concerns about this component of the proposal.

Similarly, while it might appear that the first floor height above the public sidewalk is the same as the comparison building it is not documented on the plans. Further, the proposed building does not meet the foundation height requirement though the Staff would acknowledge that most commercial buildings don't have foundations similar to residential structures. Nonetheless, the District regulations require this

condition to be met in Subarea 4. The Staff would recommend the Applicant document compliance with the first floor height and foundation height regulations or apply for a variance.

Given the variance submitted and the Staff's recommendation, the Staff does not have concerns about this component of the proposal.

It is not clear if the building's height and width are the same as the comparison building. The Staff recommend the Applicant should document that the proposed buildings overall height from surrounding grade and width are the same as the comparison building.

The revised materials include dimensions of the height of the proposed building vs. the comparison building. In measuring the actual graphics it appears that the comparison building is slightly wider and taller [when measured from the surrounding grade – not the sidewalk] - to the peak of the roof) than the proposed building. It would appear that the proposed building has to be slightly wider and taller to be the same as the comparison building. The Staff would recommend the proposed building have the same width and height as the comparison building.

It is also not clear if the roof pitch is the same as the comparison building. The Staff would recommend the Applicant document that the roof pitch of the proposed building is the same as the comparison building.

The roof pitch of the proposed building is the same as the comparison building.

The Staff would recommend a street address number at meets the District regulations be located on the front façade of the building.

An as yet undetermined street address number is indicated above the front door.

Materials (CA3-15-090)

While the materials for the roof, siding, exterior doors, window frames and door frames meet the District regulations, there are a few remaining elements for which their material is not noted on the plans. The Staff would recommend that all exterior trim and architectural elements be wood.

The revised plans indicate that all exterior trim and architectural elements will be wood, except the siding in the gable, paneling / sheathing in the bulkhead of the storefront system and the wide trim around the display windows. The Staff would retain its previous recommendation, noting the siding can be smooth cementitious boards.

Other Comments

In the revised materials, the fenestration on the sides of the proposed building has been revised include three double, hung windows on each side façade. The Staff does not have concerns about this fenestration.

Further, two skylights have been added to the east-facing roof plane. While skylights are permitted on secondary roof planes (i.e. not front facing roof planes), they do need to be located to reduce their visibility. It is not clear what their visibility will be from Gaskill Street. The Staff would recommend the Applicant document the visibility of the skylights and that they will only be minimally visible from Gaskill Street.

STAFF RECOMMENDATIONS:

Fenestration and Foundation Height Analysis (CA3-15-459)

Staff Recommendation: Based on the following:

- a) *There are extraordinary and exceptional conditions pertaining to the particular piece of property in question, per Section 16-26.003;*
- b) *The application of the Zoning Ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship, per Section 16-26.003*
- c) *There are peculiar conditions pertaining to the particular piece of property in question, per Section 16-26.003;*
- 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, per Section 16-26.003.*

Staff recommends approval of the application for a Type III Certificate of Appropriateness (CA3-15-459) for a variance to allow non-conforming fenestration and foundation heights (at 228 Powell St. Property is zoned Cabbagetown Landmark District (Subarea 4) / Beltline.

Design Review (CA3-15-090):

Staff Recommendation: Based on the following:

1. There are significant characteristics or components of the project that are either undocumented or do not meet the District regulations, per Section 16-20A.006 and 16-20A.010.

Staff recommends deferral of the Application for a Type III Certificate of Appropriateness (CA3-15-090) for a new structure at **228 Powell St.** - Property is zoned Cabbagetown Landmark District (Subarea 4) / Beltline, to allow time for the Applicant to address the following comments and concerns:

1. The Staff shall review, and if appropriate approve, design changes to the proposed project due to any Beltline Zoning Overlay Zoning requirements that would supersede the District regulations or would be considered an alternative, but still compatible, method for compliance with the District regulations.
2. The Applicant shall document compliance with the front yard setback, per Section 16-20A.006(0);
3. *Any existing retaining wall elements shall be salvaged and reused in a coherent manner in a new, District compliant retaining wall, per Section 16-20A.009(15);*
4. If the public sidewalk is substantially damaged during construction, a new sidewalk shall be installed that meets all District regulations, per Section 16-20A.006(130(f));
5. The parking area shall meet all of the *pertinent* District regulations, including but not limited to treatment of surface area, lighting, landscaping, and access sidewalks, per Section 16-20A.006(19) and 16-20A.010(16);
6. *The proposed building shall have the same width and height as the comparison building, per Section 16-20A.010(5);*
7. *The Applicant shall document the visibility of the skylights and that they will only be minimally visible from Gaskill Street., per Section 16-20A.006(13)(c)(2);*
8. All exterior trim and architectural elements shall be wood, per Section 16-20A.006(13)(a)(3); and
9. *The Staff shall review, and if appropriate approve, the final plans, specifications, and supporting materials.*



CITY OF ATLANTA

KASIM REED
MAYOR

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

TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

December 9, 2015

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-15-200) for a new single family house at **733 Waterford Road** - Property is zoned R-4 / Collier Heights Historic District.

Applicant: Mark McCammon
110 Andrew Drive, Stockbridge

Facts: According to the District inventory sheet, the single family dwelling on this property was built in 1958 and was considered contributing to the District. Earlier in 2015, the house suffered a significant fire and at the November 23, 2015 Commission meeting, the Commission approved with conditions the demolition of the house, with the foundation, front stoop, carport slab, and carport knee wall remaining. The driveway to the street and the walkway from the front stoop to the driveway would also be retained.

The Application before the Commission at this time is to rebuild the house to its previous exterior appearance. The District inventory sheet shows the house prior to the fire damage. Further, the Applicant has provided photographs related to the fire that would also show the exterior details and architectural elements of the house even with the fire damage. The District regulations do not otherwise require that the Applicant rebuild the house to its previous appearance and condition, but the Applicant has chosen to do so per the property owner's interest.

Analysis: The following code sections apply to this application:

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

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

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

The following general regulations shall apply to the Collier Heights 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 Collier Heights Historic District, the Commission shall apply the standards referenced below only if the standards set forth elsewhere in this Chapter 20Q do not specifically address the application including but not limited to multifamily residential, institutional, commercial and mixed use structures:
 - 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. Distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall not be removed.

- 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 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.
- (2) Certificates of appropriateness. Certificates of appropriateness within this district shall be required as follows:
- (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.
 - (c) The following work requires a certificate of appropriateness:
 - (iii) To erect a new structure;
 - (d) Type required.
 - (i) Except as otherwise provided herein, the procedures for determining the appropriate type of certificate of appropriateness shall be those specified in section 16-20.008 of the Code of Ordinances.
 - (vi) The following shall require a Type III certificates of appropriateness which shall be reviewed by the commission:
 - (a) All new principal structures;
- (3) The compatibility rule. In general, the intent of the regulations and guidelines is to ensure that alterations to existing structures and new construction are compatible with the design, proportions, scale, massing, and general character of the contributing buildings in the immediately adjacent environment of the block face, the entire block, or the district as a whole. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The element in question (i.e. roof form, architectural trim, façade material, window type and material, etc.) shall match that which predominates on the contributing buildings of the same architectural style and like use on that block face or, where quantifiable (i.e., buildings height, setbacks, lot dimensions, etc.), no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same architectural style and like use on that block face."
- (a) For the purposes of the compatibility rule, height and width shall be measured at the front façade.
 - (b) Those elements to which the rule applies are noted in the regulations by a reference to the "compatibility rule."
 - (c) When no structure exists on a block face that would qualify as a comparable structure under the compatibility rule, the comparisons shall be made to a qualifying structure(s) on the block, and if no such structure exists on the block, the comparison shall be made to a qualifying structure(s) on an adjacent block race or block, and if no such structure exists on an adjacent block face or block, the comparison shall be made to a qualifying structure(s) located in the district.

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

In addition to the general regulations set forth in section 16-20Q.005, and any other applicable regulations, the following regulations shall apply to all properties in the District:

- (1) Building façades, materials, and massing.
 - (a) All new principal structures shall conform to the existing building orientation by having front façades and front doors facing and parallel to the street, and except in those blocks in which the historic pattern is such that structures are situated at an angle to the street, in which case the compatibility rule shall apply. If located on a corner lot, the orientation of the front façade shall be based on the compatibility rule whenever possible.
 - (b) Front, side and rear yard setbacks for all new principal structures shall be subject to the compatibility rule. The front and rear yard setbacks of additions shall be subject to the compatibility rule. The side yard setbacks of additions shall not be subject to the compatibility rule but shall be no closer than the side yard setbacks of the existing principal structure.
 - (c) The compatibility rule shall apply to the height of all new principal structures and additions. Regardless of the compatibility rule range, the highest ridge line of an addition shall not be any higher than the highest ridge line of the existing structure.

- (d) The compatibility rule shall apply to the form and pitch of the primary roof of the principal structure and additions.
- (e) The compatibility rule shall apply to the overall design, size, scale, massing and width of new principal structures and additions.
- (f) The compatibility rule shall apply to the height of the first floor above the grade as measured at the front façade.
- (g) The compatibility rule shall apply to all building façade materials on all façades, and in addition to all other applicable regulations, as follows:
 - (h) The presence and dimensions of the exposed face of lap siding and wood shingles.
 - (i) The presence and type of brick and pattern of brickwork.
 - (ii) The presence and type of stone and pattern of stonework.
 - (iii) The presence, material and texture of stucco.
 - (iv) The materials and pattern of roofing.
- (2) Windows and doors.
 - (b) Replacement windows or exterior doors shall be permitted only when the original or historic windows and exterior doors cannot be rehabilitated.
 - (c) If original or historic windows or exterior doors cannot be rehabilitated, replacement windows and doors shall match the original or historic in light design, function, materials, shape, and size.
 - (d) Replacement windows and doors for non-original or non-historic windows and doors shall be compatible with the architectural style of the structure or shall be subject to the compatibility rule.
 - (f) On the front and side façades of new principal structures and additions, the ratio of openings to solid; the scale, size, proportion, and location of all openings; and the design, light patterns, and material of windows and doors shall be established by the compatibility rule.
- (3) Storm doors, storm windows, security doors and exterior window treatments, shutters and awnings.
 - (a) Shutters and awnings shall not be added to the structure if they were not original to the structure.
 - (b) Original or historic shutters and awnings shall be retained.
 - (c) Replacement shutters and awnings shall be permitted only when original or historic shutters and awnings cannot be rehabilitated.
 - (d) If original or historic shutters and awnings cannot be rehabilitated, any replacement shutters and awnings shall match the original or historic shutters and awnings in design, materials and configuration.
 - (e) On the front and side façades of new principal structures and additions, storm doors, security doors, storm windows, or security windows shall not cover or obscure significant architectural details.
- (4) Foundations.
 - (b) On the front and side façades of new principal structures and additions, foundations shall be of masonry or concrete construction. Other foundation materials are permitted provided if they are compatible with the structure on which they are located and in scale, materials and style with foundations of adjacent and surrounding structures.
- (5) Chimneys.
 - (b) Replacement chimneys shall be permitted only when original or historic chimneys cannot be rehabilitated.
 - (c) If original or historic chimneys cannot be rehabilitated, replacement chimneys shall match the original or historic chimney in design, materials and configuration.
 - (d) Chimneys that are part of a new principal structure or the front or side façades of additions shall be faced with brick. No chimneys shall be cantilevered from the façade of the structure.
- (6) Roofs and roof features.
 - (a) Replacement roofing shall be of the same texture and appearance as the existing.
 - (b) Rolled or membrane roofing is permitted only on flat roofs. Metal roofs are not permitted.
 - (c) The shape and pitch of roofs for new principal structures and additions shall be subject to the compatibility rule.
- (9) Decks, patios and terraces.
 - (a) Decks, patios and terraces shall be constructed to the rear of the structure and shall not extend beyond the sides of the structure.
 - (b) Decks, patios and terraces on corner lots shall be screened with vegetation to reduce visibility from the public street.
- (10) Porches and stoops.
 - (b) Replacement porches or stoops or their component features shall be permitted only when the original or historic porch or stoop or their component feature(s) cannot be rehabilitated.
 - (c) If the original or historic porch or stoops or their components cannot be rehabilitated, the replacement porch or stoop or their component features shall match the original in shape, size, internal proportions, and materials.
 - (d) Porches or stoops shall be a part of new principal structures or additions based on the compatibility rule and if present the front or side façade shall contain railings and decorative features consistent with the architectural style of the principal structure or shall be subject to the compatibility rule.

- (11) Attached garages and carports.
 - (a) The presence, location, and design of carports or garages for all new principal structures shall be subject to the compatibility rule.
- (12) Accessory structures and active recreation facilities.
 - (b) All other accessory structures, such as, detached garages, detached carports, greenhouses, mechanical or communications equipment, shall be located to the side or rear of the principal structure and shall not project beyond the front of the principal structure. All accessory structures shall have side yard setbacks of at least 15 feet or shall be no closer than the side yard setback of the existing principal structure and shall have rear yard setbacks of at least 15 feet. Half-depth front yard setbacks for accessory structure shall be established by the compatibility rule. The predominant exterior materials shall be metal, siding, or brick.
 - (c) In addition, all mechanical and communications equipment shall be screened with planting or fence materials if said equipment is visible from the public street.
- (13) Freestanding mailboxes and mailbox structures shall be allowed in the front yard immediately adjacent to the public street provided the mailbox or mailbox structure does not exceed four feet in height, two feet in depth, and two feet in width. Additional components may be attached to one of both sides of the mailbox or mailbox structure and each individual component shall not exceed two feet in height, two feet in depth, and two feet in width. Freestanding mailboxes and mailbox structures, and any attached components shall be brick or metal.
- (15) Paved surfaces.
 - (a) Original or historic paved surfaces shall be retained.
 - (b) Replacement paved surfaces shall be permitted only when original or historic chimneys cannot be rehabilitated.
 - (c) If original or historic paved surfaces cannot be rehabilitated, replacement paved surfaces shall match the original or historic paved surface in layout, patterns, finish, and materials.
- (18) Ornamentation.
 - (b) Replacement ornamentation shall be permitted only when the original or historic ornamentation cannot be rehabilitated.
 - (c) If original or historic ornamentation cannot be rehabilitated, replacement ornamentation shall match the original or historic ornamentation as to location, size, number, design, reveal, and materials.
 - (d) The installation of new ornamentation that does not currently exist shall be permitted only when it is consistent with the architectural style of the existing structure as documented through archival or photographic evidence.

Approach to the Review

Given the circumstances of this particular situation, the Staff finds that Applicant can rebuild the previously existing house without having to meet all of the requirements for new construction found in the District. First, the general provisions of the City's Zoning Ordinance allow for the rebuilding of previously existing buildings (even if it was a non-conforming building) if the new building is not any larger, taller, or have more square footage than the previously existing building. Second, the house was approved for demolition based on substantial fire-related damage vs. a demolition by choice. Third, even with the fire-related damage, elements of the house's footprint and site location (the entire foundation, front stoop, carport slab, carport knee wall, driveway, and front walkway) will be retained which will align the proposed house's location on the lot, the footprint and setbacks to the previous house. Fourth, several of the new construction regulations require that if original or historic elements cannot be rehabilitated (as in the case of substantial fire-related damage); the new corresponding element should match the previous element in all aspects.

However, for this approach to be used in the District, the proposed footprint, dimensions, design, materials, architectural elements, etc. of the exterior of the proposed house must match the previously existing house. If the Applicant cannot or does not want to match all exterior components of the previous house, the must meet the requirements in the District for new construction. If the proposed house does not match the previous house and certain the requirements for new construction cannot be met, variances from the unmet new construction requirements would need to be applied for and approved by the Commission.

In this case, the Applicant is proposing to rebuild the previously existing contributing house and as such the Staff will review the proposed design in comparison to the previous house.

Site Plan Related Items

As noted above, the house will be built on the same footprint and foundation as the previous house. In fact, the proposed site plan is the previous house's site plan. Further, the carport, driveway, front walkway, rear patio and front stoop are being retained in the rebuild process.

The Staff has no concerns about the site plan related components of the rebuilt house.

Massing and Overall Design

The elevations submitted with the application appear to show the same massing, overall design, and roof form as the previous house, but the Staff does have several concerns. First, it is not clear that the elevations of the proposed house show the same roof pitch as the previous house. The Staff would recommend the Applicant document that the roof pitch of the proposed house will be the same as the previous house and be shown as such in the proposed elevations.

Second, in the elevations the projecting portion on the right side of the house doesn't appear to be the same width as the previous house. Even though the Staff knows the previous foundation will be used, the elevations need to accurately show the proposed design. The Staff would recommend the projecting portion of the right side of the house have the same width as the previous house and be shown as such on the proposed elevations.

Third, the rear elevation does not appear to show the grade line accurately. On the previous house, there are three or four stairs up to the rear patio and the sliding glass door. On the proposed elevations, the grade is shown as just below the sliding glass door threshold. The Staff would recommend the grade at the rear of the house and stairs to the rear patio be accurately reflected on the proposed rear elevation.

Exterior Architectural Elements

The plans submitted with the application do not have the same architectural components as the previous house and they are not in the same location. First, the windows on the front façade are not the same type and design and not in the same location as the previous house. They are too low on the façade and should be just underneath the eave. Further, on the left side of the front façade, there is a large picture window with two smaller flanking windows and then next to the flanking windows single double hung windows. The Staff would recommend the fenestration pattern on the front and side façades be the same as the previous house and be shown as such on the proposed elevations.

Second, the eaves do not appear deep enough on the proposed house. The Staff would recommend the Applicant document the depth of the eaves on the proposed house will be the same as the previous house and be shown as such on the proposed elevations.

Third, though the front stoop is to be retained in the rebuild, the front stoop on the proposed elevations appears too wide compared to the previous house. On the previous house the front stoop is not much wider than the front door whereas on the proposed house it is about twice as wide as the front door. The Staff would recommend the Applicant document the width of the front stoop on the proposed house will be the same as the previous house and be shown as such on the proposed elevations.

Fourth, the front door itself is a different design (six lights in a rectangular pattern on top of a two-panel door) then the previous house (a slab door with cascading / diagonal, small rectangular lights).

The Staff would recommend that the design of the front door on the proposed house match the design of the front door on the previous house.

Exterior Materials

There are no materials listed for the windows, doors, and related trim. The chimney is noted as cementitious siding, the soffits as vinyl, the exterior as standard-sized brick, the eave trim as wrapped in metal, and the supports for the carport as pressure treated wood. As is the case with the other exterior features of the proposed house, the design and materials must match the previous house. Though it is not clear to the Staff all of the exterior materials of the previous house, it does know that the chimney was brick and that the windows, doors, and related trim appeared to be wood. The Staff would recommend the Applicant document all of the exterior materials of the previous house and that the exterior materials of the proposed house match those found in the previous house. The Staff would further recommend the exterior brick on the previous house be salvaged and reused on the proposed house or if the Applicant can document that this not possible the brick on the proposed house shall match the size and shape of the brick on the previous house.

Staff Recommendation: Based upon the following:

(a)The project meets the District regulations per Section 16-20Q.006, with the exceptions noted above;

Staff recommends approval of the application for a Type III Certificate of Appropriateness (CA3-15-200) for a new single family house at **733 Waterford Road** - Property is zoned R-4 / Collier Heights Historic District, with the following conditions:

1. The Applicant shall document that the roof pitch of the proposed house will be the same as the previous house and be shown as such in the proposed elevations, per Section 16-20Q.005(1)(b);
2. The projecting portion of the right side of the house shall have the same width as the previous house and shall be shown as such on the proposed elevations, per Section 16-20Q.005(1)(b);
3. The grade at the rear of the house and stairs to the rear patio shall be accurately reflected on the proposed rear elevation, per Section 16-20Q.005(1)(b);
4. The fenestration pattern on the front and side façades shall be the same as the previous house and shall be shown as such on the proposed elevations, per Section 16-20Q.005(1)(b);
5. The Applicant shall document the depth of the eaves on the proposed house will be the same as the previous house and shall be shown as such on the proposed elevations, per Section 16-20Q.005(1)(b);
6. The Applicant shall document the width of the front stoop on the proposed house will be the same as the previous house and shall be shown as such on the proposed elevations, per Section 16-20Q.005(1)(b);
7. The design of the front door on the proposed house shall match the design of the front door on the previous house, per Section 16-20Q.005(1)(b);
8. The Applicant shall document all of the exterior materials of the previous house and that the exterior materials of the proposed house shall match those found in the previous house, per Section 16-20Q.005(1)(b);
9. The exterior brick on the previous house shall be salvaged and reused on the proposed house or if the Applicant can document that this not possible the brick on the proposed house shall match the size and shape of the brick on the previous house, per Section 16-20Q.005(1)(b); and
10. The Staff shall review and if appropriate, approve the final plans and supporting materials.



CITY OF ATLANTA

KASIM REED
MAYOR

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

TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

November 23, 2015

REVISED

December 9, 2015

(Revised text shown in italic.)

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-15-439) for alterations and an addition at **780 Lexington Avenue**- Property is zoned R4-A/Adair Park Historic District (Subarea 1)/ Beltline.

Applicant: Arlene Edwards
780 Lexington Avenue

Facts: According to the Adair Park Inventory this single family dwelling is considered a contributing structure.

The Applicant is proposing to demolish a shed roof rear addition, build a rear addition with a gabled roof, build a new chimney on an existing chimney base, and rebuilt the roof of the existing house with a steeper pitch.

At the November 23, 2015 Commission meeting, the Commission deferred this application to allow time for the Applicant to address the concerns noted in the Staff Report. On December 2, 2015, the Applicant revised plans and narrative addressing the concerns. It is these revised plans and narrative that are taken into account in this revised Staff Report.

Analysis: The following code sections apply to this application:

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

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

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

like elements of all structures of like use in that block." Those elements to which the compatibility rule applies are specified in regulations by reference to "compatibility rule."

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

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

1. Certificates of Appropriateness: Certificates of appropriateness within this subarea shall be required as follows:
 - (a) When required:
 1. To change the exterior appearance of any portion of a structure within the subarea, when said change can be seen from the public right-of-way;
 2. To erect a new structure or to make an addition to any structure within the subarea, when said new structure or addition can be seen from the public right-of-way; and
 3. To demolish or move any contributing structure, in whole or in part, within the subarea.
 - (b) Type required:
 1. Type I certificates of appropriateness for ordinary repairs and maintenance are not required in this subarea. This exemption in no way obviates the requirements for certificates of appropriateness for all minor alterations (Type II), major alterations (Type III) and demolitions (Type IV, except partial demolitions).
 2. Except with regard to Type I certificates, the procedures for determining the appropriate type of certificate required under subsection 16-20I.006(1)a. above shall be those specified in section 16-20.008 of the zoning code, provided, however, that a partial demolition shall require a Type IV certificate of appropriateness only when said partial demolition will result in the loss of significant architectural features which destroys the structure's historic interpretability or importance.
2. Lot Size: In addition to the requirements of the subdivision and zoning ordinances, the compatibility rule specified in this chapter 20I shall apply to all subdivisions and aggregations of lots with regard to lot size, dimensions and configurations.
3. Architectural Standards:
 - (a) Building facades:
 1. All new construction shall conform to the existing building orientation (setbacks) by having sidewalks, front yards, porches and front doors facing and parallel to the street, and if located on a corner, the main facade shall face the principal street whenever possible.
 2. At a minimum, the front of all new construction, including any portion thereof, shall be placed at the distances from the street determined by the compatibility rule. This requirement shall also apply to those sides of corner lots which also face a street.
 3. All building materials which upon completion are visible from the public right-of-way, shall be compatible with those which predominate in the subarea.
 4. Siding repair or replacement shall match the original materials in scale and direction. Wood clapboard, if original is preferred; however, aluminum, masonite vinyl or other horizontal siding is permitted if window trim, cornerboards, and fascia/argeboards are left in place or replaced with new material to match the original.
 5. Contemporary design of new construction, compatible with adjacent and surrounding structures, is permitted.
 6. No structure shall exceed that height established by the compatibility rule, with a permitted differential of ten (10) percent.
 - (b) Windows and Doors:
 1. Architecturally significant windows and doors, including details, trimwork, and framing, shall be retained.
 2. Original window and door openings shall not be blocked or enclosed, in whole or in part.
 3. Replacement windows and doors shall be permitted only when originals cannot be rehabilitated. Replacement windows and doors shall match the original in style, materials, shape and size with no more than a one-inch width or height difference from the original size.
 4. Dropped ceilings, when located below the head of a window, shall be sufficiently recessed from the window opening to maintain the original exterior appearance.
 5. New doors and windows, when permitted, shall be compatible in scale, size, proportion, placement, and style to existing windows and doors.
 6. The ratio of openings to solid for all new construction (for example, windows to wall) shall be established by the compatibility rule, with a permitted differential of ten (10) percent.

7. The scale, size, and proportion of all openings in new construction shall be established by the compatibility rule with a permitted differential of ten (10) percent.
 8. New windows or doors added to existing structures shall be located on sides or to the rear of buildings, rather than on the front.
- (c) Foundations:
1. Foundation materials, including infill materials, shall replicate the original materials in size, shape, color, texture and mortar, and shall be installed using construction techniques similar to the original.
 2. New foundations shall be of masonry or concrete construction. Other foundation materials are permitted provided they are appropriate to the building on which they are located and in scale, materials, and style with adjacent and surrounding buildings.
 3. Slab on grade is not permitted.
 4. Lattice, painted concrete block, brick or stucco shall be used as infill between foundation masonry piers when infill is otherwise required.
- (f) Roofs:
1. Roofing materials shall be of the same size, texture and materials as existing, exposed roofing materials when the existing, exposed roofing materials constitute a significant architectural feature of the structure.
 2. Cold-rolled roofing is permitted only on flat roofs. Corrugated metal and corrugated fiberglass roofs are not permitted.
 3. The shape and pitch of roofs for new construction shall be subject to the compatibility rules.
 4. Decks, skylights, solar panels and communication equipment, when otherwise allowed by these or other regulations are permitted on roofs of buildings provided they cannot be seen from the public right of way

Site

According to the site plan, this lot fronts 100' on Lexington Avenue and has a depth of about 203'. Per underlying zoning, the interior side yard shall be no less than 7'. The interior side yard setback is noted as exactly 7' on the site plan and as such would appear to meet the requirements. However, a stoop is shown on the elevations and floor plan which would project into that setback, reducing it to less than 7 ft. The Staff would recommend the stoop be removed from the design so as to allow the left side of the addition to meet the side yard setback requirements.

The stoop on the left side of the house has been removed from the proposed design.

Per underlying zoning, the rear yard setback shall be no less than 15'. The proposed rear yard setback is more than 15' and therefore meets the requirements.

What is not clear is the Catherine Street "half-depth" front yard, which is subject to the compatibility rule. The site plan does not include any compatibility rule information and as such the Staff cannot determine if this half-depth front yard setback has been met. The Staff would recommend the Applicant document compliance with the compatibility rule-determined Catherine Street setback.

No additional information was included about the half-depth front yard setback. The Staff would retain its previous recommendation. The Staff would note that a stoop is shown on the floor plans on the right side of the house that would potentially effect the right side setback calculation.

Per underlying zoning, the maximum lot coverage allowed is 55%. The proposed lot coverage is 10% and therefore meets the requirement. Per underlying zoning, the maximum floor area ratio (FAR) allowed is .50. The proposed FAR is not calculated on the site plan though it was appear to

be substantially less than .50. The Staff would recommend the Applicant document compliance with the FAR requirements.

The revised site plan includes a FAR calculation which shows the FAR is well below the maximum allowed.

Alterations

The Applicant is proposing to remove the gable roof of the existing house and replace it with a steeper pitched gable roof. While the Applicant has shown examples of houses in the District with steeper pitched roofs the first concern of the Staff is whether or not the existing roof is original or historic to the house. If the existing roof is original or historic to the house, such a dramatic change in the roof form would not meet the District regulations as it would constitute a substantial alteration to the building's architectural character. The Staff would recommend the Applicant document whether the existing roof form is original or historic to the house. The Staff would further recommend is the existing roof form is original or historic to the house, it is retained; if not, the new roof form meets the District regulations as to pitch.

The revised plans show that the existing roof will remain and be re-shingled.

The project also includes the rebuilding of a chimney where only the lower base remains. The rebuilt chimney will be sheathed in brick and have a basic, rectangular design which is compatible with the existing house.

The revised plans now show the installation of wood siding on the existing house. Currently the house has what appear to be asbestos shingles. It is not clear if the wood siding will be installed over the asbestos siding or if the asbestos siding will be removed first. While the wood siding could be physically installed over the asbestos siding (and the Staff finds that wood siding is likely the original siding material on the house and thus meets the District regulations), the Staff is concerned about the relationship / reveal between the new siding and the existing exterior trim. The Staff would recommend the Applicant provide more details about the wood siding installation, including but not limited to the reveal between siding pieces and the reveal between it and the existing trim elements.

Demolition and Addition

The Applicant is proposing to demolish an existing shed roof addition. It appears to be more substantial than an enclosed rear porch (the demolition of which the Staff typically supports) and it is not clear to the Staff based on the photographs provided by the Applicant that the rear addition is not original or historic to the house. If it is original or historic to the house, the Staff is concerned that it could constitute a significant architectural feature of the house. The Staff would recommend the Applicant provide more documentation about the shed roof addition to determine its original / historic status and the appropriate type of review of its removal.

The Applicant provided information in their revised narrative describing differences between the addition and the main portion of the house, including finishes, ceiling height, and architectural elements. A Type IV Certificate of Appropriateness is required is the partial demolition will "result in the loss of significant architectural features which destroys the structure's historic interpretability or importance." While the existing rear addition is physically substantial relative to the main portion of the house, the Staff finds that based on the information provided by the

Applicant, its demolition will not diminish the ability to understand the house's historic interpretability or importance – that of a one-story modest house from the 1920s to 1930s.

While the sides of the addition will likely be seen from the public right-of-way, Staff finds the rear of the addition will not be seen. As such, Staff will not comment on the design of the rear façade of the addition. The Staff has several concerns about the design, massing materials and fenestration of the proposed addition that are not appropriate and compatible with the existing house. First, the higher ridge line and projection of the addition beyond the left side of the original house will make the addition larger and visually more significant than the existing house even taking into account the topography of the lot from Lexington Street. Its massing is too significant for the existing house even with the increased pitch on the existing house, of which the Staff still has concerns.

Typically, a rear addition (when subject to review by the Commission) has a lower ridge line and is thinner (or at least not wider) than the existing house. This allows the existing house to be the primary component of the massing and the addition to read as a secondary component. The Staff would recommend that the addition's width is not more than the width of the existing house and its ridge line be below the final ridge line of the existing house. Further, the Staff would recommend the addition's roof pitch meet the District regulations.

The rear addition has been revised so that its roof has the same ridge line as the existing, unchanging roof. The additions width is unchanged from the original proposal. The Applicant has provided examples of houses in the District with bump-outs on their side elevations which the Staff finds are different circumstances than the proposed design. However, the Applicant has also provided photographs from Lexington Avenue showing the lack of visibility of the left side of the house from the public street. Due to the slight up slope from the street, distance from the street, and significant heavy vegetation, the left side of the existing house and the left side of the addition will not be visible from the public street. While the Staff finds that the addition's width is compatible with the house, this portion of the addition will not be visible from a public street and thus not subject to review by the Commission.

Second, the Staff is concerned about the fenestration on the addition. The left side has a square fixed window and two small, high, rectangular slider windows. On the right side, the paired windows do not have the compatible spacing between the window units themselves. The Staff recommends the fenestration on the addition be redesigned to be compatible with the existing house and meet the District regulations.

The Staff finds that based on the new information from the Applicant about the visibility of the left side of the addition, the Staff has no comments about the left side fenestration. On the right side of the addition, the fenestration has changed to include a door at the front portion of the addition, a door and flanking double hung windows in the middle portion of the addition and a screened in porch in the rear portion. The narrative notes that the new windows on the right side will be the same as the windows on the existing house and the doors will be the same as the existing front door on the house. The Staff has no concerns about the new window configuration or screened porch, but would recommend the new doors on the right side of the addition be accurately shown on the elevation and compatible with the existing architecture of the house.

Third, except for the foundation, the materials of the proposed addition are not specified on the plans, including the trim, windows, and texture of the siding. The Staff would recommend all of the

materials of the addition are specified on the plans and that they meet the District regulations, including but not limited to wood windows and smooth face cementitious siding.

The revised plans and narrative indicate all of the exterior materials, including wood siding, wood windows, brick foundation, asphalt shingle roofing, and wood window trim. AS note all of the narrative notes are included on the revised plans, the Staff would retain the first part of its previous recommendation.

Staff Recommendation: Based upon the following:

(a) Except as noted above, the plans meet the regulations per Section 16-20I.005 and 16-20I.006;

Staff recommends *approval* of the Application for a Type III Certificate of (CA3-15-439) for alterations and an addition at **780 Lexington Avenue**- Property is zoned R4-A/Adair Park Historic District (Subarea 1)/ Beltline, with the following conditions:

1. The Applicant shall document compliance with the compatibility rule-determined Catherine Street setback, per Section 16-20I.006(3)(a)(2);
2. *The Applicant shall provide more details about the wood siding installation, including but not limited to the reveal between siding pieces and the reveal between it and the existing trim elements, per Section 16-20I.006(3)(a);*
3. The addition's width shall not more than the width of the existing house and its ridge line shall be below the final ridge line of the existing house, per Section 16-20I.006(3)(a)(5);
4. *The new doors on the right side of the addition be accurately shown on the elevation and compatible with the existing architecture of the house, per Section 16-20I.006(3)(b);*
5. All of the materials of the addition are specified on the plans and that they meet the District regulations, per 16-20I.006(3)(a)(3); and
6. Staff shall review and if appropriate, approve the final plans and documentation.



CITY OF ATLANTA

KASIM REED
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0301
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT December 9, 2015

Agenda Item: Application for a Type III Certificates of Appropriateness (CA3-15-441) for a new two- family house at **266 (aka 252) Bass Street** – Property is zoned R-5/ Grant Park Historic District (Subarea 1).

Applicant: Shona Griffin
4000 Ferry Heights Drive

Facts: The existing non-residential building is considered non-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.

- (1) *General Criteria.*
 - a. Notwithstanding any other provision herein, no Certificate of Appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - b. Except as otherwise provided herein, the procedures for determining the appropriate type of certificate shall be those specified in section 16-20.008 of the zoning code.
 - c. In Residential Subarea I, the commission shall apply the standards referenced in 16.20.009 only if the standards set forth in this Chapter 20K do not specifically address the application.
- (2) *Certificates of Appropriateness.*
 - a. Type I Certificates of Appropriateness for ordinary repairs and maintenance shall not be required in this district. Painting or repainting of any structure, or portion thereof, does not require a Certificate of Appropriateness.
 - b. Type II Certificates of Appropriateness shall be required for: minor alterations to those facades of any contributing principal structure that face public streets; fences; walls; accessory structures; decks; and paving. If the proposed alteration meets the requirements of section 16-20K.007, then the director of the commission shall issue the Type II Certificate. If the proposed alteration does not meet the requirements of section 16-20K.007, the director of the commission shall deny the application. Appeals from said decision of the director regarding the issuance and/or denial of Type II Certificates may be taken by any aggrieved person by filing said appeal in the manner prescribed in the appeals section of Chapter 16-20.008(a) for Type I Certificates.
 - c. Type III Certificates of Appropriateness shall be required for:
 1. All new principal structures
 2. All major alterations and additions to existing structure, with respect to any façade that faces a public street.
 - 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.
- (3) *Subdivisions.* In addition to the requirements of the subdivision and zoning ordinances, including but not limited to sections 15-08.002(a)(2) and 15-08.005(d)(6), all subdivisions of lots shall conform to the historic platting pattern in the district with regard to lot size, dimensions, and configurations.
- (4) *Tree Preservation and Replacement.* The provisions of City of Atlanta Tree Ordinance, Atlanta City Code section 158-26, shall apply to this district.
- (5) *Paved surfaces.* The original layout, patterns and paving materials of sidewalks, curbs and streets shall be retained.

Section 16-20K.007. Specific Regulations - Residential Subarea I

(1) *Development Controls.*

- a. *Front Yards:* Front yard setbacks shall either: i) conform to the setback of the previously existing contributing building of like use; or ii) shall be no closer to the street than the closest and no farther from the street than the farthest contributing structure of like use on that side of the block.
- b. *Side Yards:* Side yards shall either: i) conform to the setback of the previously existing contributing building of like use; ii) conform to the setback of the existing building; iii) conform to any existing pattern of unequal side yard setbacks previously established by a majority of the contributing buildings of like use on that side of the block; or iv) be of a width of not less than seven (7) feet.
- c. *Rear Yard:* Rear yard setback shall be seven (7) feet.
- d. *Off-street parking and driveway requirements:*
 1. Off-street parking shall not be permitted in the front yard or half-depth front yard.
 2. The commission shall have the authority to vary section 28.006(10) relative to the requirement for an independent driveway connected to a public street.
 3. If constructed, independent driveways within the front yard or half-depth front yard shall be a maximum of ten (10) feet wide and shall have a maximum curb cut of ten (10) feet, exclusive of the flare.

(2) *Architectural Standards.*

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

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

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

1. Identified design elements of size, scale, massing and materials of new construction shall be substantially consistent with said identified design elements found in contributing structures of like use in the district as listed in subsection 16-20K.007(15)(c.).
2. A paved walkway from the front sidewalk to the front entry of the principal structure shall be provided.
3. Front porches on the principal structure shall be required and shall be a minimum of one-third the width of the front facade and a minimum of seven (7) feet in depth. Side porches shall be a minimum of four (4) feet in depth. Porches may be enclosed by screen wire only, provided all the main features of a porch are maintained in place and the screening materials can be removed at a future date with minimal damage to said features.
4. All front 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.
6. The height of the principal structure shall not exceed thirty-five (35) feet. (See section 16-28.022 for excluded portions of structures.)
7. The first floor of the principal structure shall be on foundations and elevated above the grade a minimum of two (2) entrance step risers each of which shall be no less than six (6) inches in height. All front steps shall have closed risers and closed ends. Access ramps shall be permitted.
8. Garages entrances are prohibited on the front facade. Single car-width garage entrances are permitted on the half depth front yard façade of the structure. Double car-width garage entrances are permitted at the rear of the structure.
9. Decks, Balconies and Upper Level Terraces:
 - a. Decks shall be permitted only when located to the rear of the principal structure.
 - b. Decks shall be permitted at any level.
 - c. Balconies and upper level terraces shall be permitted.
10. Any portion of a chimney that is located on any facade that faces a public street shall originate at grade.
11. Any facades that face a public street shall consist of fenestration that is either: 1)substantially consistent with fenestration on contributing structures of like use in the district, or 2) shall be no less than 15% and no

greater than 40% of the total surface wall area. Windows may be individual or grouped. No individual window unit shall exceed twenty-eight (28) square feet. Within each individual window unit, no individual window sash, either fixed or operable, shall exceed sixteen (16) square feet.

12. When practical, skylights should be located where least visible from the public street. If skylights are visible from the public street, the glass shall be tinted to match the surrounding roof area. Protruding “bubble” skylights are prohibited.
13. Accessory structures, such as carriage houses, smoke houses, tenant and alley houses, private garages, carports, and mechanical equipment shall be located to the side and/or rear of the principal structure within the buildable area of the lot and shall not project beyond the front of the principal structure. If mechanical equipment is visible from a public street, screening with appropriate plant or fence materials is required.
14. Fences and walls, adjacent to a public street upon completion, shall be subject to the provisions of section 16-28.005(5) and the following limitations:
 - a. Fences not exceeding four (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.
15. On those facades of any structure that face a public street, the following regulations on building materials shall apply. Alternate materials may be submitted for review by the commission.
 - a. Paving materials for walks and drives: Black asphalt is prohibited.
 - b. Visible foundation materials: Foundations shall constitute a distinct building design element and shall contrast with the front facade siding material. Brick, stone, concrete, stucco, and architectural concrete masonry units (C.M.U.) shall be permitted. Standard, unfinished concrete block and stacked stone is prohibited.
 - c. Siding/Veneer: Horizontal lap siding, vinyl siding, aluminum siding, shingles, brick, hard stucco, and stone shall be permitted. Stacked stone is prohibited.
 - d. Roofing: Asphalt shingles, wood shingles, metal shingles, slate, and pre-finished metal panels shall be permitted.
 - e. Chimneys: Brick, stone, or architectural concrete masonry units (C.M.U.) shall be permitted. Siding is prohibited.
 - f. Fences: Brick, stone, wire mesh, architectural C.M.U., or vertical pickets made of ornamental metal, wood or simulated wood shall be permitted in the front yard and half depth front yard.

E. *Site development, sidewalks and curbs:*

 1. The sidewalk shall be the same width as the sidewalk on abutting properties. If no sidewalk exists on abutting properties the new sidewalk shall match sidewalk widths on the block. If no sidewalk exists on the block, the new sidewalk shall be six feet wide.
 2. Repairs or replacement of existing brick sidewalks shall be constructed of brick on a concrete base and laid in a pattern to match the existing pattern on abutting properties or elsewhere in the district.
 3. Repairs or replacement of concrete sidewalks adjacent to existing brick sidewalks on the same linear block, or in blocks where brick sidewalks are installed, shall be constructed of brick on a concrete base and laid in a pattern to match the existing pattern on abutting properties or elsewhere in the district.
 4. Sidewalks crossing driveways shall be brick on a concrete base and laid in a pattern to match the existing sidewalk on abutting properties or elsewhere in the district. Driveway aprons shall not interfere with the visual field of the pedestrian path.
 5. Curbing shall be granite; poured concrete shall not be used. Curbing shall be at least six inches in height from street level.
 6. Historic materials such as brick, granite, and cobblestones shall be reused where possible.

7. All American with Disabilities Act (ADA) Detectable Warning Devices installed in this district shall be a red brick color.

Site Plan

The existing interior lots front 100' on Bass and has a depth of 75' on its longest side. Per regulations, the front setback is based on the compatibility rule. The existing lot is the only lot on the block face, therefore the Applicant had to choose another point of comparison. The Applicant submitted three different streets as a point of comparison. Staff would note that only one block face can be used. In looking at all of the points of comparison, the only contributing house is 707 Hill Street. 707 Hill Street has a front yard setback of 21'. Staff recommends the site plan be revised to reflect a 21' front yard setback. Per regulations, the side and rear yard setback shall be no less than 7'. Staff finds the side and rear yard setback requirements have been met.

Per underlying zoning, the maximum FAR (floor area ratio) allowed is .60. The plans do not indicate the proposed FAR. Staff recommends the plans indicate an FAR that is no more than .60. Per underlying zoning, the maximum lot coverage allowed is 55%. The plans do not indicate the proposed lot coverage. Staff recommends the plans indicate a lot coverage that is no more than 55%.

Per regulations, there must be a walkway that leads from the front entryway to the sidewalk. While each entryway has a walkway, it leads to the driveway as opposed to the sidewalk. Staff recommends the plans indicate appropriate walkways that lead from the entryway to the sidewalk. If the sidewalks are damaged during construction, Staff recommends the sidewalk is repaired or replaced as specified by the regulations.

As the project is a proposed duplex, the underlying zoning requires one space per dwelling plus one additional space for each bedroom over three. Staff would note that the code indicates any room that is not the bathroom, kitchen, living room or dining room is considered a bedroom. As each unit has four rooms that would be considered bedrooms, four parking spaces are required. The proposed driveways only provide parking for two cars and therefore the parking requirement has not been met. Staff recommends the site plan be revised to indicate parking for four cars. While not regulated by requirements, Staff finds that having two driveways for one property is not appropriate. Staff suggests the parking be redesigned to include one driveway and to utilize the adjacent alley for access if possible.

Massing and Building Height

The proposed two story duplex is defined by an 8 in 12 hipped roof and two 2-story porches with gable roofs. While the general design is not consistent with many of the historic two-story houses in the district, Staff finds the height of the proposed duplex meets the requirements.

Building Facades

The Commission reviews the facades that face a public street. This is an interior lot, therefore Staff will comment on the front facade

Windows and Doors

The Grant Park regulations allow fenestration to either be compatible with the fenestration on contributing houses or the fenestration shall be no less than 15% and no more than 40% of the wall surface. Staff finds the proposed windows meet the percentage requirements. The material for the windows is not indicated on the plans. Staff recommends the plans indicate the material for the windows.

Building Materials

The Applicant is proposing to use the following building materials: asphalt shingles, cedar shakes, cementitious siding, concrete foundation and wood doors, stairs, railings and columns. While Staff finds the proposed materials mostly meet the requirements, Staff recommends the façade material on the front façade is indicated as smooth cementitious siding with a 4” to 6” reveal.

Porch

Per regulations, the minimum depth for new porches is 7’. The proposed front porches have depths of 5’ and therefore the front porches do not meet the requirements. Staff recommends all front porches have a minimum depth of 7’. Staff would note that in order to meet the setback requirement and meet the porch depth requirement, the house will have to get approximately a foot smaller in order to meet the required 7’ rear yard setback requirement.

Per regulations, front porches shall be a minimum of 1/3 of the front façade of the building. As the existing building is just under 61’ in width, each front porch must have a width of just over 20’. Staff finds the proposed front porches do not meet the width requirements. Staff recommends the proposed front porches meet the width requirements. Notwithstanding Staff’s concerns regarding the width and the depth of the porches, Staff finds the columns, railings, roof, stairs and materials are appropriate.

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 an application for a Type III Certificate of Appropriateness (CA3-15-441) for a new two- family house at **266 (aka 252) Bass Street** – Property is zoned R-5/ Grant Park Historic District (Subarea 1), with the following conditions:

1. The site plan shall be revised to reflect a 21’ front yard setback, per Section 16-20K.007(1)(a);
2. The plans shall indicate an FAR that is no more than .60, per 16-07.008(5)(c);
3. The plans shall indicate a lot coverage that is no more than 55%, per 16-07.008(6);
4. The plans shall indicate appropriate walkways that lead from the entryway to the sidewalk, per Section 16-20K.007(2)(b)(2);
5. If the sidewalks are damaged during construction, the sidewalk shall be repaired or replaced as specified by the regulations, per Section 16-20K.007(2)(E);
6. The site plan shall be revised to indicate parking for four cars, per Section 16-07.010(2)(b);
7. The plans shall indicate the material for the windows;
8. The façade material on the front façade shall be indicated as smooth cementitious siding with a 4” to 6” reveal, per Section 16-20K.007(2)(B)(1);
9. All front porches shall have a minimum depth of 7’, per Section 16-20K.007(2)(B)(3);
10. The proposed front porches shall meet the width requirements, per Section 16-20K.007(2)(B)(3); and
11. Staff shall review and if appropriate, approve the final plans.



CITY OF ATLANTA

KASIM REED
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0303
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT December 9, 2015

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-15-444) for a new single family house at **778 Hill Street**– Property is zoned R-5/ Grant Park Historic District (Subarea 1).

Applicant: Michael Edey
423 John Wesley Dobbs Avenue

Facts: According to the Grant Park Inventory sheet this existing dwelling built in 1905 is considered contributing.

At the May 27, 2015 meeting, applications for Type III Certificates of Appropriateness (CA3-15-196) for a to allow a deck to the side of the principal structure; a reduction in the interior side yard setback from 7' (required) to 5' (proposed); a reduction in the half depth front yard from 30' (required) to 10' (proposed); an increase in the width of the driveway from 10' (required) to 20' (proposed); for a lack of a paved walkway from the front porch to the sidewalk; and a double car width garage entrance on the front façade, and (CA3-15-192) for alterations and additions were reviewed and approved with the following conditions:

CA3-15-196

1. The variance for the half depth front yard shall be eliminated;
2. The variances related to the carport and driveway shall be eliminated; and
3. The variance related to the walkway shall be eliminated.

CA3-15-192

1. The proposed driveway shall no more than 10' wide, per Section 16-20K.007(1)(d)(3);
2. The proposed carport shall be constructed to fit no more than one car and shall be detached from the house, per Section 16-20K.007(2)(b)(8);
3. The Applicant shall clarify the location, material and design of the proposed fence, per Section 16-20K
4. The Applicant shall clarify the proposal for the windows and doors, per Section 16-20K.007(2)(D);
5. All windows and doors shall fit within the original openings, per Section 16-20K.007(2)(D);
6. The shutters shall be eliminated from the elevations, per Section 16-20K.007(2)(D);
7. The roof height, wall height and gable height shall be retained, per Section 16-20K.007(2)(D);
8. An appropriate roof shall be added to the porch in the half depth front yard, per Section 16-20K.007(2)(D);
9. The front stairs shall be centered on the door, per Section 16-20K; and 16-20K.007(2)(D);
10. Staff shall review and if appropriate, approve the final plans.

On October 9, 2015, Staff received a complaint the house was being demolished. An inspector was sent out to issue a stop work, however the house had already been demolished without permits or review by the Urban Design Commission.

Analysis: The following code sections apply to this application:

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

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

- (1) *General Criteria.*
 - a. Notwithstanding any other provision herein, no Certificate of Appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - b. Except as otherwise provided herein, the procedures for determining the appropriate type of certificate shall be those specified in section 16-20.008 of the zoning code.
 - c. In Residential Subarea I, the commission shall apply the standards referenced in 16.20.009 only if the standards set forth in this Chapter 20K do not specifically address the application.
- (2) *Certificates of Appropriateness.*
 - a. Type I Certificates of Appropriateness for ordinary repairs and maintenance shall not be required in this district. Painting or repainting of any structure, or portion thereof, does not require a Certificate of Appropriateness.
 - b. Type II Certificates of Appropriateness shall be required for: minor alterations to those facades of any contributing principal structure that face public streets; fences; walls; accessory structures; decks; and paving. If the proposed alteration meets the requirements of section 16-20K.007, then the director of the commission shall issue the Type II Certificate. If the proposed alteration does not meet the requirements of section 16-20K.007, the director of the commission shall deny the application. Appeals from said decision of the director regarding the issuance and/or denial of Type II Certificates may be taken by any aggrieved person by filing said appeal in the manner prescribed in the appeals section of Chapter 16-20.008(a) for Type I Certificates.
 - c. Type III Certificates of Appropriateness shall be required for:
 1. All new principal structures
 2. All major alterations and additions to existing structure, with respect to any façade that faces a public street.
 - 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.
- (3) *Subdivisions.* In addition to the requirements of the subdivision and zoning ordinances, including but not limited to sections 15-08.002(a)(2) and 15-08.005(d)(6), all subdivisions of lots shall conform to the historic platting pattern in the district with regard to lot size, dimensions, and configurations.
- (4) *Tree Preservation and Replacement.* The provisions of City of Atlanta Tree Ordinance, Atlanta City Code section 158-26, shall apply to this district.
- (5) *Paved surfaces.* The original layout, patterns and paving materials of sidewalks, curbs and streets shall be retained.

Section 16-20K.007. Specific Regulations - Residential Subarea I

- (1) *Development Controls.*
 - a. *Front Yards:* Front yard setbacks shall either: i) conform to the setback of the previously existing contributing building of like use; or ii) shall be no closer to the street than the closest and no farther from the street than the farthest contributing structure of like use on that side of the block.
 - b. *Side Yards:* Side yards shall either: i) conform to the setback of the previously existing contributing building of like use; ii) conform to the setback of the existing building; iii) conform to any existing pattern of unequal side yard setbacks previously established by a majority of the contributing buildings of like use on that side of the block; or iv) be of a width of not less than seven (7) feet.
 - c. *Rear Yard:* Rear yard setback shall be seven (7) feet.
 - d. *Off-street parking and driveway requirements:*
 1. Off-street parking shall not be permitted in the front yard or half-depth front yard.
 2. The commission shall have the authority to vary section 28.006(10) relative to the requirement for an independent driveway connected to a public street.
 3. If constructed, independent driveways within the front yard or half-depth front yard shall be a maximum of ten (10) feet wide and shall have a maximum curb cut of ten (10) feet, exclusive of the flare.
- (2) *Architectural Standards.*
 - A. *Statement of Intent.* The purpose of these regulations is to set forth basic, minimum standards of architectural design and construction that are compatible with and complementary to the existing historic residences within the neighborhood, as the cumulative historic diversity of the built environment is a defining characteristic of this neighborhood. It is not the intent of these regulations to limit the design of new housing to replication of styles

of existing structures, but to foster residential design that, with regard to massing, size, scale, materials, and architectural elements, enhances the architectural quality of the neighborhood and simultaneously encourages creativity. Additionally, these regulations are intended to integrate the physical characteristics of new construction into the existing neighborhood in a meaningful way so as to restore and promote the public health, safety, and welfare of this neighborhood.

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

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

1. Identified design elements of size, scale, massing and materials of new construction shall be substantially consistent with said identified design elements found in contributing structures of like use in the district as listed in subsection 16-20K.007(15)(c.).
2. A paved walkway from the front sidewalk to the front entry of the principal structure shall be provided.
3. Front porches on the principal structure shall be required and shall be a minimum of one-third the width of the front facade and a minimum of seven (7) feet in depth. Side porches shall be a minimum of four (4) feet in depth. Porches may be enclosed by screen wire only, provided all the main features of a porch are maintained in place and the screening materials can be removed at a future date with minimal damage to said features.
4. All front 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.
6. The height of the principal structure shall not exceed thirty-five (35) feet. (See section 16-28.022 for excluded portions of structures.)
7. The first floor of the principal structure shall be on foundations and elevated above the grade a minimum of two (2) entrance step risers each of which shall be no less than six (6) inches in height. All front steps shall have closed risers and closed ends. Access ramps shall be permitted.
8. Garages entrances are prohibited on the front facade. Single car-width garage entrances are permitted on the half depth front yard façade of the structure. Double car-width garage entrances are permitted at the rear of the structure.
9. Decks, Balconies and Upper Level Terraces:
 - a. Decks shall be permitted only when located to the rear of the principal structure.
 - b. Decks shall be permitted at any level.
 - c. Balconies and upper level terraces shall be permitted.
10. Any portion of a chimney that is located on any facade that faces a public street shall originate at grade.
11. Any facades that face a public street shall consist of fenestration that is either: 1)substantially consistent with fenestration on contributing structures of like use in the district, or 2) shall be no less than 15% and no greater than 40% of the total surface wall area. Windows may be individual or grouped. No individual window unit shall exceed twenty-eight (28) square feet. Within each individual window unit, no individual window sash, either fixed or operable, shall exceed sixteen (16) square feet.
12. When practical, skylights should be located where least visible from the public street. If skylights are visible from the public street, the glass shall be tinted to match the surrounding roof area. Protruding “bubble” skylights are prohibited.
13. Accessory structures, such as carriage houses, smoke houses, tenant and alley houses, private garages, carports, and mechanical equipment shall be located to the side and/or rear of the principal structure within the buildable area of the lot and shall not project beyond the front of the principal structure. If mechanical equipment is visible from a public street, screening with appropriate plant or fence materials is required.
14. Fences and walls, adjacent to a public street upon completion, shall be subject to the provisions of section 16-28.005(5) and the following limitations:
 - a. Fences not exceeding four (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.
- 15. On those facades of any structure that face a public street, the following regulations on building materials shall apply. Alternate materials may be submitted for review by the commission.
 - a. Paving materials for walks and drives: Black asphalt is prohibited.
 - b. Visible foundation materials: Foundations shall constitute a distinct building design element and shall contrast with the front facade siding material. Brick, stone, concrete, stucco, and architectural concrete masonry units (C.M.U.) shall be permitted. Standard, unfinished concrete block and stacked stone is prohibited.
 - c. Siding/Veneer: Horizontal lap siding, vinyl siding, aluminum siding, shingles, brick, hard stucco, and stone shall be permitted. Stacked stone is prohibited.
 - d. Roofing: Asphalt shingles, wood shingles, metal shingles, slate, and pre-finished metal panels shall be permitted.
 - e. Chimneys: Brick, stone, or architectural concrete masonry units (C.M.U.) shall be permitted. Siding is prohibited.
 - f. Fences: Brick, stone, wire mesh, architectural C.M.U., or vertical pickets made of ornamental metal, wood or simulated wood shall be permitted in the front yard and half depth front yard.
- E. *Site development, sidewalks and curbs:*
 - 1. The sidewalk shall be the same width as the sidewalk on abutting properties. If no sidewalk exists on abutting properties the new sidewalk shall match sidewalk widths on the block. If no sidewalk exists on the block, the new sidewalk shall be six feet wide.
 - 2. Repairs or replacement of existing brick sidewalks shall be constructed of brick on a concrete base and laid in a pattern to match the existing pattern on abutting properties or elsewhere in the district.
 - 3. Repairs or replacement of concrete sidewalks adjacent to existing brick sidewalks on the same linear block, or in blocks where brick sidewalks are installed, shall be constructed of brick on a concrete base and laid in a pattern to match the existing pattern on abutting properties or elsewhere in the district.
 - 4. Sidewalks crossing driveways shall be brick on a concrete base and laid in a pattern to match the existing sidewalk on abutting properties or elsewhere in the district. Driveway aprons shall not interfere with the visual field of the pedestrian path.

Demolition

In the Grant Park Historic District, a Type IV Certificate of Appropriateness is required for the demolition of a contributing principal structure. As indicated in the facts section, the previously existing historic house was demolished without the proper permits or approval by the Urban Design Commission. As the house is already demolished, a Type IV Certificate of Appropriateness cannot be obtained.

In cases of demolition, a house can usually be built back as it was, including the height and setbacks, as long as the foundation is retained and the house does not increase in size. The Applicant is proposing to construct a larger house than previously existed. As such, Staff finds the proposed new house must meet all new construction requirements.

As the historic house has already been demolished, there is not a way to get current archival quality pictures of the historic house. As such, Staff finds that having accurate as-built drawings is important. In comparing pictures that were submitted with the previous application and survey pictures on file, Staff finds the as-built drawings submitted are not accurate. Staff recommends the Applicant submit accurate as-built drawings.

Site Plan

The existing corner lot front 50' on Little Street and has a depth of 80' On Hill Street. Per regulations, the maximum lot coverage allowed is 55%. In the previous submittal, the existing lot coverage was indicated as 78% and the proposed lot coverage was indicated as 54%. The new proposed lot coverage is 49%. While the proposed lot coverage meets the requirements, Staff has concerns regarding the accuracy of the percentage. In looking at the site plan, most of the lot appears covered and there is no indication of what the materials of the site are. Staff recommends the Applicant provide detailed documentation that shows the lot coverage requirement has been met.

Given the size of the lot, the maximum FAR (floor area ratio) allowed is the lesser of 3750 sq. ft. or .65 of the net lot area. There is a provision that allows for no less than 1800 sq. ft. The proposed total heated space is 1460 sq. ft. and therefore meets the requirements.

Per regulations the front yard setback can be based on the previously existing setback of a historic structure of like use. In comparing the existing and proposed site plan, Staff finds the south setback (Little Street) matches the previously existing setback and therefore meets the requirements. Staff finds the front yard setback requirement also applies to the half depth front yard (Hill Street). The previously existing setback was 8.5'. The proposed half depth front yard setback is 7' and therefore does not meet the requirement. Staff recommends the half depth front yard is 8.5' or meet the compatibility rule.

Per regulations the side yard setback can either match the previously existing setback or be no less than 7'. The proposed side yard setback is 7' and therefore meets the requirement. Per regulations, the rear yard setback shall be no less than 7'. The proposed rear yard setback is more than 7' and therefore meets the requirement.

Per regulations, a walkway from the entryway to the sidewalk is required. There is a walkway indicated on the site plan, however it does not lead from the entryway to the sidewalk. Staff recommends the site plan indicate an appropriate walkway from the front entryway to the sidewalk. Staff recommends the site plan indicate the material for the walkway between the house and the carport.

The Applicant is proposing a single car detached carport with a 10' wide driveway. Staff does not have general concerns regarding the proposed carport or driveway. Staff recommends the site plan indicate the material for the driveway. In looking at the site plan, there are no notations regarding the sidewalk. If the sidewalks are damaged during construction, Staff recommends the sidewalk is repaired or replaced as specified by the regulations.

The Applicant is proposing a 4' wrought iron fence and a 6' tall wood fence. Staff has no concerns regarding the height, material or location of the proposed fences.

Massing and Building Height

The proposed single story house is defined by hipped roof and a side porch. Staff finds the overall configuration and length of the house is not typical of historic single story houses in the district. Per regulations, the maximum height allowed is 35'. The district regulations do not specify how the height should be measured. As such, Staff finds the standard City measurement should be used. Staff finds the proposed house is no taller than the maximum 35' allowed and therefore meets the requirements.

Building Facades

The Commission reviews the facades that face a public street. This is a corner lot, therefore Staff will comment on the Hill Street and Little Street elevations.

Windows and Doors

The Applicant is proposing 6 over 1 and 4 over 1 windows. Staff would note that the windows on the previously existing house were 4 over 1, wood, true divided lite windows. Staff suggests the new house have windows that match the historic windows from the previously existing house. The Grant Park regulations allow for windows to either be compatible with the windows on contributing houses or the windows shall be no less than 15% and no more than 40% of the wall surface. Given the length of the west façade (Hill Street), Staff has concerns the percentage requirement has not been met. Staff also has concerns the design of the windows do not meet the requirement. Staff recommends the Applicant provide documentation the window requirement has been met. Staff recommends the windows are true divided lite or simulated divided lite with muntins permanently affixed to the exterior of the glass.

Building Materials

The Applicant is proposing to use the following building materials: wood windows and sills, wood siding, vertical siding, asphalt shingles and a brick foundation. It is not clear what material the vertical siding is. Staff recommends the Applicant clarify the material of the vertical siding. There is a detail on the plan that indicates a cornice return with a standing seam metal roof. In looking at the elevations, it is not clear where the cornice return and standing seam metal roof are located. Staff recommends the Applicant clarify where the cornice return and standing seam metal roof are located on the elevations. All of the building materials are not indicated on the plans. Staff recommends all building materials are indicated on the plans.

Porch

Per regulations, there must be a front porch that is no less than 1/3 of the front façade and is no less than 7' in depth. While the house is configured to have the front entry way on the west elevation, the front of the house is considered to be the façade that faces the smallest street frontage. As such, the south elevation (Little Street) is actually the front of the house. As such, the front porch requirement applies to the south elevation. Staff recommends the south elevation meet the front porch requirement.

In regards to half depth front yards, side porch requirements apply. Per regulations, side porches shall be a minimum of 4' in depth. Staff finds the proposed side porch meets the requirements. There is a side porch indicated on the north elevation. Staff finds the porch depth requirement has been met.

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 an application for a Type III Certificate of Appropriateness (CA3-15-444) for a new single family house at **778 Hill Street**– Property is zoned R-5/ Grant Park Historic District (Subarea 1), with the following conditions:

1. The Applicant shall submit accurate as-built drawings;
2. The Applicant shall provide detailed documentation that shows the lot coverage requirement has been met, per Section 16-07.008(6);
3. The half depth front yard shall be 8.5' or meet the compatibility rule, per Section 16-20K.007(1)(a);
4. The site plan shall indicate an appropriate walkway from the front entryway to the sidewalk, per Section 16-20K.007(2)(B)(2);
5. The site plan shall indicate the material for the walkway between the house and the carport per Section 16-20K.007(2)(B)(15)(a);
6. The site plan shall indicate the material for the driveway, per Section 16-20K.007(2)(B)(15)(a);
7. If the sidewalks are damaged during construction, the sidewalk shall be repaired or replaced as specified by the regulations, per Section 16-20K.007(2)(B)(15)(E);

8. The Applicant shall provide documentation the fenestration requirement has been met, per Section 16-20K.007(2)(B)(11);
9. The windows shall be true divided lite or simulated divided lite with muntins permanently affixed to the exterior of the glass, per Section 16-20K.007(2)(B)(11) and 16-20.009;
10. The Applicant shall clarify the material of the vertical siding;
11. The Applicant shall clarify where the cornice return and standing seam metal roof are located on the elevations;
12. All building materials shall be indicated on the plans;
13. The south elevation shall meet the front porch requirement, per Section 16-20K.007(B)(3)(4), and (5); and
14. Staff shall review and if appropriate, approve the final plans.



CITY OF ATLANTA

KASIM REED
MAYOR

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

TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

July 22, 2015

Updated

December 9, 2015

(updated information in arial black)

Agenda Item: Applications for Type III Certificates of Appropriateness (CA3 15 456) for a variance to increase the west side yard setback from 2.4 feet (required) to 3.1 feet (proposed), to decrease the first floor height from 7.4 feet (required) to 2 feet 5 inches (proposed), and to allow for a lack of an independent driveway connected to a public street, and (CA3 15 240) for a new single family home at **754 Kirkwood Ave.** Property is zoned Cabbagetown Landmark District (Subarea 3) / Beltline.

Applicant: Adam Stillman
350 Sinclair Avenue

Facts: On November 25, 2013, the Commission approved an application for a Type III Certificates of Appropriateness (CA3-13-294) for a subdivision of one lot into three lots at 145 Pearl Street. The lot in question is one of the three lots created as a result of the approved subdivision.

This application was deferred to allow the Applicant time to address the concerns of Staff and the Commission.

As this property was created by a subdivision, there is a requirement that no variance can be applied for until one year has passed from the final approval of the subdivision. As it has been less than a year since the subdivision was approved, the Applicant has not been able to submit a variance request. On November 16, 2015 an ordinance was passed to allow variance and special exception applications to be submitted and processed for 754, 760 and 768 Kirkwood.

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;

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

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

(1) *When required:*

(b) To erect a new structure or to make an addition to any structure within the district;

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

The following regulations shall apply to more than one subarea in the Cabbagetown Landmark District, which includes all five (5) subareas. Certificates of Appropriateness required above shall be obtained from the commission or the director, as applicable, in accordance with the following regulations:

- (1) *Minimum standards.* These regulations constitute the minimum standards that shall be followed and shall be applied by the commission and director.
- (2) *The commission shall apply the standards in section 16-20.009 only if the standards set forth elsewhere in this Chapter 20A do not specifically address the application.*
- (3) *Applications.* Materials necessary for complete review of an application shall be submitted with the application as set forth by the director. In addition, a scaled site plan showing all improvements, photographs of existing conditions and adjoining properties, and elevation drawings of all improvements shall be submitted for all Type III Certificate of Appropriateness applications. For new construction of a principal building, the application shall also include a scaled drawing showing all front yard setbacks, heights of, and widths of, and the distances between all existing buildings on the block face, along with those of the proposed structure.
- (4) *Additional notification.* The applicant shall be given contact information for interested Cabbagetown community organizations and shall be directed to provide the organization with a copy of the submitted application and attachments within three (3) days of submission to the commission.
- (5) *Cabbagetown design guidelines.* The commission shall adopt and maintain guidelines, referred to herein as the Cabbagetown Design Guidelines. These guidelines shall: further define the intent of these regulations; further define elements of architectural style and applicability; provide important additional detailed information regarding the construction and renovation of historic buildings; and be used as a guide to ensure the compatibility of future development in the Cabbagetown Landmark District.
- (6) *The compatibility rule.*
 - a) In general, the intent of the regulations and guidelines is to ensure that alterations to existing structures and new construction are compatible with the design, proportions, scale, massing, and general character of the contributing buildings in the immediately adjacent environment of the block face, the entire block, a particular subarea (including appropriate reference to subarea style) or the district as a whole. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The element in question (roof form, architectural trim, etc.) shall match that which predominates on the contributing buildings of the same architectural style and like use on that block face or, where quantifiable (i.e., buildings height and width as measured at front facade, floor height, lot dimensions, etc.), no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same architectural style and like use in that block face."
 - b) For the purposes of the compatibility rule, height and width shall be measured at the front façade.
 - c) In any instance where one contributing building of the same architectural style and like use on a block face is higher or wider by more than 10% than any other contributing building of like use on a block face, such structure shall be eliminated in the application of the compatibility rule.
 - d) Those elements to which the rule applies are noted in the regulations by a reference to the "compatibility rule."
- (7) *Variances.* Variance requests shall be heard by the commission which will have the authority to grant or deny variances from the provisions of this chapter when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, criteria and appeal provisions for decisions regarding such variances shall be the same as those specified in chapter 26 of this part 16.
- (9) *Minimum lot requirements.* There shall be front, rear, and side yard setbacks. The distance of said setbacks shall be determined by the compatibility rule.
- (13) *Design standards and criteria for new principal buildings.* The following regulations shall apply to new construction of principal buildings.
 - a) *General criteria:*
 1. All new construction shall be one of the house styles of a contributing building that appears on the block face of the street on which the new construction shall occur.
 2. The general façade organization and proportions shall be subject to the compatibility rule.

3. All of the following building elements shall be appropriate to the selected house style, regarding design, size, dimension, scale, material, location on the building, orientation, pitch, reveal and amount of projection from the façade:
 - a. roofs, chimneys, and roofing materials;
 - b. siding;
 - c. eaves, soffits, brackets, rafter tails, knee braces, cornice returns, and gable returns;
 - d. cornerboards, fascia boards, bottom boards, decorative trim, and attic vents;
 - e. doors and door transoms;
 - f. windows and window transoms;
 - g. porches, including supports, columns, balustrades, steps, and roofs; and
 - h. foundation walls, foundation piers, and water tables.

All the elements listed above shall be utilized in a meaningful, coherent manner, rather than a mere aggregation of random historic elements.

4. Sidewalks, front yards, porches, and front doors facing and parallel to the street shall be provided.

b) *Facades:*

1. Wood, smooth-surface cementitious siding or Masonite siding are permitted. Siding shall exhibit a horizontal, clapboard profile. Siding shall have no less than a four-inch reveal and no more than a six-inch reveal.
2. The height of the first floor above street level shall meet the compatibility rule. The foundation shall be a minimum of fourteen (14) inches and a maximum of four (4) feet above the surface of the ground adjacent to the front façade. Brick, stone, smooth finish stucco, and smooth finish concrete are permitted as foundation facing materials.
3. Windows shall be predominantly vertical in proportion, shall not be constructed in combination of more than two (2) units, and shall be double-hung wood sash with true divided lights. Window organization and fenestration patterns shall meet the compatibility rule.
4. Exterior doors visible from any public right of way shall be solid wood panel or single-pane fixed glass and shall be composed of no more than 50 percent glass.
5. Exterior architectural details, such as brackets, decorative trim, corner boards, bottom boards, fascia boards, porch railing, columns, steps and doors, and attic vents, shall be shown on the submitted plans, and shall be subject to the compatibility rule.

c) *Roofs:*

1. The shape and pitch of roofs, as well as ridge, dormer, overhang, and soffit construction shall meet the compatibility rule.
2. Skylight and solar panels are not permitted on the front façade of any structure. "Bubble type" skylights are not permitted anywhere in the Cabbagetown Landmark District. The placement and design of flat profile skylights and/or solar panels, where permitted, shall minimize their ability to be seen from public right of way(s) and is subject to approval by the commission.
3. When chimneys are included, chimneys shall be faced in brick, originate at grade and are subject to approval by the commission.
4. Boxed gable returns are not permitted.
5. Roofing material shall be asphalt shingles. Fiberglass roofs are not permitted. Flat-roofed structures or structures not visible from any public right of way may use any roof covering that conforms to standard architectural specifications.

e) *Porches:*

Front porches shall contain balustrades, columns, and have other characteristics, including floor dimension, height, roof pitch, overhang, and column size that meet the compatibility rule.

1. Decorative metal, resin, fiberglass and plastic columns are not permitted.
2. Porches may be enclosed with recessed screen wire if the main characteristics of the porch are maintained.
3. Front porch steps shall be made of wood, brick, or concrete. Metal steps are not permitted.

f) *Site development, sidewalks and curbs:*

1. The sidewalk shall be the same width as the sidewalk on abutting properties. If no sidewalk exists on abutting properties, the new sidewalk shall match sidewalk widths on the block. If no sidewalk exists on the block, the new sidewalk shall be six feet wide.
2. Sidewalks shall be brick on a concrete base and laid in a pattern to match existing on abutting properties or elsewhere in the district.
3. Curbing shall be granite; poured concrete shall not be used.

4. A paved walkway from the front public sidewalk to the front entry of the principal building shall be provided.

(19) *Off-street and off-site parking.*

- a) All new construction, change in use, alterations, or additions that increase the number of dwelling units and/or increase the square footage of nonresidential or multifamily shall include off-street parking.
- b) The number of required parking spaces is set out in each subarea.
- c) Variances may be allowed from this requirement subject to the standard procedures and requirements for a variance found in these regulations.
- d) Off-street parking may be located in a rear or side yard.
- k) Use of shared driveways and/or alleys is encouraged.
- l) The commission shall have the authority to vary section 28.006(10) relative to the requirement for an independent driveway connected to a public street.

Sec. 16-20A.009. Shotgun and cottage housing (subarea 3).

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

- (1) *Shotgun Housing.* Shotgun housing is a style typified by simple structures whose width is no more than that of one (1) room extending from the front to rear of the structure or, in the case of a double shotgun, two rooms wide. This housing type is usually closely spaced and is found most often along Savannah Street and Berean Avenue within this subarea.
- (2) *Cottage Housing.* Cottage housing is a mixed housing style that includes central aisle houses, L-plan cottages, Victorian cottages, worker's cottages, one and a half story duplexes, bungalows, and other residential structures, modest in scale, that are characterized by common setbacks, repetitive porch and facade features, and consistent structure massing.
- (3) *Permitted principal uses and structures.* A building or premises shall be used only for the following principal purposes:
 - a) Single-family detached dwellings.
 - b) Two-family dwellings existing at the time of the adoption of these regulations. Two-family dwellings, originally built as duplexes, shall be permitted even if the use has lapsed for more than a year.
 - c) Parks, playgrounds, and community buildings owned and operated by a government agency or Cabbagetown-based non-profit community organization.
- (6) *Minimum lot requirements.* In addition to the setback requirements in Section 16-20A.006(9), in no case shall any portion of a building be closer to a public sidewalk than any portion of any contributing building of like use on the block face.
- (7) *Maximum building height and width.* The compatibility rule shall apply.
- (8) *Floor area ratio.* The floor area ratio shall not exceed 0.50.
- (9) *Roofs.*
 - a) Roofing materials shall be asphalt shingles or batten seamed metal.
 - b) Metal shingles are permitted if they are appropriate to the house style.
- (12) *Porches.*
 - a) Decks shall be permitted on the side or rear of the house if not visible from the street.
 - b) Rear decks shall be no wider than the house.
 - c) Side and rear porches shall be permitted if appropriate to the house style.
- (13) *Fencing and walls.*
 - a) Walls are not permitted in a front yard, or a side yard adjacent to a public right of way.
 - b) Variances for the height of walls or fences may be granted by the commission.
 - c) Walls shall be constructed of wood.
- (14) *Driveways and surface parking areas.*
 - a) One parking space per dwelling unit shall be required for all new construction or changes in use.
 - b) Driveways shall not exceed ten (10) feet in width and shall have a curb cut no more than ten (10) feet, exclusive of flair.
 - a) At least one-third of any driveway or surface parking area shall be pervious.
 - b) Poured concrete paving for driveways shall consist of two ribbons for tire tracks separated by a planting strip.

- c) Alternate paving materials may be approved upon review by the commission if such materials are pervious and do not detract from the historic character of the landmark district.

Variance Request

As there is only one point of comparison, Staff finds the required west side yard setback is 2.4'. The Applicant is requesting an increase in the west side yard setback from 2.4' to 3.1'. According to the Applicant, the Zoning Ordinance would require a sprinkler system, firewall protection, retaining walls, earthwork and fill, due to the 2.4' setback. Staff finds requiring a sprinkler system, firewall protection, retaining walls, earthwork and fill is a hardship for the construction of a single family house. Staff finds approval of the variance will not cause a significant detriment to the public good. Based on the information we have at this time, Staff does not have a concern with the requested variance.

The Applicant is requesting a variance from the first floor height requirements. Specifically, the Applicant is requesting a decrease in the first floor height from 7.4' to 2'5". Staff agrees the points of comparison are on a significant slope and the subject property has a gentler slope. Staff finds that requiring the first floor height to meet the compatibility rule would create a hardship and would not be compatible with the other historic houses on the block face. Staff finds approval of the variance will not cause a significant detriment to the public good. Based on the information we have at this time, Staff does not have a concern with the requested variance.

The Applicant is requesting a variance from the requirement that an independent driveway be connected to a public street. Staff finds the Cabbagetown regulations encourage shared parking. Staff finds approval of the variance will not cause a significant detriment to the public good and will allow one driveway to create off street parking for two houses. Based on the information we have at this time, Staff does not have a concern with the requested variance.

Setbacks and Site Plan

For purposes of the compatibility rule, contributing buildings of the same type and style on the same block face are used in determining the architectural style, architectural elements, building proportions, and building setbacks. This particular block face contains two contributing houses, both of which are gable wing cottages.

The front, side and rear yard setbacks are based on the compatibility rule. The front yard setbacks on the block face range from 21.6' to 22.3'. The proposed front yards setback is 21' and therefore meets the requirement. The right side yard setbacks on the block face range from 4.7' to 9.7'. The proposed right side yard setback is 7.7' and therefore meets the requirement. The only left side yard setback on the block face is 2.4'. The proposed left side yard setback is 2.4' and therefore meets the requirement. The rear yard setbacks on the block face range from 6' to 30.7'. The proposed rear yard setback is 26.5' and therefore meets the requirement.

In comparing the written dimensions to the scale indicated on the site plan, Staff finds the plans are not properly scaled. While Staff has no concerns regarding the written setbacks on the plans, Staff recommends the Applicant submit a properly scaled site plan. As there is no written notation for the front yard setback, Staff cannot determine whether the

proposed front yard setback meets the requirements. Staff recommends the proposed front yard setback meet the requirements.

The maximum floor area ratio (FAR) allowed is .50. The FAR calculations are not indicated. Staff recommends the Applicant provide documentation the project meets the FAR requirement. Staff would note that lot coverage is not restricted in this subarea.

In the updated plans submitted, there are no FAR calculations indicated. Staff retains its recommendation regarding the FAR requirement.

Per regulations, off-street parking is required. The site plan indicates a driveway that is located more than 20' past the front wall of the house. As such, Staff finds the parking requirement has been met. The driveway material is not indicated on the plan. Staff recommends the site plan indicate an appropriate driveway material.

In the updated plans submitted, there is no indication of the driveway material. Staff retains its recommendations regarding the driveway material.

The sidewalk may be destroyed in the process of building the home. Staff recommends the sidewalk be replaced per regulations such that the sidewalk shall be the same width as the sidewalk on the abutting properties. In addition, the sidewalk should be brick on a concrete base and laid in a pattern to match existing on abutting properties. As required by the regulations, a walkway front the porch to sidewalk is indicated. Staff recommends the site plan indicate an appropriate material for the proposed walkway.

In the updated site plan, there is no indication of the sidewalk and there is no indication of the walkway material. Staff retains its recommendations regarding the sidewalk and the walkway.

The site plan does not indicate any grading or change in the lot topography. As there were no pictures submitted of the existing vacant lot, it is not clear whether there are any significant changes to the topography. Staff recommends the Applicant clarify whether there are any significant changes to the topography of the lot.

Based on conversations and pictures, Staff finds there will not be significant changes to the topography of the lot.

Massing and Building Height

Per regulations, the architectural style of the new dwelling must be represented historically on the block face. The historic architectural forms/styles seen on the block face are gable wing cottages. The overall design and details of the proposed single-family dwelling are similar to the gable wing cottages at 736 and 748 Kirkwood Avenue.

Per regulations, the roof form, roof pitch, height, width and first floor height are based on the compatibility rule. According to the Applicant, the first floor height as measured above the street ranges from 7.4' to 11'. The Applicant did not submit the proposed measurement for the first floor height as measured above the street. As such, Staff cannot determine whether the first floor height requirement has been met. Staff recommends the Applicant submit documentation the first floor height requirement has been met.

Per regulations, the height of the first floor is based on the compatibility rule. In looking at the documentation submitted by the Applicant, the first floor requirement cannot be met and therefore a variance is required. As the lot in question was created through a recently approved subdivision, there are certain restrictions to variances that apply. Specifically, there is a provision in the subdivision ordinance that prohibits the submission of a variance application for a period of one year from the date the final plat was approved by the Office of Planning.

The scope of the subdivision ordinance refers to one and two-family lots. As the lots in question are one and two-family lots, Staff finds the scope of the subdivision ordinance does include the Cabbagetown Landmark District. The final plat for the subdivision that created this lot was approved in March of this year. Staff finds the Applicant cannot apply for the necessary variances until March of 2016. Given this information, Staff finds the application cannot move forward at this time.

As indicated in the facts section, an ordinance was passed to allow the submission of variance applications. As indicated in the variance section, Staff has no concerns regarding the proposed first floor height.

The heights on the block face range from 24.5' to 25.6'. The proposed height is 24.6' and therefore meets the requirement. The widths of houses on the block face range from 39.9' to 40.1'. The proposed width is 40' and therefore meets the requirement. The Applicant did not provide the roof forms on the block face. In looking at survey pictures of the two contributing houses on the block face, Staff finds the proposed roof form meets the requirement. The predominate main roof pitch is 12 in 12 and the predominate porch roof pitch on the block face is 3 in 12. While the pitch of the main roof and porch roof are not indicated on the plans, the pitches appear to meet the requirements. Staff recommends the elevations indicate appropriate roof pitches for the main roof and the porch roof.

As the plans are not properly scaled, the proposed width is unknown. Staff recommends the width of the house is no smaller than 39.9' and no larger than 40.1'. As there are no revised elevations, Staff retains its recommendation regarding the proposed roof pitches.

Building Facades

In Landmark Districts, the Commission reviews all facades.

Windows and Doors

While the design of the front and rear door appear to be appropriate, the material details are not indicated on the elevations. Staff recommends the elevations indicate appropriate materials for the front and rear door.

As there are no revised elevations, Staff retains its recommendation regarding the materials for the front and rear door.

In general, Staff finds the design, trim and locations of the windows are appropriate. The material details of the windows are not indicated. Staff recommends all windows are wood as required by the regulations. The elevations indicate that some of the windows will have a dimensional bar to simulate a double hung window, but will actually be a casement window. The regulations require that all windows be double hung and true divided lite. As such, Staff finds the windows that are simulated double hung do not meet the requirements. Staff recommends all windows are actual double hung windows.

As there are no revised elevations, Staff retains its recommendation regarding the proposed windows.

There are three flat panel skylights on the rear of the house. As the skylights are on the rear of the house and are not visible from the street, Staff has no concerns.

Building Materials

The following materials are proposed: cementitious siding with a 5” reveal, wood columns and seamed metal roofing at cornice return. Staff finds there are many material details missing from the elevations. Staff recommends all material details are indicated on the elevations. Staff recommends all materials meet the requirements. Staff recommends the façade material is indicated as smooth cementitious siding.

As there are no revised elevations, Staff retains its recommendation regarding the building materials.

Porch

Staff finds the overall size, location, material, design and architectural details of the proposed porch are consistent and compatible with the porches on the block face. The depths of the porches on the block face range from 6’ to 6.3’. The proposed porch has a depth of 6’ and therefore meets the requirements. Staff has no concerns regarding the proposed porch.

Staff Recommendation: Based upon the following:

- (a) The plans meet the variance criteria per Section 16-20A.006(7);

Staff recommends approval of an Application for a Type III Certificate of (CA3 15 456) for a variance to increase the west side yard setback from 2.4 feet (required) to 3.1 feet (proposed), to decrease the first floor height from 7.4 feet (required) to 2 feet 5 inches (proposed), and to allow for a lack of an independent driveway connected to a public street at **754 Kirkwood Avenue** - Property is zoned Cabbagetown Landmark District (Subarea 3)/Beltline.

Staff Recommendation: Based upon the following:

- (a) The plans meet the regulations per Section 16-20A.006 and 16-20A.009, with the exception of the notes above;

Staff recommends approval of an Application for a Type III Certificate of (CA3-15-240) for a new single family home at **754 Kirkwood Avenue** - Property is zoned Cabbagetown Landmark District (Subarea 3)/Beltline, with the following conditions:

1. The Applicant shall submit properly scaled plans;
2. The proposed front yard setback shall the requirements, per Section 16-20A.006(9);
3. The Applicant shall provide documentation the project meets the FAR requirement, per Section 16-20-20A.009(8);
4. The site plan shall indicate an appropriate driveway material, per Section 16-20A.009(14);
5. If the sidewalk is damaged, it shall be replaced per regulations such that the sidewalk shall be the same width as the sidewalk on the abutting properties. In addition, the sidewalk should be brick on a concrete base and laid in a pattern to match existing on abutting properties, per Section 16-20A.006(13)(f);

6. The site plan shall indicate an appropriate material for the proposed walkway, per Section 16-20A.006(13)(f)(4);
7. The width of the house shall be no smaller than 39.9' and no larger than 40.1', per Section 16-20A.009(7);
8. The elevations shall indicate appropriate roof pitches for the main roof and the porch roof, per Section 16-20A.006(13)(c) and (e);
9. All windows shall be wood, per Section 16-20A.006(13)(b)(3);
10. All windows shall be double hung, per Section 16-20A.006(13)(b)(3);
11. All material details shall be indicated on the elevations and shall meet the requirements, per Section 16-20A.006(13)(a) and (b);
12. The façade material shall be indicated as smooth cementitious siding, per Section 16-20A.006(13)(b)(1); and
13. Staff shall review and if appropriate, approve the final plans.



CITY OF ATLANTA

KASIM REED
MAYOR

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

TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

July 22, 2015

Updated

December 9, 2015

(updated information in arial black)

Agenda Item: Applications for Type III Certificates of Appropriateness (CA3-15-457) for a variance to increase the west side yard setback from 2.4 feet (required) to 3.1 feet (proposed), to decrease the first floor height from 7.4 feet (required) to 2 feet 5 inches (proposed), and to allow for a lack of an independent driveway connected to a public street, and (CA3-15-242) for a new single family home at **760 Kirkwood Ave.** Property is zoned Cabbagetown Landmark District (Subarea 3) / Beltline.

Applicant: Adam Stillman
350 Sinclair Avenue

Facts: On November 25, 2013, the Commission approved an application for a Type III Certificates of Appropriateness (CA3-13-294) for a subdivision of one lot into three lots at 145 Pearl Street. The lot in question is one of the three lots created as a result of the approved subdivision.

This application was deferred to allow the Applicant time to address the concerns of Staff and the Commission.

As this property was created by a subdivision, there is a requirement that no variance can be applied for until one year has passed from the final approval of the subdivision. As it has been less than a year since the subdivision was approved, the Applicant has not been able to submit a variance request. On November 16, 2015 an ordinance was passed to allow variance and special exception applications to be submitted and processed for 754, 760 and 768 Kirkwood.

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;

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

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

(1) *When required:*

(b) To erect a new structure or to make an addition to any structure within the district;

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

The following regulations shall apply to more than one subarea in the Cabbagetown Landmark District, which includes all five (5) subareas. Certificates of Appropriateness required above shall be obtained from the commission or the director, as applicable, in accordance with the following regulations:

- (1) *Minimum standards.* These regulations constitute the minimum standards that shall be followed and shall be applied by the commission and director.
- (2) *The commission shall apply the standards in section 16-20.009 only if the standards set forth elsewhere in this Chapter 20A do not specifically address the application.*
- (3) *Applications.* Materials necessary for complete review of an application shall be submitted with the application as set forth by the director. In addition, a scaled site plan showing all improvements, photographs of existing conditions and adjoining properties, and elevation drawings of all improvements shall be submitted for all Type III Certificate of Appropriateness applications. For new construction of a principal building, the application shall also include a scaled drawing showing all front yard setbacks, heights of, and widths of, and the distances between all existing buildings on the block face, along with those of the proposed structure.
- (4) *Additional notification.* The applicant shall be given contact information for interested Cabbagetown community organizations and shall be directed to provide the organization with a copy of the submitted application and attachments within three (3) days of submission to the commission.
- (5) *Cabbagetown design guidelines.* The commission shall adopt and maintain guidelines, referred to herein as the Cabbagetown Design Guidelines. These guidelines shall: further the intent of these regulations; further define elements of architectural style and applicability; provide important additional detailed information regarding the construction and renovation of historic buildings; and be used as a guide to ensure the compatibility of future development in the Cabbagetown Landmark District.
- (6) *The compatibility rule.*
 - a) In general, the intent of the regulations and guidelines is to ensure that alterations to existing structures and new construction are compatible with the design, proportions, scale, massing, and general character of the contributing buildings in the immediately adjacent environment of the block face, the entire block, a particular subarea (including appropriate reference to subarea style) or the district as a whole. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The element in question (roof form, architectural trim, etc.) shall match that which predominates on the contributing buildings of the same architectural style and like use on that block face or, where quantifiable (i.e., buildings height and width as measured at front facade, floor height, lot dimensions, etc.), no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same architectural style and like use in that block face."
 - b) For the purposes of the compatibility rule, height and width shall be measured at the front façade.
 - c) In any instance where one contributing building of the same architectural style and like use on a block face is higher or wider by more than 10% than any other contributing building of like use on a block face, such structure shall be eliminated in the application of the compatibility rule.
 - d) Those elements to which the rule applies are noted in the regulations by a reference to the "compatibility rule."
- (7) *Variiances.* Variance requests shall be heard by the commission which will have the authority to grant or deny variances from the provisions of this chapter when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, criteria and appeal provisions for decisions regarding such variances shall be the same as those specified in chapter 26 of this part 16.
- (9) *Minimum lot requirements.* There shall be front, rear, and side yard setbacks. The distance of said setbacks shall be determined by the compatibility rule.
- (13) *Design standards and criteria for new principal buildings.* The following regulations shall apply to new construction of principal buildings.
 - a) *General criteria:*
 1. All new construction shall be one of the house styles of a contributing building that appears on the block face of the street on which the new construction shall occur.
 2. The general façade organization and proportions shall be subject to the compatibility rule.

3. All of the following building elements shall be appropriate to the selected house style, regarding design, size, dimension, scale, material, location on the building, orientation, pitch, reveal and amount of projection from the façade:
 - a. roofs, chimneys, and roofing materials;
 - b. siding;
 - c. eaves, soffits, brackets, rafter tails, knee braces, cornice returns, and gable returns;
 - d. cornerboards, fascia boards, bottom boards, decorative trim, and attic vents;
 - e. doors and door transoms;
 - f. windows and window transoms;
 - g. porches, including supports, columns, balustrades, steps, and roofs; and
 - h. foundation walls, foundation piers, and water tables.

All the elements listed above shall be utilized in a meaningful, coherent manner, rather than a mere aggregation of random historic elements.

4. Sidewalks, front yards, porches, and front doors facing and parallel to the street shall be provided.

b) Facades:

1. Wood, smooth-surface cementitious siding or Masonite siding are permitted. Siding shall exhibit a horizontal, clapboard profile. Siding shall have no less than a four-inch reveal and no more than a six-inch reveal.
2. The height of the first floor above street level shall meet the compatibility rule. The foundation shall be a minimum of fourteen (14) inches and a maximum of four (4) feet above the surface of the ground adjacent to the front façade. Brick, stone, smooth finish stucco, and smooth finish concrete are permitted as foundation facing materials.
3. Windows shall be predominantly vertical in proportion, shall not be constructed in combination of more than two (2) units, and shall be double-hung wood sash with true divided lights. Window organization and fenestration patterns shall meet the compatibility rule.
4. Exterior doors visible from any public right of way shall be solid wood panel or single-pane fixed glass and shall be composed of no more than 50 percent glass.
5. Exterior architectural details, such as brackets, decorative trim, corner boards, bottom boards, fascia boards, porch railing, columns, steps and doors, and attic vents, shall be shown on the submitted plans, and shall be subject to the compatibility rule.

c) Roofs:

1. The shape and pitch of roofs, as well as ridge, dormer, overhang, and soffit construction shall meet the compatibility rule.
2. Skylight and solar panels are not permitted on the front façade of any structure. "Bubble type" skylights are not permitted anywhere in the Cabbagetown Landmark District. The placement and design of flat profile skylights and/or solar panels, where permitted, shall minimize their ability to be seen from public right of way(s) and is subject to approval by the commission.
3. When chimneys are included, chimneys shall be faced in brick, originate at grade and are subject to approval by the commission.
4. Boxed gable returns are not permitted.
5. Roofing material shall be asphalt shingles. Fiberglass roofs are not permitted. Flat-roofed structures or structures not visible from any public right of way may use any roof covering that conforms to standard architectural specifications.

e) Porches:

Front porches shall contain balustrades, columns, and have other characteristics, including floor dimension, height, roof pitch, overhang, and column size that meet the compatibility rule.

1. Decorative metal, resin, fiberglass and plastic columns are not permitted.
2. Porches may be enclosed with recessed screen wire if the main characteristics of the porch are maintained.
3. Front porch steps shall be made of wood, brick, or concrete. Metal steps are not permitted.

f) Site development, sidewalks and curbs:

1. The sidewalk shall be the same width as the sidewalk on abutting properties. If no sidewalk exists on abutting properties, the new sidewalk shall match sidewalk widths on the block. If no sidewalk exists on the block, the new sidewalk shall be six feet wide.
2. Sidewalks shall be brick on a concrete base and laid in a pattern to match existing on abutting properties or elsewhere in the district.
3. Curbing shall be granite; poured concrete shall not be used.

4. A paved walkway from the front public sidewalk to the front entry of the principal building shall be provided.

(19) *Off-street and off-site parking.*

- a) All new construction, change in use, alterations, or additions that increase the number of dwelling units and/or increase the square footage of nonresidential or multifamily shall include off-street parking.
- b) The number of required parking spaces is set out in each subarea.
- c) Variances may be allowed from this requirement subject to the standard procedures and requirements for a variance found in these regulations.
- d) Off-street parking may be located in a rear or side yard.
- k) Use of shared driveways and/or alleys is encouraged.
- l) The commission shall have the authority to vary section 28.006(10) relative to the requirement for an independent driveway connected to a public street.

Sec. 16-20A.009. Shotgun and cottage housing (subarea 3).

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

- (1) *Shotgun Housing.* Shotgun housing is a style typified by simple structures whose width is no more than that of one (1) room extending from the front to rear of the structure or, in the case of a double shotgun, two rooms wide. This housing type is usually closely spaced and is found most often along Savannah Street and Berean Avenue within this subarea.
- (2) *Cottage Housing.* Cottage housing is a mixed housing style that includes central aisle houses, L-plan cottages, Victorian cottages, worker's cottages, one and a half story duplexes, bungalows, and other residential structures, modest in scale, that are characterized by common setbacks, repetitive porch and facade features, and consistent structure massing.
- (3) *Permitted principal uses and structures.* A building or premises shall be used only for the following principal purposes:
 - a) Single-family detached dwellings.
 - b) Two-family dwellings existing at the time of the adoption of these regulations. Two-family dwellings, originally built as duplexes, shall be permitted even if the use has lapsed for more than a year.
 - c) Parks, playgrounds, and community buildings owned and operated by a government agency or Cabbagetown-based non-profit community organization.
- (6) *Minimum lot requirements.* In addition to the setback requirements in Section 16-20A.006(9), in no case shall any portion of a building be closer to a public sidewalk than any portion of any contributing building of like use on the block face.
- (7) *Maximum building height and width.* The compatibility rule shall apply.
- (8) *Floor area ratio.* The floor area ratio shall not exceed 0.50.
- (9) *Roofs.*
 - a) Roofing materials shall be asphalt shingles or batten seamed metal.
 - b) Metal shingles are permitted if they are appropriate to the house style.
- (12) *Porches.*
 - a) Decks shall be permitted on the side or rear of the house if not visible from the street.
 - b) Rear decks shall be no wider than the house.
 - c) Side and rear porches shall be permitted if appropriate to the house style.
- (13) *Fencing and walls.*
 - a) Walls are not permitted in a front yard, or a side yard adjacent to a public right of way.
 - b) Variances for the height of walls or fences may be granted by the commission.
 - c) Walls shall be constructed of wood.
- (14) *Driveways and surface parking areas.*
 - a) One parking space per dwelling unit shall be required for all new construction or changes in use.
 - b) Driveways shall not exceed ten (10) feet in width and shall have a curb cut no more than ten (10) feet, exclusive of flair.
 - a) At least one-third of any driveway or surface parking area shall be pervious.
 - b) Poured concrete paving for driveways shall consist of two ribbons for tire tracks separated by a planting strip.

- c) Alternate paving materials may be approved upon review by the commission if such materials are pervious and do not detract from the historic character of the landmark district.

Sec. 15-04.001. - Scope of regulations.

(a) This part shall govern the subdivision of land establishing one- and two-family building lots within the City of Atlanta.

Sec. 15-07.005. - Procedures for processing applications for subdivision.

The procedures for review and action on all applications for the subdivision of land shall be as follows:

(g) *Limitation on Application for Variances.* It is the intent of this part to prohibit the creation of lots that require a variance in order to be developed. Therefore, once a final plat has been approved by the director, bureau of planning, no application for a variance on any lot in said subdivision may be submitted for a period of one year from the date of final approval of said plat unless an unknown site condition is discovered which creates a hardship within the meaning of [chapter 26](#) of part 16 of this Code.

Variance Request

As there is only one point of comparison, Staff finds the required west side yard setback is 2.4'. The Applicant is requesting an increase in the west side yard setback from 2.4' to 3.1'. According to the Applicant, the Zoning Ordinance would require a sprinkler system, firewall protection, retaining walls, earthwork and fill, due to the 2.4' setback. Staff finds requiring a sprinkler system, firewall protection, retaining walls, earthwork and fill is a hardship for the construction of a single family house. Staff finds approval of the variance will not cause a significant detriment to the public good. Based on the information we have at this time, Staff does not have a concern with the requested variance.

The Applicant is requesting a variance from the first floor height requirements. Specifically, the Applicant is requesting a decrease in the first floor height from 7.4' to 2'5". Staff agrees the points of comparison are on a significant slope and the subject property has a gentler slope. Staff finds that requiring the first floor height to meet the compatibility rule would create a hardship and would not be compatible with the other historic houses on the block face. Staff finds approval of the variance will not cause a significant detriment to the public good. Based on the information we have at this time, Staff does not have a concern with the requested variance.

The Applicant is requesting a variance from the requirement that an independent driveway be connected to a public street. Staff finds the Cabbagetown regulations encourage shared parking. Staff finds approval of the variance will not cause a significant detriment to the public good and will allow one driveway to create off street parking for two houses. Based on the information we have at this time, Staff does not have a concern with the requested variance.

Setbacks and Site Plan

For purposes of the compatibility rule, contributing buildings of the same type and style on the same block face are used in determining the architectural style, architectural elements, building proportions, and building setbacks. This particular block face contains two contributing houses, both of which are gable wing cottages.

The front, side and rear yard setbacks are based on the compatibility rule. The front yard setbacks on the block face range from 21.6' to 22.3'. The proposed front yards is 22' and therefore meets the requirements. The right side yard setbacks on the block face range from 4.7' to 9.7'. The proposed right side yard setback is 7.7' and therefore meets the requirement. The only left side yard setback on the block face is 2.4'. The proposed left side yard setback is 2.4' and therefore meets the requirement. The rear yard setbacks on the block face range from 6' to 30.7'. The proposed rear yard setback is 26' and therefor meets the requirement.

In comparing the written dimensions to the scale indicated on the site plan, Staff finds the plans are not properly scaled. While Staff has no concerns regarding the written setbacks on the plans, Staff recommends the Applicant submit a properly scaled site plan. As there is no written notation for the front yard setback, Staff cannot determine whether the proposed front yard setback meets the requirements. Staff recommends the proposed front yard setback meet the requirements.

The maximum floor area ratio (FAR) allowed is .50. The FAR calculations are not indicated. Staff recommends the Applicant provide documentation the project meets the FAR requirement. Staff would note that lot coverage is not restricted in this subarea.

In the updated plans submitted, there are no FAR calculations indicated. Staff retains its recommendation regarding the FAR requirement.

Per regulations, off-street parking is required. The site plan indicates a driveway that is located more than 20' past the front wall of the house. As such, Staff finds the parking requirement has been met. The driveway material is not indicated on the plan. Staff recommends the site plan indicate an appropriate driveway material.

In the updated plans submitted, there is no indication of the driveway material. Staff retains its recommendations regarding the driveway material.

The sidewalk may be destroyed in the process of building the home. Staff recommends the sidewalk be replaced per regulations such that the sidewalk shall be the same width as the sidewalk on the abutting properties. In addition, the sidewalk should be brick on a concrete base and laid in a pattern to match existing on abutting properties. As required by the regulations, a walkway front the porch to sidewalk is indicated. Staff recommends the site plan indicate an appropriate material for the proposed walkway.

In the updated site plan, there is no indication of the sidewalk and there is no indication of the walkway material. Staff retains its recommendations regarding the sidewalk and the walkway.

The site plan does not indicate any grading or change in the lot topography. As there were no pictures submitted of the existing vacant lot, it is not clear whether there are any significant changes to the topography. Staff recommends the Applicant clarify whether there are any significant changes to the topography of the lot.

Based on conversations and pictures, Staff finds there will not be significant changes to the topography of the lot.

Massing and Building Height

Per regulations, the architectural style of the new dwelling must be represented historically on the block face. The historic architectural forms/styles seen on the block face are gable wing cottages. The overall design and details of the proposed single-family dwelling are similar to the gable wing cottages at 736 and 748 Kirkwood Avenue.

Per regulations, the roof form, roof pitch, height, width and first floor height are based on the compatibility rule. According to the Applicant, the first floor height as measured above the street ranges from 7.4' to 11'. The Applicant did not submit the proposed measurement for the first floor height as measured above the street. As such, Staff cannot determine whether the first floor height requirement has been met. Staff recommends the Applicant submit documentation the first floor height requirement has been met.

Per regulations, the height of the first floor is based on the compatibility rule. In looking at the documentation submitted by the Applicant, the first floor requirement cannot be met and therefore a variance is required. As the lot in question was created through a recently approved subdivision, there are certain restrictions to variances that apply. Specifically, there is a provision in the subdivision ordinance that prohibits the submission of a variance application for a period of one year from the date the final plat was approved by the Office of Planning.

The scope of the subdivision ordinance refers to one and two-family lots. As the lots in question are one and two-family lots, Staff finds the scope of the subdivision ordinance does include the Cabbagetown Landmark District. The final plat for the subdivision that created this lot was approved in March of this year. Staff finds the Applicant cannot apply for the necessary variances until March of 2016. Given this information, Staff finds the application cannot move forward at this time.

As indicated in the facts section, an ordinance was passed to allow the submission of variance applications. As indicated in the variance section, Staff has no concerns regarding the proposed first floor height.

The heights on the block face range from 24.5' to 25.6'. The proposed height is 24' 6" and therefore meets the requirement. The widths of houses on the block face range from 39.9' to 40.1'. The proposed width is 40' and therefore meets the requirement. The Applicant did not provide the roof forms on the block face. In looking at survey pictures of the two contributing houses on the block face, Staff finds the proposed roof form meets the requirement. The predominate main roof pitch is 12 in 12 and the predominate porch roof pitch on the block face is 3 in 12. While the pitch of the main roof and porch roof are not indicated on the plans, the pitches appear to meet the requirements. Staff recommends the elevations indicate appropriate roof pitches for the main roof and the porch roof.

As the plans are not properly scaled, the proposed width is unknown. Staff recommends the width of the house is no smaller than 39.9' and no larger than 40.1'. As there are no revised elevations, Staff retains its recommendation regarding the proposed roof pitches.

Building Facades

In Landmark Districts, the Commission reviews all facades.

Windows and Doors

While the design of the front and rear door appear to be appropriate, the material details are not indicated on the elevations. Staff recommends the elevations indicate appropriate materials for the front and rear door.

As there are no revised elevations, Staff retains its recommendation regarding the materials for the front and rear door.

In general, Staff finds the design, trim and locations of the windows are appropriate. The material details of the windows are not indicated. Staff recommends all windows are wood as required by the regulations. The elevations indicate that some of the windows will have a dimensional bar to simulate a double hung window, but will actually be a casement window. The regulations require that all windows be double hung and true divided lite. As such, Staff finds the windows that are simulated double hung do not meet the requirements. Staff recommends all windows are actual double hung windows.

As there are no revised elevations, Staff retains its recommendation regarding the proposed windows.

There are three flat panel skylights on the rear of the house. As the skylights are on the rear of the house and are not visible from the street, Staff has no concerns.

Building Materials

The following materials are proposed: cementitious siding with a 5" reveal, wood columns and seamed metal roofing at cornice return. Staff finds there are many material details missing from the elevations. Staff recommends all material details are indicated on the elevations. Staff recommends all materials meet the requirements. Staff recommends the façade material is indicated as smooth cementitious siding.

As there are no revised elevations, Staff retains its recommendation regarding the building materials.

Porch

Staff finds the overall size, location, material, design and architectural details of the proposed porch are consistent and compatible with the porches on the block face. The depths of the porches on the block face range from 6' to 6.3'. The proposed porch has a depth of 6' and therefore meets the requirements. Staff has no concerns regarding the proposed porch.

Staff Recommendation: Based upon the following:

- (a) The plans meet the variance criteria per Section 16-20A.006(7);

Staff recommends approval of an Application for a Type III Certificate of (CA3 15 457) for a variance to increase the west side yard setback from 2.4 feet (required) to 3.1 feet (proposed), to decrease the first floor height from 7.4 feet (required) to 2 feet 5 inches (proposed), and to allow for a lack of an independent driveway connected to a public street at **754 Kirkwood Avenue** - Property is zoned Cabbagetown Landmark District (Subarea 3)/Beltline.

Staff Recommendation: Based upon the following:

- (a) The plans meet the regulations per Section 16-20A.006 and 16-20A.009, with the exception of the notes above;

Staff recommends approval of an Application for a Type III Certificate of Appropriateness (CA3-15-242) for a new single family home at **760 Kirkwood Avenue** - Property is zoned Cabbagetown Landmark District (Subarea 3)/Beltline, with the following conditions:

1. The Applicant shall submit properly scaled plans;
2. The proposed front yard setback shall the requirements, per Section 16-20A.006(9);
3. The Applicant shall provide documentation the project meets the FAR requirement, per Section 16-20-20A.009(8);
4. The site plan shall indicate an appropriate driveway material, per Section 16-20A.009(14);
5. If the sidewalk is damaged, it shall be replaced per regulations such that the sidewalk shall be the same width as the sidewalk on the abutting properties. In addition, the sidewalk should be brick on a concrete base and laid in a pattern to match existing on abutting properties, per Section 16-20A.006(13)(f);
6. The site plan shall indicate an appropriate material for the proposed walkway, per Section 16-20A.006(13)(f)(4);
7. The width of the house shall be no smaller than 39.9' and no larger than 40.1', per Section 16-20A.009(7);
8. The elevations shall indicate appropriate roof pitches for the main roof and the porch roof, per Section 16-20A.006(13)(c) and (e);
9. All windows shall be wood, per Section 16-20A.006(13)(b)(3);
10. All windows shall be double hung, per Section 16-20A.006(13)(b)(3);
11. All material details shall be indicated on the elevations and shall meet the requirements, per Section 16-20A.006(13)(a) and (b);
12. The façade material shall be indicated as smooth cementitious siding, per Section 16-20A.006(13)(b)(1); and
13. Staff shall review and if appropriate, approve the final plans.



CITY OF ATLANTA

KASIM REED
MAYOR

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

TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT December 9, 2015

Agenda Item: Applications for Type III Certificates of Appropriateness (CA3-15-458) for a variance to increase the west side yard setback from 2.4 feet (required) to 6.07 feet (proposed), to decrease the first floor height from 7.4 feet (required) to 2 feet 5 inches (proposed), and (CA3-15-242) for a new single family home at **768 Kirkwood Ave.** Property is zoned Cabbagetown Landmark District (Subarea 3) / Beltline.

Applicant: Adam Stillman
350 Sinclair Avenue

Facts: On November 25, 2013, the Commission approved an application for a Type III Certificates of Appropriateness (CA3-13-294) for a subdivision of one lot into three lots at 145 Pearl Street. The lot in question is one of the three lots created as a result of the approved subdivision.

This application was deferred to allow the Applicant time to address the concerns of Staff and the Commission. As this property was created by a subdivision, there is a requirement that no variance can be applied for until one year has passed from the final approval of the subdivision. As it has been less than a year since the subdivision was approved, the Applicant has not been able to submit a variance request. On November 16, 2015 an ordinance was passed to allow variance and special exception applications to be submitted and processed for 754, 760 and 768 Kirkwood.

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;

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

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

(1) *When required:*

(b) To erect a new structure or to make an addition to any structure within the district;

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

The following regulations shall apply to more than one subarea in the Cabbagetown Landmark District, which includes all five (5) subareas. Certificates of Appropriateness required above shall be obtained from the commission or the director, as applicable, in accordance with the following regulations:

- (1) *Minimum standards.* These regulations constitute the minimum standards that shall be followed and shall be applied by the commission and director.
- (2) *The commission shall apply the standards in section 16-20.009 only if the standards set forth elsewhere in this Chapter 20A do not specifically address the application.*
- (3) *Applications.* Materials necessary for complete review of an application shall be submitted with the application as set forth by the director. In addition, a scaled site plan showing all improvements, photographs of existing conditions and adjoining properties, and elevation drawings of all improvements shall be submitted for all Type III Certificate of Appropriateness applications. For new construction of a principal building, the application shall also include a scaled drawing showing all front yard setbacks, heights of, and widths of, and the distances between all existing buildings on the block face, along with those of the proposed structure.
- (4) *Additional notification.* The applicant shall be given contact information for interested Cabbagetown community organizations and shall be directed to provide the organization with a copy of the submitted application and attachments within three (3) days of submission to the commission.
- (5) *Cabbagetown design guidelines.* The commission shall adopt and maintain guidelines, referred to herein as the Cabbagetown Design Guidelines. These guidelines shall: further the intent of these regulations; further define elements of architectural style and applicability; provide important additional detailed information regarding the construction and renovation of historic buildings; and be used as a guide to ensure the compatibility of future development in the Cabbagetown Landmark District.
- (6) *The compatibility rule.*
 - a) In general, the intent of the regulations and guidelines is to ensure that alterations to existing structures and new construction are compatible with the design, proportions, scale, massing, and general character of the contributing buildings in the immediately adjacent environment of the block face, the entire block, a particular subarea (including appropriate reference to subarea style) or the district as a whole. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The element in question (roof form, architectural trim, etc.) shall match that which predominates on the contributing buildings of the same architectural style and like use on that block face or, where quantifiable (i.e., buildings height and width as measured at front facade, floor height, lot dimensions, etc.), no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same architectural style and like use in that block face."
 - b) For the purposes of the compatibility rule, height and width shall be measured at the front façade.
 - c) In any instance where one contributing building of the same architectural style and like use on a block face is higher or wider by more than 10% than any other contributing building of like use on a block face, such structure shall be eliminated in the application of the compatibility rule.
 - d) Those elements to which the rule applies are noted in the regulations by a reference to the "compatibility rule."
- (7) *Variances.* Variance requests shall be heard by the commission which will have the authority to grant or deny variances from the provisions of this chapter when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, criteria and appeal provisions for decisions regarding such variances shall be the same as those specified in chapter 26 of this part 16.
- (9) *Minimum lot requirements.* There shall be front, rear, and side yard setbacks. The distance of said setbacks shall be determined by the compatibility rule.
- (13) *Design standards and criteria for new principal buildings.* The following regulations shall apply to new construction of principal buildings.
 - a) *General criteria:*
 1. All new construction shall be one of the house styles of a contributing building that appears on the block face of the street on which the new construction shall occur.
 2. The general façade organization and proportions shall be subject to the compatibility rule.
 3. All of the following building elements shall be appropriate to the selected house style, regarding design, size, dimension, scale, material, location on the building, orientation, pitch, reveal and amount of projection from the façade:
 - a. roofs, chimneys, and roofing materials;
 - b. siding;
 - c. eaves, soffits, brackets, rafter tails, knee braces, cornice returns, and gable returns;
 - d. cornerboards, fascia boards, bottom boards, decorative trim, and attic vents;
 - e. doors and door transoms;
 - f. windows and window transoms;

- g. porches, including supports, columns, balustrades, steps, and roofs; and
- h. foundation walls, foundation piers, and water tables.

All the elements listed above shall be utilized in a meaningful, coherent manner, rather than a mere aggregation of random historic elements.

- 4. Sidewalks, front yards, porches, and front doors facing and parallel to the street shall be provided.

b) *Facades:*

- 1. Wood, smooth-surface cementitious siding or Masonite siding are permitted. Siding shall exhibit a horizontal, clapboard profile. Siding shall have no less than a four-inch reveal and no more than a six-inch reveal.
- 2. The height of the first floor above street level shall meet the compatibility rule. The foundation shall be a minimum of fourteen (14) inches and a maximum of four (4) feet above the surface of the ground adjacent to the front façade. Brick, stone, smooth finish stucco, and smooth finish concrete are permitted as foundation facing materials.
- 3. Windows shall be predominantly vertical in proportion, shall not be constructed in combination of more than two (2) units, and shall be double-hung wood sash with true divided lights. Window organization and fenestration patterns shall meet the compatibility rule.
- 4. Exterior doors visible from any public right of way shall be solid wood panel or single-pane fixed glass and shall be composed of no more than 50 percent glass.
- 5. Exterior architectural details, such as brackets, decorative trim, corner boards, bottom boards, fascia boards, porch railing, columns, steps and doors, and attic vents, shall be shown on the submitted plans, and shall be subject to the compatibility rule.

c) *Roofs:*

- 1. The shape and pitch of roofs, as well as ridge, dormer, overhang, and soffit construction shall meet the compatibility rule.
- 2. Skylight and solar panels are not permitted on the front façade of any structure. "Bubble type" skylights are not permitted anywhere in the Cabbagetown Landmark District. The placement and design of flat profile skylights and/or solar panels, where permitted, shall minimize their ability to be seen from public right of way(s) and is subject to approval by the commission.
- 3. When chimneys are included, chimneys shall be faced in brick, originate at grade and are subject to approval by the commission.
- 4. Boxed gable returns are not permitted.
- 5. Roofing material shall be asphalt shingles. Fiberglass roofs are not permitted. Flat-roofed structures or structures not visible from any public right of way may use any roof covering that conforms to standard architectural specifications.

e) *Porches:*

Front porches shall contain balustrades, columns, and have other characteristics, including floor dimension, height, roof pitch, overhang, and column size that meet the compatibility rule.

- 1. Decorative metal, resin, fiberglass and plastic columns are not permitted.
- 2. Porches may be enclosed with recessed screen wire if the main characteristics of the porch are maintained.
- 3. Front porch steps shall be made of wood, brick, or concrete. Metal steps are not permitted.

f) *Site development, sidewalks and curbs:*

- 1. The sidewalk shall be the same width as the sidewalk on abutting properties. If no sidewalk exists on abutting properties, the new sidewalk shall match sidewalk widths on the block. If no sidewalk exists on the block, the new sidewalk shall be six feet wide.
- 2. Sidewalks shall be brick on a concrete base and laid in a pattern to match existing on abutting properties or elsewhere in the district.
- 3. Curbing shall be granite; poured concrete shall not be used.
- 4. A paved walkway from the front public sidewalk to the front entry of the principal building shall be provided.

(19) *Off-street and off-site parking.*

- a) All new construction, change in use, alterations, or additions that increase the number of dwelling units and/or increase the square footage of nonresidential or multifamily shall include off-street parking.
- b) The number of required parking spaces is set out in each subarea.
- c) Variances may be allowed from this requirement subject to the standard procedures and requirements for a variance found in these regulations.
- d) Off-street parking may be located in a rear or side yard.

k) Use of shared driveways and/or alleys is encouraged.

l) The commission shall have the authority to vary section 28.006(10) relative to the requirement for an independent driveway connected to a public street.

Sec. 16-20A.009. Shotgun and cottage housing (subarea 3).

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

- (1) *Shotgun Housing.* Shotgun housing is a style typified by simple structures whose width is no more than that of one (1) room extending from the front to rear of the structure or, in the case of a double shotgun, two rooms wide. This housing type is usually closely spaced and is found most often along Savannah Street and Berean Avenue within this subarea.
- (2) *Cottage Housing.* Cottage housing is a mixed housing style that includes central aisle houses, L-plan cottages, Victorian cottages, worker's cottages, one and a half story duplexes, bungalows, and other residential structures, modest in scale, that are characterized by common setbacks, repetitive porch and facade features, and consistent structure massing.
- (3) *Permitted principal uses and structures.* A building or premises shall be used only for the following principal purposes:
 - a) Single-family detached dwellings.
 - b) Two-family dwellings existing at the time of the adoption of these regulations. Two-family dwellings, originally built as duplexes, shall be permitted even if the use has lapsed for more than a year.
 - c) Parks, playgrounds, and community buildings owned and operated by a government agency or Cabbagetown-based non-profit community organization.
- (6) *Minimum lot requirements.* In addition to the setback requirements in Section 16-20A.006(9), in no case shall any portion of a building be closer to a public sidewalk than any portion of any contributing building of like use on the block face.
- (7) *Maximum building height and width.* The compatibility rule shall apply.
- (8) *Floor area ratio.* The floor area ratio shall not exceed 0.50.
- (9) *Roofs.*
 - a) Roofing materials shall be asphalt shingles or batten seamed metal.
 - b) Metal shingles are permitted if they are appropriate to the house style.
- (12) *Porches.*
 - a) Decks shall be permitted on the side or rear of the house if not visible from the street.
 - b) Rear decks shall be no wider than the house.
 - c) Side and rear porches shall be permitted if appropriate to the house style.
- (13) *Fencing and walls.*
 - a) Walls are not permitted in a front yard, or a side yard adjacent to a public right of way.
 - b) Variances for the height of walls or fences may be granted by the commission.
 - c) Walls shall be constructed of wood.
- (14) *Driveways and surface parking areas.*
 - a) One parking space per dwelling unit shall be required for all new construction or changes in use.
 - b) Driveways shall not exceed ten (10) feet in width and shall have a curb cut no more than ten (10) feet, exclusive of flair.
 - a) At least one-third of any driveway or surface parking area shall be pervious.
 - b) Poured concrete paving for driveways shall consist of two ribbons for tire tracks separated by a planting strip.
 - c) Alternate paving materials may be approved upon review by the commission if such materials are pervious and do not detract from the historic character of the landmark district.

Variance Request

As there is only one point of comparison, Staff finds the required west side yard setback is 2.4'. The Applicant is requesting an increase in the west side yard setback from 2.4' to 6.07'. According to the Applicant, the Zoning Ordinance would require a sprinkler system, firewall protection, retaining walls, earthwork and fill, due to the 2.4' setback. Staff finds requiring a sprinkler system, firewall protection,

retaining walls, earthwork and fill is a hardship for the construction of a single family house. Staff finds approval of the variance will not cause a significant detriment to the public good. Based on the information we have at this time, Staff does not have a concern with the requested variance.

The Applicant is requesting a variance from the first floor height requirements. Specifically, the Applicant is requesting a decrease in the first floor height from 7.4' to 2'5". Staff agrees the points of comparison are on a significant slope and the subject property has a gentler slope. Staff finds that requiring the first floor height to meet the compatibility rule would create a hardship and would not be compatible with the other historic houses on the block face. Staff finds approval of the variance will not cause a significant detriment to the public good. Based on the information we have at this time, Staff does not have a concern with the requested variance.

Setbacks and Site Plan

For purposes of the compatibility rule, contributing buildings of the same type and style on the same block face are used in determining the architectural style, architectural elements, building proportions, and building setbacks. This particular block face contains two contributing houses, both of which are gable wing cottages.

The site plan submitted is not properly scaled. As such, Staff cannot verify the written measurements. Staff recommends the Applicant submit a properly scaled site plan. The front, side and rear yard setbacks are based on the compatibility rule. The front yard setbacks on the block face range from 21.6' to 22.3'. Staff recommends the proposed front yard setback meet the requirements. The east side yard setbacks on the block face range from 4.7' to 9.7'. The written notations indicate the east side yard setback is 5.2' and therefore meets the requirements. The only west side yard setback on the block face is 2.4'. As indicated in the variance section, Staff has no concerns regarding the proposed west side yard setback. The rear yard setbacks on the block face range from 6' to 30.7'. Staff recommends the proposed rear yard setback meet the requirements.

The maximum floor area ratio (FAR) allowed is .50. The FAR calculations are not indicated. Staff recommends the Applicant provide documentation the project meets the FAR requirement. Staff would note that lot coverage is not restricted in this subarea.

Per regulations, off-street parking is required. The site plan indicates a driveway that is located more than 20' past the side wall of the house. As such, Staff finds the parking requirement has been met. The driveway material is not indicated on the plan. Staff recommends the site plan indicate an appropriate driveway material.

The sidewalk may be destroyed in the process of building the home. Staff recommends the sidewalk be replaced per regulations such that the sidewalk shall be the same width as the sidewalk on the abutting properties. In addition, the sidewalk should be brick on a concrete base and laid in a pattern to match existing on abutting properties. As required by the regulations, a walkway front the porch to sidewalk is indicated. Staff recommends the site plan indicate an appropriate material for the proposed walkway.

The site plan does not indicate any grading or change in the lot topography. Staff initially had concerns regarding significant changes to the topography of the lot. After looking at pictures and receiving clarifications from the Applicant, Staff finds there will be no significant changes to the topography of the lot.

Massing and Building Height

Per regulations, the architectural style of the new dwelling must be represented historically on the block face. The historic architectural forms/styles seen on the block face are gable wing cottages. The overall design and details of the proposed single-family dwelling are similar to the gable wing cottages at 736 and 748 Kirkwood Avenue.

Per regulations, the roof form, roof pitch, height, width and first floor height are based on the compatibility rule. In looking at survey pictures of the two contributing houses on the block face, Staff finds the proposed roof form meets the requirement. The predominate main roof pitch is 12 in 12 and the predominate porch roof pitch on the block face is 3 in 12. While the pitch of the main roof and porch roof are not indicated on the plans, the pitches appear to meet the requirements. Staff recommends the elevations indicate appropriate roof pitches for the main roof and the porch roof.

The heights on the block face range from 24.5' to 25.6'. The proposed height is 24' 6" and therefore meets the requirement. The widths of houses on the block face range from 39.9' to 40.1'. The site plan does not contain written notations regarding the width. Staff recommends the width of the house is no smaller than 39.9' and no larger than 40.1'.

According to the Applicant, the first floor height as measured above the street ranges from 7.4' to 11'. As indicated in the variance section, Staff does not have concerns regarding the proposed first floor height.

Building Facades

In Landmark Districts, the Commission reviews all facades.

Windows and Doors

While the design of the front and rear door appear to be appropriate, the material details are not indicated on the elevations. Staff recommends the elevations indicate appropriate materials for the front and rear door.

In general, Staff finds the design, trim and locations of the windows are appropriate. The material details of the windows are not indicated. Staff recommends all windows are wood as required by the regulations. The elevations indicate that some of the windows will have a dimensional bar to simulate a double hung window, but will actually be a casement window. The regulations require that all windows be double hung and true divided lite. As such, Staff finds the windows that are simulated double hung do not meet the requirements. Staff recommends all windows are actual double hung windows.

There are three flat panel skylights on the rear of the house. As this is a corner lot, the skylights will likely be visible. As the skylights are on the rear of the house, Staff finds they are appropriately placed.

Building Materials

The following materials are proposed: cementitious siding with a 5" reveal, wood columns and seamed metal roofing at cornice return. Staff finds there are many material details missing from the elevations. Staff recommends all material details are indicated on the elevations. Staff recommends all materials meet the requirements. Staff recommends the façade material is indicated as smooth cementitious siding.

Porch

Staff finds the overall size, location, material, design and architectural details of the proposed porch are consistent and compatible with the porches on the block face. The depths of the porches on the block face range from 6' to 6.3'. The proposed porch has a depth of 6' and therefore meets the requirements. Staff has no concerns regarding the proposed porch.

Staff Recommendation: Based upon the following:

- (a) The plans meet the variance criteria per Section 16-20A.006(7);

Staff recommends approval of an Application for a Type III Certificate of Appropriateness (CA3-15-458) for a variance to increase the west side yard setback from 2.4 feet (required) to 6.07 feet (proposed), to decrease the first floor height from 7.4 feet (required) to 2 feet 5 inches (proposed) at **768 Kirkwood Ave.** Property is zoned Cabbagetown Landmark District (Subarea 3) / Beltline.

Staff Recommendation: Based upon the following:

- (a) The plans meet the regulations per Section 16-20A.006 and 16-20A.009, with the exception of the notes above;

Staff recommends approval of an Application for a Type III Certificate of Appropriateness (CA3-15-242) for a new single family home at **768 Kirkwood Ave.** Property is zoned Cabbagetown Landmark District (Subarea 3) / Beltline, with the following conditions:

1. The Applicant shall submit properly scaled plans;
2. The proposed setbacks shall meet the requirements, per Section 16-20A.006(9);
3. The Applicant shall provide documentation the project meets the FAR requirement, per Section 16-20-20A.009(8);
4. The site plan shall indicate an appropriate driveway material, per Section 16-20A.009(14);
5. If the sidewalk is damaged, it shall be replaced per regulations such that the sidewalk shall be the same width as the sidewalk on the abutting properties. In addition, the sidewalk should be brick on a concrete base and laid in a pattern to match existing on abutting properties, per Section 16-20A.006(13)(f);
6. The site plan shall indicate an appropriate material for the proposed walkway, per Section 16-20A.006(13)(f)(4);
7. The width of the house shall be no smaller than 39.9' and no larger than 40.1', per Section 16-20A.009(7);
8. The elevations shall indicate appropriate roof pitches for the main roof and the porch roof, per Section 16-20A.006(13)(c) and (e);
9. All windows shall be wood, per Section 16-20A.006(13)(b)(3);
10. All windows shall be double hung, per Section 16-20A.006(13)(b)(3);
11. All material details shall be indicated on the elevations and shall meet the requirements, per Section 16-20A.006(13)(a) and (b);
12. The façade material shall be indicated as smooth cementitious siding, per Section 16-20A.006(13)(b)(1); and
13. Staff shall review and if appropriate, approve the final plans.