



CITY OF ATLANTA

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MAYOR

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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT February 24, 2016

Agenda Item: Application for a Review and Comment (RC-16-034) for new construction and site work at 2440 Bolton Road – Property is zoned I-2.

Applicant: Brett Bergdolt
4405 International Boulevard, Norcross

Facts: The RM Clayton Water Reclamation Center (WRC) is located in northwest Atlanta at the intersection of Marietta Boulevard and Bolton Road. The complex includes a variety of buildings, structures, tanks, maintenance areas, offices, and staging areas. The “head works project” (of which is submission is a part) is located in the northeast portion of the property, northeast of a railroad track that goes through the property. To the south, west, and north of the project site are more RM Clayton WRC facilities. To the east is RM Clayton WRC property, but it is currently undeveloped and contains trees. This property abuts Ridgewood Road. Along Ridgewood Road (both across the street and to the south and north) there are single family houses. The site of the “head works project” sits well below the property to the east, south, and west as indicated by the existing conditions plan submitted by the Applicant.

The “head works project” involves creating a new, below ground structure to house new grit removal equipment, with above ground paving, access ways, and smaller support and maintenance buildings. Before the Commission at this time is the construction of the below ground structure that will house the grit removal equipment, piping, etc. A subsequent application will be filed for all of the above ground buildings, paving, access ways, etc.

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.

The Staff does not have any comments on the technical or functional aspects of the head works project, the grit removal process or related equipment. Its comment will be related to the overall aesthetic of the project and its relationship to the surrounding properties.

As noted earlier, the head works project will be located below the surrounding property and most of the largest structure will be below ground. The project will involve grading back the slope to allow room in for the new head works structure. As such, there will not be a new large building over-shadowing adjacent property due to the building's size or site's topography. At the same time, there are some steps that could be taken to minimize any potential negative effects from the proposed improvements.

The Staff would recommend that particularly to the east, as many trees as possible be retained and/or planted to maintain that vegetative screen between the RM Clayton WRC property and the nearby residential property. Further, the Staff would recommend that if the new structures are visible from Ridgewood Road or the nearby residential property, the new structures are painted a neutral or receding color. In addition, the Staff would recommend that if there is any proposed lighting that it be directed away from and otherwise shielded from the nearby residential property. Similar, the Staff would recommend that if there are any potential noise effects on the nearby property, attempts to mitigate those effects be included in the final project design.

Staff Recommendation: The Staff recommends that the Commission confirm the delivery of its comments at the meeting regarding an application for a Review and Comment (RC-16-034) for new construction and site work at **2440 Bolton Road** – Property is zoned I-2.



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STAFF REPORT February 24, 2016

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-16-038) for alterations at **814 Azalia Street**. Property is zoned R 4A / West End Historic District / Beltline.

Applicant: Brenda Gibbons
2860 Church St., East Point

Facts: This existing single family residence is considered contributing to the District.

A separate Type II Staff Review application is required for review of the proposed fence installation.

Analysis: The following code sections apply to this application:

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

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

- (1) Certificates of Appropriateness: Certificates of appropriateness within this district shall be required as follows:
 - (a) When required:
 - (i) To change the exterior appearance of any portion of a structure within the district, when said change can be seen from the public right-of-way;
 - (ii) To erect a new structure or to make an addition to any structure within the district, when said addition can be seen from public right-of-way; and
 - (iii) To demolish or move any contributing structure, in whole or in part, within the district.
 - (b) Type required:
 - (v) The following Type II Certificates of Appropriateness shall be review by the commission and shall be required for any of the following to the extent they are visible from a public street:
 - a. Alterations to any façade of any principal structure; and
 - b. All site work, except as noted in Section 16-20G.005(b)(4).

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

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

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

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

(2) Building Façades:

- (a) All new construction shall conform to the existing building orientation by having sidewalks, front yards, porches and front doors facing and parallel to the street, and if located on a corner, the main façade shall face the principal street whenever possible.
- (b) At a minimum, the front of all new construction, including any portion thereof, shall be placed at the distance from the street determined by the compatibility rule. This requirement shall also apply to those sides of corner lots which also face a street.
- (c) All building materials, which upon completion are visible from the public right-of-way, are subject to the compatibility rule.
- (d) Siding repair or replacement shall match the original in material, scale and direction. For new construction and additions, brick, wood or horizontal smooth cementitious siding is permitted.
- (e) Contemporary design of new construction, compatible with adjacent and surrounding structures, is permitted.
- (f) Height of the first floor of the front façade above grade shall be subject to the compatibility rule. Notwithstanding the compatibility rule, the first floor of the principal structure shall be on foundations and shall be elevated above grade at the front façade a minimum of two entrance risers each of which shall be not less than seven inches in height. Slab-on-grade construction is not permitted.
- (g) No structure shall exceed that height established by the compatibility rule.

(3) Windows and Doors:

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

(14) Fences:

- (a) Fences shall be fabricated of brick, iron, wood or metal pickets. Fence lines shall follow or run parallel to a property line in the front and half-depth front yards. Fences shall not obscure the front façade of the building.
- (b) Fences located in the front or half-depth front yard shall not exceed four feet in height. Front yard fences may exceed four feet in height provided the height is no more than the height of the adjacent, contiguous fencing on immediately adjacent properties.
- (c) Fences shall not exceed six feet in height when located in the side or rear yards.
- (d) Chain link fabric is not permitted in a front yard or half depth front yard.
- (e) Fences may be constructed on top of a retaining wall. The combined height of the retaining wall and fence shall not exceed six feet when located in a front or half-depth front yard.
- (f) Walls are only permitted in the rear and side yards only when such yards are not adjacent to a public street and when such walls are located behind the rear façade of the principal structure. When such walls are permitted, they shall be six feet or less in height.

The existing fascia and soffits are proposed to be replaced in-kind. In the provided pictures, these elements are shown to be in varying degrees of deterioration. Staff has no concerns with the in-kind replacement of these features. Wood common boards are proposed as replacement siding and corner molding for several areas of the structure where the original siding has deteriorated. Staff has concerns with the use of common board as a replacement for these

features, particularly as it relates to the style of the existing siding. Staff recommends the siding and corner molding material match the original elements in regards to material, scale and direction.

The Applicant has revised the scope of work from their original application to include the in-kind replacement of only one existing window, as opposed to replacing all of the windows as originally proposed. No information on which window is proposed for replacement, or the need for this window to be replaced, has been received. Staff recommends the Applicant clarify which window is proposed for replacement and provide documentation regarding the need for replacement. If the need for replacement cannot be verified, Staff recommends the existing window be retained and repaired.

The Applicant is proposing to install a new run of 5 foot high chain link fencing on the left side property line. Staff has no concerns with the placement or height of the proposed fence, but finds that chain link is not an appropriate material for fences in the West End Historic District. The regulations stipulate that fences should be comprised of brick iron wood or metal pickets. Staff recommends the fence material meet the District regulations.

Staff Recommendation: Based upon the following:

- a) The project meets the regulations, with the exceptions noted above per Section 16-20G.006

CA2-16-038

Staff recommends approval of an Application for a Type II Certificate of Appropriateness (CA2-16-038) for alterations at **814 Azalea St.** Property is zoned R 4A / West End Historic District / Beltline. With the following conditions:

1. The siding and corner molding material shall match the original elements in regards to material, scale and direction, per Sec. 16-20G.006(2)(d);
2. Staff recommends the Applicant clarify which window is proposed for replacement and provide documentation regarding the need for replacement, per Sec. 16-20G.006(3)(c);
3. If the need for replacement cannot be verified, Staff recommends the existing window be retained and repaired, per Sec. 16-20G.006(3)(c);
4. The fence material shall meet the District regulations, per Sec. 16-20G.006(14)(a); and,
5. Staff shall review and if appropriate, approve the final plans and documentation.



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STAFF REPORT February 24, 2016

Agenda Item: Application for a Type II Certificate of Appropriateness (CA3-16-039) for dormer additions at **819 Lake Avenue** - Property is zoned R-5/ Inman Park Historic District (Subarea 1)/Beltline.

Applicant: Julio Lasso
86 Daisy Meadow Trail, Lawrenceville

Facts: According to the Inman Park survey book, this dwelling built in 1908 is considered contributing.

Analysis: The following code sections apply to this application:

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

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

Section 16-20L.005 General Regulations.

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

1. General Criteria.
 - a. Except as otherwise provided herein, the procedures for determining the appropriate type of Certificate of Appropriateness shall be those specified in Section 16-20.008 of the Zoning Code.
 - b. In the Inman Park Historic District, the Commission shall apply the standards referenced below only if the standards set forth elsewhere in this Chapter 20L do not specifically address the application including multifamily residential, institutional, commercial, industrial and mixed use structures in Subarea 1:
 - i. A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
 - ii. The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.
 - iii. Each property shall be recognized as a physical record of its time, place, and use. Changes shall not be undertaken that create a false sense of historical development, such as adding conjectural features or elements from other historic properties.
 - iv. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
 - v. Distinctive materials, features, finishes, and construction techniques, or examples of craftsmanship that characterize a property, shall be preserved.
 - vi. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and, where possible, materials.
 - vii. Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
 - viii. Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.

- ix. New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
- x. New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
 - c. Compatibility Rule: The intent of the Mayor and Council in establishing the regulations of the Inman Park Historic District is to ensure that alterations to existing structures, and new construction, in Subarea 1 and alterations to existing contributing structures in Subarea 2 and Subarea 3 are compatible with the historic design, scale, and general character of the entire district as it existed in 1945, of the contributing structures in each subarea, and of the contributing structures in the immediately adjacent environment of a particular block face, and further, to ensure that lot platting in Subarea 1 is compatible with the historic platting pattern of Subarea 1 and of a particular block face as it existed in 1945. To further that intent and simultaneously permit flexibility in design, the regulations provide a Compatibility Rule which is as follows: Where quantifiable (i.e. building height, setback, etc.), the element or building characteristic in question shall be no less than the smallest such element or building characteristic of buildings or site layouts in that block face that characterizes such like contributing buildings and shall be internally consistent with the historic design of the structure and shall be no greater than the greatest such element or building characteristic of buildings or site layouts in that block face that characterizes such like contributing buildings or site layouts and shall be internally consistent with the historic design of the structure. Where not quantifiable (roof form, architectural trim, etc.) it shall be compatible with that which predominates in contributing structures on that block face and shall be internally consistent with the historic design of the structure.
- 2. Certificates of Appropriateness.
 - a. Notwithstanding any other provision herein, no Certificate of Appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - d. Type III Certificates of Appropriateness shall be required for:
 - ii. All major alterations and additions to existing structures where visible from a public street or park, unless such alterations or additions are specifically exempted from Certificates of Appropriateness in the Subarea regulations.
- 6. Tree Preservation and Replacement.
The provisions of the City of Atlanta Tree Ordinance, Atlanta City Code Section 158-26, shall apply to this District.
- 7. Any time the provision 16-20.011(b) of this part is enforced in this District, the Director of the Commission shall notify the Inman Park Neighborhood Association within 10 days and a 30-day period for comment be allowed for the Association. Further, the Director shall regularly send to the Inman Park Neighborhood Association the agenda for each regular meeting and for any special meeting of the Commission in which there is any agenda item for property located within the Inman Park Historic District.

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

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

- 1. Design Standards and other criteria for construction of and for additions to one- and two-family residential structures.
 - f. The Compatibility Rule shall apply to the form and pitch of the primary roof of the principal structure.
 - g. The Compatibility Rule shall apply to the height, scale, and massing of the principal structure. In no case shall the height of a structure exceed 35 feet. (See Section 16-28.022 for excluded portions of structure.)
 - h. Height of the first floor of the front façade above grade shall be subject to the Compatibility Rule. The first floor of the principal structure shall be on foundations and shall be elevated above grade at the front façade a minimum of two entrance risers each of which shall be not less than 7 inches in height. Slab-on-grade construction is not permitted.
 - n. The compatibility rule shall apply to the following aspects of fenestration, if visible from a public street or park upon completion:
 - i. The style of the individual window.
 - (1) Windows in the front façade shall be predominantly vertical in proportion.
 - (2) If muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
 - (3) Window and door casings widths and depths are subject to the Compatibility Rule.
 - ii. The size and shape of individual window openings.

- iii. The overall pattern of fenestration as it relates to the building façade.
- p. Wood lap siding, cementitious lap siding, brick, stone, external insulating finishing system (“EIFS”), and true stucco systems are permissible building materials for the façade of the principal structure. Corrugated metal, aluminum siding, and vinyl siding are not permitted.
- q. The Compatibility Rule shall apply to building materials and design elements, if visible from a public street or park upon completion, and in addition to all other applicable regulations, as follows:
 - i. The dimensions of the exposed face of lap siding and wood shingles.
 - v. The size and type of doors.
 - (1) Exterior doors shall be wood panel or fixed glass panel in wood frame.
 - vi. The materials and pattern of roofing.

4. *Principal uses and structures:*

- a. Properties that have an underlying zoning designation of R-5 shall be used only for the following principal purposes subject to the following provisions:
 - i. Single-family detached dwelling.
 - v. Floor area ratio shall not exceed 0.50.

The Applicant did not submit a site plan, therefore Staff cannot determine how much of the project will be visible from the street. As such, Staff will make comments on the side and rear elevations.

The Applicant is proposing dormers on the side and rear elevation in order to provide living space in the attic. In general, Staff finds the design, location and materials of the proposed dormers are appropriate. Staff has concerns regarding the removal of one of the chimneys to accommodate the side dormer. Staff recommends the Applicant clarify whether there was any exploration of a design that would include retention of the chimneys.

The project includes 9 over 9 windows in the dormers. While there are existing 9 over 9 windows on the existing addition at the rear of the house, it is not clear whether the proposed windows meet the compatibility rule. Staff recommends the Applicant provide documentation the proposed windows in the dormers meet the requirements.

Per regulations, the maximum floor area ratio allowed is .50. The submittal did not include any FAR calculations. Staff recommends the Applicant provide documentation the project meets the FAR requirement.

Staff Recommendation: Based upon the following:

- (a) The plans meet the regulations per Section 16-20L.006, with the exceptions noted above;

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-16-039) for dormer additions at **819 Lake Avenue** - Property is zoned R-5/ Inman Park Historic District (Subarea 1)/Beltline, with the following conditions:

1. The Applicant shall clarify whether a design was explored that would allow for the retention of both chimneys;
2. The Applicant shall submit documentation the design of the proposed windows meets the requirements, per Section 16-20L.006(1)(n);
3. The Applicant shall provide documentation the project meets the FAR requirement, per Section 16-20L.006 (4)(v); and
4. Staff shall review and if appropriate, approve the final plans.



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Director, Office of Planning

STAFF REPORT February 24, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-040) for a variance to allow a reduction in the amount of the off street parking from 1 space (required) to 0 spaces (proposed) at **256 Powell St.** - Property is zoned Cabbagetown Landmark District / Beltline.

Applicant: Christopher Russell
1363 Orange Blossom Terrace

Facts: The vacant lot previously contained a paired shotgun house type prior to the tornado of 2008. The apart from the two doors and front stairs on the front façade, the house appeared as a cottage style house with a full width front porch and accent gables on a hipped, almost pyramidal main roof. The Staff would note that another house was also destroyed by the 2008 tornado at 252 Powell Street which also was a pair shotgun house type that had been converted to a single family house. It has the same exterior appearance as the house that existed at 256 Powell Street.

The subject property is a flat, rectangular shaped lot with no trees.

In 2014, the Commission approved a new house with conditions, along with several variances (CA3-14-122 and 134) to allow the then-applicant to essentially rebuild the previously existing house in regards to size, massing, architecture, site location, etc. At that time, the then-applicant proposed to provide their required off-street parking via a rear entry driveway that was accessed by an apparent easement that when along the back of several properties along Powell Street and eventually connected to Tye Street. This “lack of an independent driveway” was one of the variances requested and approved by the Commission and it was approved with the following condition:

“The Applicant shall provide detailed information and documentation regarding the easement being relied upon to provide vehicle access to the property, including but not limited to: the legal existence of the easement, that it connects to a public street, and that it applies to this particular property and eventual property owner, per Section 16-20A.006(19).”

Subsequent to the Commission’s conditional approval of the design and variances, the Applicant submitted final permit-ready plans, but was unable to comply with the condition related to the easement.

Therefore, the condition of the Commission's approval of the variance for a lack of an independent driveway was not satisfied. The Staff then provided several alternatives to the Applicant to resolve the off-street parking requirement of the District regulations through a variety of potential variances and/or changes in the site plan. One of the alternatives was to leave the site plan as is but request the elimination of the off-street parking requirement.

Before the Commission at this time is a request to eliminate the required off-street parking from 1 space required to 0 spaces provided. The actual site plan that was previously approved by the Commission (showing the 1 off-street parking space) would not change. However, if the current variance were approved by the Commission that off-street parking space would not be required any more, thus an independent driveway to access it would not be required anymore either.

No other site features or the design of the actual house would with this variance application.

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;
- (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."

- (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.
- (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.
 - 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.
 - 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.

Per Section 16-20A.009 (Shotgun and cottage housing - subarea 3), 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.

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

Per Section 16-26.003:

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

Variance Analysis

The Commission's previous approval of the house design and variance essentially re-create the previously existing house including the small side yard setbacks - 1 ft. and 5 ft. Therefore, the Staff finds that it would not be possible to construct an independent driveway from Powell Street along either side of the house. Further, if the driveway did not extend at least 20 ft. past the front façade of the house, the driveway would be considered parking in the front yard, which is not permitted by the District regulations and would require a different variance request. The Staff finds that having parking in the front yard would be much more detrimental to the character of the District than not having official off-street parking.

The Staff would recommend approval of the variance request. However, it would also recommend that a location and District-compliant design for off-street parking in the rear yard be included in the final site plan. Further, the Staff would also recommend that no changes are made to the actual site plan and house design approved via CA3-14-122 and 134 except to comply with the conditions of CA3-14-122;

Variance (CA3-16-040):

Staff Recommendation: Based upon the following:

1. Except as noted above, the Applicant has met the criteria for issuing a variance, per Section 16-26.003; and
2. The actual site plan and proposed design of the house would not change with the approval of this variance.

Staff recommends approval of an application for a Type III Certificate of Appropriateness (CA3-16-040) for a variance to allow a reduction in the amount of the off street parking from 1 space (required) to 0 spaces (proposed) at **256 Powell St.** - Property is zoned Cabbagetown Landmark District / Beltline, with the following conditions:

1. A location and District-compliant design for off-street parking in the rear yard shall be included in the final site plan;
2. No changes shall be made to the actual site plan and house design approved via CA3-14-122 and CA3-14-134 except to comply with the conditions of CA3-14-122; and
3. The Staff shall review and if appropriate approve, the final plans and supporting documents for the proposed project.



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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT February 24, 2016

Agenda Item: Applications for Type III Certificates of Appropriateness (CA3-16-042) for a variance to reduce the front yard setback from a minimum of 4'6" (required) to 1'8" (proposed), and (CA2-16-041) for a revision to plans previously approved by the Commission at **611 Auburn Avenue** - Property is zoned Martin Luther King, Jr. Landmark District (Subarea 2)/Beltline.

Applicant: Jason Parker
605 Auburn Avenue

Facts: This is currently a vacant lot.

At the July 8, 2015 meeting, applications for Type III Certificates of Appropriateness (CA3-15-061) for a variance to not base the design of the proposed house on a contributing building of like use on the block face, to reduce the front yard setback from 7' (required) to 4.5' (proposed), and to reduce the rear yard setback from 25' (required) to 4.5' (proposed) and CA3-15-062 for a new single family house at 611 Auburn Avenue was approved with the following conditions:

CA3-15-061

1. The proposed house shall feature a porch roof that meets the requirements, per Section 16-20C.004(8); and
2. The Applicant shall clarify the front yard setback request, per Section 16-20C.004(8);

CA3-15-062

1. A cornice line shall be added to the top of the structure; and
2. The elevations shall match the drawings submitted on July 1, 2015.

Analysis: The following code sections apply to this application:

Sec. 16-20C.004. General regulations

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

1. General criteria. The Commission shall apply the standards set forth below only when the standards set forth elsewhere in Chapter 20C do not specifically address the application in whole or in part:
 - a. A property shall be used for its historic purpose or be placed in a new use authorized in Section 16-20C.005 using minimal change to the defining characteristics of the building and its site and environment.

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

- ii. No certificate of appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
- c. Type III Certificates of Appropriateness. The following Type III Certificates of Appropriateness shall be reviewed by the Commission and shall be required for:
 - i. All new principal structures;
 - v. Variances, special exceptions and administrative appeals.
- 8. Variances, special exceptions and administrative appeals.
 - a. Variance applications and applications for special exceptions and administrative appeals from these regulations shall be heard by the Commission. The Commission shall have the authority to grant or deny variances from the provisions of this Chapter pursuant to the procedures, standards, and criteria specified in Section 16-26.001 through Section 16-26.006. The Commission shall have the authority to grant or deny applications for special exceptions from the provisions of this Chapter pursuant to the procedures, standards and criteria specified in Section 16-25.001 through Section 16.25.005. The Commission shall have the authority to grant or deny applications for administrative appeal pursuant to the standards in Section 16-30.010 (a) through (d).
 - b. Appeals from final decisions of the Commission regarding variances, special exceptions and administrative appeals shall be as provided for in Section 16-20.010.
- 9. Prohibited variances. Notwithstanding any provision in this chapter or part to the contrary, no variance from this chapter's maximum building height requirements shall be permitted or authorized by the Commission, Commission Staff or any other Board, official or entity.
- 10. Time period of historical significance. Where referenced in this chapter, the time period of historical significance for the district shall be the lifetime of Martin Luther King, Jr. (1929-1968).

Sec. 16-20C.005. Permitted Principal Uses and Structures.

- 1. Permitted Principal Uses and Structures: The following permitted uses and restrictions apply to all Subareas within this District, except Subarea 5:
 - a. The permitted principal uses and special permit uses set forth in Table 1: Martin Luther King Jr. Landmark District Table of Uses shall be permitted only as listed within each Subarea within said table of uses and only in the manner so listed.
 - b. Permitted principal uses. A building or premises shall be used only for the principal uses indicated with a "P" in Table 1: Martin Luther King Jr. Landmark District Table of Uses, subject to further restrictions where noted.

TABLE 1: MARTIN LUTHER KING JR. LANDMARK DISTRICT TABLE OF USES	SUBAREA 1 Auburn Ave Res	SUBAREA 2 Residential	SUBAREA 3 Institutional	SUBAREA 4 Auburn/Edgewood Commercial
RESIDENTIAL and DWELLING USES				
Single-family dwellings	P	P	P	P

- 2. The following additional Permitted Principal Use and Structures provisions shall apply to Subareas 1 and 2.
 - a. Previously-existing uses. Prohibited uses shall be permissible when granted a Certificate of Appropriateness by the Commission upon its finding that such use can be shown by archived evidence or sworn affidavit(s) to either previously or currently exist on the proposed site and that such use will be of an intensity and type that is no greater than that which previously or currently existed and otherwise meets the District regulations.
 - e. Active uses. Ground floor, sidewalk-level uses are further regulated in this district for the purposes of creating vibrant and pedestrian-oriented sidewalks and streets. Active uses, where provided, shall be serviced by plumbing, heating, and electricity and are limited to the residential uses and non-residential uses designated in Table 1: Martin Luther King Jr. Landmark District Table of Uses, except that the following non-residential uses shall not be considered as active uses:
 - i. Drive-in and drive-through facilities.
 - ii. Parking and driveways.
 - iii. Accessory non-residential storage areas.

Sec. 16-20C.006. Lot Controls and Building Heights.

- 1. The following Lot Controls and Building Heights provisions shall apply to Subareas 1 and 2.
 - a. Lot controls.
 - i. The compatibility rule shall apply for the purposes of determining permitted lot coverage.
 - b. Building heights.

- i. Within the portion of this Subarea 2 lying along the southeastern side of Auburn Avenue east of Randolph Street, and along the eastern side of Randolph Street south of Auburn Avenue, the maximum height of any alteration, addition, or new construction shall be 32 feet.
- ii. Within the portion of this Subarea 2 lying along the southern side of Irwin Street and the eastern side of Boulevard, the maximum height of any alteration, addition, or new construction shall be 32 feet.
- iii. For all other areas, the height of any alteration, addition, or new construction shall be established through the compatibility rule.-

Sec. 16-20C.007. Sidewalks, Yards and Open Space.

1. The following Sidewalks, Yards and Open Spaces provisions shall apply to Subareas 1 through 4.

a. Sidewalks.

- i. Public sidewalks shall be located along all public streets and shall consist of two (2) zones: an amenity zone and a walk zone.
- ii. The amenity zone shall be located immediately adjacent to the curb with a consistent cross-slope not to exceed two (2) percent. Width shall be measured from back (building side) of curb to the walk zone. This zone is reserved for the placement of street trees and street furniture including utility and light poles, public art, waste receptacles, fire hydrants, traffic signs, traffic control boxes, newspaper boxes, transit shelters and similar elements in a manner that does not obstruct pedestrian access or motorist visibility. Such elements, where installed, shall be of a type specified by the director in accordance with uniform design standards for placement of such objects in the public right-of-way.
- iii. The walk zone shall be located immediately contiguous to the amenity zone and shall be a continuous hardscape, with a consistent cross-slope not exceeding two (2) percent. No fixed elements, including pole mounted signage, traffic control boxes or other utility structures, shall be placed above ground in the walk zone for a minimum height of eight (8) feet.
- iv. New sidewalks and their corresponding zones shall be the same width as the sidewalk on abutting properties. If no sidewalk exists on abutting properties, the new sidewalk shall match sidewalk widths on the block. If no sidewalk exists on the block, the new amenity zone shall be a minimum of two (2) feet wide and the new walk zone shall be a minimum of five (5) feet wide.
- v. Street trees shall be planted a maximum of 30 feet on-center within the amenity zone and shall be spaced equal distance between street lights.
- vi. Any existing decorative hardscape treatment of sidewalks, including amenity zone or walk zone areas, shall be retained as part of any new development or replaced with materials that match in size, shape and color.
- vii. Decorative pedestrian lights, where installed, shall be placed a maximum of 60 feet on center and spaced equidistant between required trees. Where installed, said lights shall be located within the amenity zone. Said lights shall be as approved by the Director. New developments shall match the light and tree spacing on blocks where existing Atlanta Type lights are installed.
- viii. Changes or additions of planters, trash containers, street lighting, and similar elements, shall require a Certificate of Appropriateness by the Commission.
- ix. Upon redevelopment of a parcel reasonable efforts shall be made to place utilities underground or to the rear of structures to allow for unobstructed use of sidewalks.

- b. Yards. Notwithstanding the setback requirements of these Subareas, previously existing contributing structures may be reconstructed to their original footprints and setbacks upon a submittal of finding that such structural dimensions have been shown by archived evidence or sworn affidavit(s) to have previously existed on the proposed site, and as subsequently approved by the Commission.

c. Required Open Space.

- i. Open Space shall be required only for multi-family uses. All other uses shall have no Open Space requirements.

2. The following additional Yards provisions shall apply to Subareas 1 and 2.

b. Subarea 2.

- i. Except as provided below, all front, side and rear yard setbacks shall be established through utilization of the compatibility rule. All new construction shall maintain a minimum of 10 feet for rear yard setbacks where the compatibility rule would permit a smaller rear yard setback, except as otherwise provided for accessory structures.
- ii. Within the portion of Subarea 2 lying along the southeastern side of Auburn Avenue east of Randolph Street, and along the eastern side of Randolph Street south of Auburn Avenue, the following development controls shall apply:
 - (1) Side yard: Three (3) feet.
 - (2) Front yard: Seven (7) feet.

- (3) Rear yard: 25 feet.
- iii. Within the portion of Subarea 2 lying along the southern side of Irwin Street and the eastern side of Boulevard, the following development controls shall apply:
 - (1) Side yard: Three (3) feet.
 - (2) Front yard: 12 feet.
 - (3) Rear yard: Six (6) feet.

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

1. The following Design Standards provisions shall apply to Subareas 1 through 4.
 - a. Building Compatibility.
 - i. All elements of new construction shall be utilized in a meaningful, coherent manner, rather than a mere aggregation of random historic elements.
 - ii. The compatibility rule shall apply to a principal structure's general façade organization, proportion, scale, roof form, pitch and materials, door and window placement, and other architectural details including but not limited to brackets, decorative trim, corner boards, bottom boards, fascia boards, columns, steps and attic vents.
 - iii. Fiberglass roofs shall be prohibited.
 - b. Fenestration.
 - i. The compatibility rule shall apply to the following aspects of fenestration:
 - (1) The style and material of the individual window or door.
 - (2) The size and shape of individual window and door openings.
 - (3) The overall pattern of fenestration as it relates to the building façade.
 - (4) The use of wood or aluminum for exterior framing, casing, and trim for windows and doors, and the use of wood, aluminum, brick, or stone for bulkheads.
 - ii. Painted glass and reflective glass, or other similarly treated fenestration, are not permitted.
 - iii. Except as otherwise provided in 16-20C.008(2), if muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
 - c. Landscaping.
 - i. A landscape plan may be required by the Commission 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 district.
 - ii. Tree preservation and replacement. The provisions of the City of Atlanta Tree Ordinance, Atlanta City Code Sec. 158-26 et seq., shall apply to this district.
 - d. Loading Areas, Loading Dock Entrances, and Building Mechanical and Accessory Features for All Non-Residential Uses.
 - iii. Building mechanical and accessory features shall not be permitted between the principal building and any public street.
 - iv. Building mechanical and accessory features shall be located to the rear of the principal building and shall be in the location least visible from the public street. Screening with appropriate materials shall be required if the equipment is visible from any public street.
 - v. When located on rooftops, building mechanical and accessory features visible from the public street shall be incorporated in the design of the building and screened with materials compatible with the principal façade material of the building.
2. The following Design Standards provisions shall apply to Subareas 1 through 2.
 - a. Windows and Doors.
 - i. Simulated divided light windows or plain sash windows shall be authorized as replacement materials when replacement is warranted, and materials for new construction within these subareas.
 - ii. Windows shall be predominantly vertical in proportion, shall not be constructed in combination of more than two (2) units, and shall be double-hung.
 - iii. Front doors facing and parallel to the street shall be provided.
 - iv. Front doors shall be solid wood panel or single-pane fixed glass and shall be composed of no more than 50 percent glass.
 - b. Front Yard Porches.
 - i. Front yard porches shall be provided.
 - ii. Front yard porches shall contain balustrades, columns, floor dimensions, height, roof pitch and overhangs as regulated by the compatibility rule.
 - iii. Decorative metal, resin, fiberglass and plastic columns are prohibited.
 - iv. Front yard porches are permitted to be enclosed with recessed screen wire when the primary characteristics of the porch are maintained.

- v. Front yard porch steps shall be wood, brick or concrete. Metal steps are prohibited.
- vi. A paved walkway from the front yard porch to the adjacent public sidewalk shall be required.
- c. Siding and Foundations.
 - ii. Siding shall exhibit a horizontal, clapboard profile. Siding shall have no less than a four (4) inch reveal and no more than a six (6) inch reveal.
 - iii. Foundations shall be permitted to utilize brick, stone, smooth stucco, and smooth finish concrete as foundation-facing materials.
 - iv. When provided, chimneys shall be faced in brick and shall originate at grade.

Sec. 16-20C.009. Off-Street Parking, Parking Structures, Driveways, Driveways and Curb Cuts.

- 1. The following Off-Street Parking regulations shall apply to Subareas 1 through 4.
 - a. Parking Requirements. Off-street parking and bicycle parking requirements shall be as specified in the Martin Luther King, Jr. Landmark District Parking Table and subject to the following:

TABLE 2: MARTIN LUTHER KING JR. LANDMARK DISTRICT PARKING TABLE	MINIMUM PARKING: BICYCLES	MINIMUM PARKING: AUTOMOBILES	MAXIMUM PARKING: BICYCLES	MAXIMUM PARKING: AUTOMOBILES
Single-family dwellings, Two-family dwellings	None	None	None	2 spaces for every 1 residential unit

- i. Bicycle parking spaces shall include a metal anchor sufficient to secure the bicycle frame when used in conjunction with a user-supplied lock and shall be a type specified by the Director of the Office of Planning as applicable.
 - ii. Bicycle parking shall be located a maximum horizontal distance of 100 feet from a building entrance.
 - b. Surface Parking.
 - i. When utilized, off-street surface parking shall not be permitted to be located between a building and an adjacent street without an intervening building.
- 3. The following regulations shall apply to driveways and curb cuts within the district.
 - a. Use of shared driveways and/or alleys is permitted. Driveways may be located outside the lot boundaries if they directly connect to a public street and are approved by the Commission.
 - b. Circular drives and drop-off lanes shall not be located between any principal building and any public street. The Commission shall additionally have the authority to vary Section 28.006(10) relative to the requirement for an independent driveway connected to a public street.
 - c. Curb cuts and driveways are not permitted on Edgewood Avenue, Auburn Avenue, Boulevard and Piedmont Road when reasonable access may be provided from a side or rear street or from an alley.
 - d. One curb cut is permitted for each development. Developments with more than one (1) public street frontage or more than 300 feet of public street frontage may have two (2) curb cuts.
 - e. Curb cuts shall be a maximum of 24 feet for two-way entrances and 12 feet for one-way entrances, unless otherwise permitted by the Commissioner of Public Works.
 - f. Sidewalk paving materials shall be continued across intervening driveways for all Non-Residential and Multi-family uses.

Per Section 16-26.003:

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

Revision to Plans

On July 8, 2015, applications for variances and new construction were approved with conditions. As one of the conditions required the final plans to match the review set dated July 1, 2015, any deviation from the plan requires review by the Commission. Staff will only comment on revisions to the previously approved plans.

Front Elevation

One of the conditions of approval was that a cornice line be added to the top of the building. There was a sketch provided by a Commissioner to demonstrate the cornice was to be located above the windows on the second story. In the revised the drawings, the cornice is located at the very top of the building. While not in the location specified by one of the Commissioner's, Staff does not have a concern regarding the location of the proposed cornice line.

One of the conditions of approval was the porch roof shall meet the requirements. In looking at the porch roof on the historic house on the block face, Staff finds the proposed roof does not match it. Specifically, the roof on the point of comparison is hipped and the proposed roof is flat. While the proposed roof does not meet the original condition of approval, Staff finds the flat roof is consistent with the architectural style of the proposed new house.

The porch has been revised to include an additional rail or bar above the proposed railing. As the material details are not indicated, it is not what the bar is. Staff has no general concerns regarding the design as this type of railing is used on historic houses to meet the building code height requirement. Staff recommends the Applicant clarify the material for the bar above the railing.

In looking at the front façade stairs, the cheek wall appears to be a different material than previously approved. Staff recommends the Applicant clarify the material for the cheek wall on the front façade.

East Elevation

The fenestration on the east elevation has changed slightly. Specifically there is one additional window on the second floor and one of the windows on the first floor has been moved to a new location. Staff has no concerns regarding the changes to the fenestration on the east elevation. It appears the brick portion of the façade is larger, Staff has no concerns regarding the revised brick façade.

West Elevation

On the west elevation, the chimney has been moved forward and is larger. Staff has no concerns regarding the revised chimney design. The design and function of the fenestration on the west elevation has been revised. While different than the original design, Staff finds the revised fenestration is consistent with the architectural style of the proposed house.

Rear Elevation

In revised elevations, the rear decks were removed. Staff has no concerns regarding the removal of the decks. The previously existing sliding doors have been removed and replaced with windows. A previously proposed window and transom have been removed. Staff does not have any concerns regarding the revisions to the rear fenestration.

Variance Request

In the original submittal the requested and was approved for a variance to reduce the front yard setback from 7' to 4.5'. The new variance submittal requests a variance from the previously approved 4.5' to 1'8". As suggested by Staff, the Applicant revised the original submittal to add a front porch. In the

revised report, Staff raised concerns regarding how the porch would impact the front yard setback. While the project was approved with the proposed porch, the approved variance does not allow for the porch to be in the location indicated on the site plan.

Staff finds the proposed porch is appropriate and an important component of the design. Staff finds that the shape of the lot in the rear is unusual and does create challenges for the project. The proposed reduction in the front yard setback would make the new house have the same setback as the only historic house on the block face. Given the information we have at this time, Staff finds the proposed variance is appropriate and will not cause a significant detriment to the public good or impair the intent of the zoning ordinance.

Staff Recommendations: Based upon the following:

- 1) The plans meet the regulations, with the exceptions noted in the above analysis, per Section 16-20C.005;

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-16-042) for a variance to reduce the front yard setback from a minimum of 4'6" (required) to 1'8" (proposed) at **611 Auburn Avenue** - Property is zoned Martin Luther King, Jr. Landmark District (Subarea 2)/Beltline.

Staff Recommendations: Based upon the following:

- a) The plans meet the regulations, with the exceptions noted in the above analysis, per Section 16-20C.005;

Staff recommends approval of the Application for a Type II Certificate of Appropriateness (CA2-16-041) for a revision to plans previously approved by the Commission at **611 Auburn Avenue** - Property is zoned Martin Luther King, Jr. Landmark District (Subarea 2)/Beltline, with the following conditions:

1. The Applicant shall clarify the material for the bar above the porch railing;
2. The Applicant shall clarify the material for the cheek wall on the front façade; and
3. Staff shall review and if appropriate, approve the final plans.



CITY OF ATLANTA

KASIM REED
MAYOR

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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT February 24, 2016

Agenda Item: Applications for Type III Certificates of Appropriateness (CA3-16-045) for a variance to allow a driveway which is not connected to a public street and (CA3-16-044) for a new single family house at **401 Atlanta Avenue** – Property is zoned R-5/ Grant Park Historic District (Subarea 1)/ Beltline.

Applicant: Adam Stillman
350 Sinclair Avenue

Facts: This is currently a vacant lot.

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.

Variance Request

The Applicant is requesting a variance to allow a driveway that is connected to the existing alley as opposed to a public street. Staff finds that using an alley to access the proposed parking is encouraged by the district. Staff finds having a driveway off of the alley would not create a public detriment. Staff has no concerns regarding the proposed variance.

Site Plan

The site plan submitted indicates the existing interior lot fronts 50.83' on Atlanta Avenue and has a depth of 195'. In looking at the City of Atlanta records, there is a slight discrepancy. Staff suggests the Applicant contact the Office of Planning subdivision Staff to resolve the discrepancy.

Per regulations, the front setback is based on the compatibility rule. The front yard setbacks of the contributing houses on the block face range from 12.1' to 18.6'. The proposed front yard setback is 18.6' and therefore meets the requirements. Per regulations the side and rear yard setback shall be no less than 7'. Staff finds the rear and side yard setback requirement has been met.

Per underlying zoning, the maximum FAR (floor area ratio) allowed is .50. The proposed FAR is .35 and therefore meets the requirement. Per underlying zoning, the maximum lot coverage allowed is 55%. The proposed lot coverage is 34% and therefore meets the requirement.

As required by the regulations, the site plan indicates an appropriate concrete walkway from the front porch to the sidewalk. The site plan indicates an existing concrete sidewalk. If the sidewalks are damaged during construction, Staff recommends the sidewalk is repaired or replaced as specified by the regulations. As required by the regulations, the site plan indicates the HVAC units will be appropriately screened with evergreen shrubs.

The site plan includes a garage at the rear of the property. As the garage does not face a public street, Staff has no comments regarding the design. Staff finds the location of the proposed garage is appropriate and meets the setback requirements.

Massing and Building Height

The proposed two story house is defined by a 9 in 12 hipped roof and a single story full width porch. Staff finds the overall height and massing of the proposed house is similar to other two-story houses in the district. Per regulations, the maximum height allowed is 35'. The Grant Park Historic 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. While the majority of the historic houses on the block face are single-story, Staff finds the overall height and massing 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 Applicant is proposing 1 over 1 wood windows with appropriate trim, headers, sills and separation between units. 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. Staff finds the

proposed windows meet the requirements. Staff finds the proposed front door is compatible with the proposed house and is appropriately placed. Staff has no concerns regarding the proposed fenestration.

Building Materials

The Applicant is proposing to use the following building materials: concrete walkway, concrete steps, smooth cementitious siding with a 6" reveal, wood windows, wood columns, wood porch flooring, wood trim, cedar shake siding, asphalt shingles, brick veneer foundation and brick chimneys. Staff finds all the proposed materials are appropriate and meet the requirements.

Porch

Per regulations, the minimum depth for new porches is 7'. The proposed front porch has a depth that ranges from 8' to 26.5' and therefore meets the requirements. The porch features columns, railings, stairs and architectural details that are compatible with the proposed house and other similar porches in the district.

Staff Recommendation: Based upon the following:

- 1) The plans meet the variance criteria, per Section 16-20K.006(3);

Staff recommends approval of an application for a Type III Certificate of Appropriateness (CA3-16-045) for a variance to allow a driveway which is not connected to a public street at **401 Atlanta Avenue** – Property is zoned R-5/ Grant Park Historic District (Subarea 1)/ Beltline.

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 (CA3-16-044) for a new single family house at **401 Atlanta Avenue** – Property is zoned R-5/ Grant Park Historic District (Subarea 1)/ Beltline, with the following conditions:

1. If the sidewalks are damaged during construction, the sidewalks shall be repaired or replaced as specified by the regulations, per Section 16-20K.007(2)(E); and
2. Staff shall review and if appropriate, approve the final plans.



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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT **February 24, 2016**

Agenda Item: Application for Type II Certificates of Appropriateness (CA2-16-048) for a revision of plans at **375 Glenwood Avenue**– Property is zoned R-5 / Grant Park Historic District (Subarea 1).

Applicant: Stephen Patrick Kachur
375 Glenwood Ave.

Facts: This existing structure was built in 1905 and is considered contributing to the Grant Park Historic District.

At the January 13, 2016 meeting the Commission approved with conditions the Application CA3-15-483 for alterations at 375 Glenwood Avenue.

The current application involves alterations to the existing foundation, alterations to the existing porch steps, and alterations to the existing railing.

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

- (B) Type II Certificates of Appropriateness shall be required for: Minor alterations to those façades of any contributing principal structure that face public streets; fences; walls; accessory structures; decks; and paving. If the proposed alteration meets the requirements of section 16-20K.007, then the director of the commission shall issue the Type II Certificate. If the proposed alteration does not meet the requirements of section 16-20K.007, the director of the commission shall deny the

application. Appeals from said decision of the director regarding the issuance and/or denial of Type II Certificates may be taken by any aggrieved person by filing said appeal in the manner prescribed in the appeals section of Chapter 16-20.008(a) for Type I Certificates.

(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.
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.
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.

There are two methods for reviewing alterations and additions to contributing structures allowed by the district regulations. The first method required that the alteration or addition be consistent with and re-enforce the historic architectural character of the entire existing contributing structure and comply with the applicable regulations for new construction. The second method requires that the alteration or addition shall not destroy historic materials that characterize the property. Staff finds that the first criteria to be appropriate for reviewing the project as original material will be lost as a result of the proposed changes. Besides the changes noted below, the plans meet with the conditions of the Commission's previous approval of this project.

The existing railing along the front façade will be retained; however, a newel post will be installed at the midpoint of the railings along the front portion of the porch aligning with the brick piers of the porch foundation. The railing on the right side façade will be retained and a pipe guard rail will be installed to comply with the Building Code and prevent a loss of historic materials. Staff finds that the proposed changes would be compatible with the architectural character of the existing contributing structure and comply with the applicable regulations for new construction.

With regard to the porch foundation, the Applicant is proposing to install a brick veneer foundation over the existing concrete block and brick pier foundation. Brick porch steps and cheek walls, along with a brick walkway will replace the existing concrete features. Staff finds that the proposed changes are consistent with the architectural character of the existing contributing structure and comply with the applicable regulations for new construction.

The Applicant is proposing to install a 4 foot high wood picket fence and to replace an existing retaining wall with a new brick retaining wall in the front yard. Staff has no concerns with the proposed location, materials, height, or design of the proposed fence and retaining wall. The Applicant is also proposing a new brick walkway to replace the existing concrete pavers. Staff has no concerns with the proposed work.

Staff Recommendation: Based upon the following:

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

Staff recommends approval of the Application for Type II Certificate of Appropriateness (CA2-16-048) for a revision of plans at **375 Glenwood Avenue**– Property is zoned R-5 / Grant Park Historic District (Subarea 1) with the following conditions:

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



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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT February 24, 2016

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-16-050) for alterations at **405 Holderness Street**. Property is zoned R 4A / West End Historic District / Beltline.

Applicant: Edward Margiotta
2977 Mountain Brook Road, Canton

Facts: This existing single family residence was constructed in 1923-1924 and is considered contributing to the District.

Prior to the submission of this application a Stop Work Order was posed for the removal of the original windows without a permit or approval by the Commission.

Analysis: The following code sections apply to this application:

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

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

- (1) Certificates of Appropriateness: Certificates of appropriateness within this district shall be required as follows:
 - (a) When required:
 - (i) To change the exterior appearance of any portion of a structure within the district, when said change can be seen from the public right-of-way;
 - (ii) To erect a new structure or to make an addition to any structure within the district, when said addition can be seen from public right-of-way; and
 - (iii) To demolish or move any contributing structure, in whole or in part, within the district.
 - (b) Type required:
 - (iv) The following Type II Certificates of Appropriateness shall be reviewed by the director of the commission and shall be required for any of the following:
 - (a) fences, walls, retaining walls;

- (e) replacement of non-original, non-historic or missing elements that otherwise meet the regulations, including but not limited to siding, windows, porch railings, porch columns, porch flooring, exterior doors if visible from a public street, and
- (f) paving.

If a Type II Certificate of Appropriateness is required and the proposed alteration meets the requirements of this chapter, as applicable, and other criteria applicable to Type II certificates, the director of the commission shall issue the Type II Certificate within 14 days of receipt of the completed application. If a Type II Certificate of Appropriateness is required and the proposed alteration does not meet the requirements of this chapter, as applicable, the director of the commission shall deny the application with notice to the applicant within 14 days of receipt of the completed application. Appeals from any such decision of the director regarding the approval and/or denial of Type II Certificates may be taken by any aggrieved person by filing an appeal in the manner prescribed in the appeals section of chapter 16-20.008(a) for Type I Certificates.

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

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

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

- (2) Building Façades:
 - (c) All building materials, which upon completion are visible from the public right-of-way, are subject to the compatibility rule.
 - (d) Siding repair or replacement shall match the original in material, scale and direction. For new construction and additions, brick, wood or horizontal smooth cementitious siding is permitted.
- (3) Windows and Doors:
 - (a) Architecturally significant windows and doors, including details, trimwork, and framing, shall be retained.
 - (b) Original window and door openings shall not be blocked or enclosed, in whole or in part.
 - (c) Replacement windows and doors shall be permitted only when originals cannot be rehabilitated. Replacement windows and doors shall match the original in style, materials, shape and size, with no more than a one-inch width or height difference from the original size. The use of simulated divided lite windows is permitted.
 - (d) If muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
 - (e) The replacement and reconfiguration of windows on the side elevations to accommodate kitchens and bathrooms is permitted.
 - (g) New doors and windows, when permitted, shall be compatible in scale, size, proportion, placement, and style to existing windows and doors.
 - (h) The ratio of openings to solid for all new construction (for example, windows to wall) shall be established by the compatibility rule.
 - (i) The scale, size, proportion, and location of all openings in new construction shall be established by the compatibility rule.
 - (j) New windows or doors added to existing structures shall be located façades that don't face a public street.
- (14) Fences:
 - (a) Fences shall be fabricated of brick, iron, wood or metal pickets. Fence lines shall follow or run parallel to a property line in the front and half-depth front yards. Fences shall not obscure the front façade of the building.

- (b) Fences located in the front or half-depth front yard shall not exceed four feet in height. Front yard fences may exceed four feet in height provided the height is no more than the height of the adjacent, contiguous fencing on immediately adjacent properties.
- (c) Fences shall not exceed six feet in height when located in the side or rear yards.
- (d) Chain link fabric is not permitted in a front yard or half depth front yard.
- (e) Fences may be constructed on top of a retaining wall. The combined height of the retaining wall and fence shall not exceed six feet when located in a front or half-depth front yard.
- (f) Walls are only permitted in the rear and side yards only when such yards are not adjacent to a public street and when such walls are located behind the rear façade of the principal structure. When such walls are permitted, they shall be six feet or less in height.

From the pictures provided, and from the information found in the photographic inventory, the window on the original portion of the structure are wood one over one double hung windows, while the windows on the rear and front additions are non-original six over six wood double hung windows. The original wood windows have been replaced with one over one wood windows. No information detailing the need for replacement of the original windows or the number of windows already replaced has been received by Staff. From the pictures provided it appears that the original windows are still on-site. As retention of original materials if it is possible is required by the District regulations, Staff finds that the retention and re-use of windows which can be repaired to be the appropriate method for this project. Staff recommends that the Applicant clarify whether the original windows are still on-site and document their ability to be repaired. If the windows are unable to be repaired, Staff Recommends that they be replaced in-kind.

The Applicant is proposing to repair portions of the existing siding; however, no information has been given detailing the method of repair, locations in need of repair, or the extent of damage which necessitates repair. Staff recommends the Applicant submit information detailing the method of repair, locations in need of repair, and the extent of damage which necessitates repair.

The Applicant is proposing to install a stockade fence around the rear patio. No site plan detailing the location of the fence has been received. As the property in question is a corner lot, the location of the fence in relation to the street frontage will have an effect on the allowable height of the fence. Staff recommends the Applicant provide a site plan detailing the location of the proposed fence. Additionally no information detailing the height, materials, or design of the proposed fence has been received. Staff recommends the height, materials, and design of the proposed fence meets the District regulations.

Staff Recommendation: Based upon the following:

- a) The completed work does not meet meets the regulations per Section 16-20G.006

CA2-16-050

Staff recommends approval of an Application for a Type III Certificate of Appropriateness (CA2-16-050) for alterations at **405 Holderness St.** Property is zoned R 4A / West End Historic District / Beltline. With the following conditions:

1. The Applicant shall clarify whether the original windows are still on-site and document their ability to be repaired, per Sec. 16-20G.006(3)(c);

2. If the windows are unable to be repaired, they shall be replaced in-kind, per Sec. 16-20G.006(3)(c);
3. The Applicant submit information detailing the method of repair, locations in need of repair, and the extent of damage which necessitates repair of the existing siding, per Sec. 16-20G.006(2)(d);
4. The Applicant shall provide a site plan detailing the location of the proposed fence, per Sec. 16-20G.006(14);
5. The height, materials, and design of the proposed fence shall meet the District regulations, per Sec. 16-20G.006(14); and,
6. Staff shall review and if appropriate, approve the final plans and documentation.



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TIME KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT February 24, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA2-16-051) for alterations at **674 Lexington Avenue** - Property is zoned R-4A / Adair Park Historic District (Subarea 1) / Beltline.

Applicant: Rick Bizot
1077 Alta Avenue

Facts: According to the District inventory sheet this house is considered contributing to the District and was built in 1922. The house has a full width front porch and a front to back combination roof (gabled in front and hipped in back). The some point before the District's designation, the wood-sided house was covered with asbestos siding and either a shed roof addition was built in the rear or a rear porch was substantially modified. Further, a gabled roof stoop was added to the left (east) side of the house). At some point after the District's designation, the windows and doors were placed.

The Applicant proposes the following actions at this time:

1. Replace the non-original / non-historic windows on the house with double hung, SDL wood windows in the existing openings (front façade to be four vertical-over-one, side facades to be one-over-one) with less than 1 in. change in size, retaining or replacing in kind missing the exterior trim;
2. Raise the sill height of a window on the right side to allow installation of a kitchen counter top system;
3. Replace an exterior door opening on the front façade with compatible siding;
4. Remove the diamond-shaped shingles in the front gables and either repair any salvageable siding underneath or replace/ install new siding with a 5 in. reveal;
5. Replace missing bricks / repair / repoint brick foundation with historic pointing mortar (replace missing bricks);
6. Replace in kind any deteriorated rafter tails;
7. Add a metal handrail to the front porch stairs;
8. Remove the gabled roof stoop and exterior door on the left side and restore double hung paired window opening / siding; and
9. Modify the rear portion of the house to include a new hipped roof, new walls, and repaired / rebuilt foundation, with conversion of a portion to a rear screened porch with no change in footprint.

Analysis: The following code sections apply to this application:

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

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

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

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

Sec. 16-20I.002. - Scope of regulations.

- (a) The existing zoning map and regulations governing all properties within the Adair Park Historic District shall remain in full force and effect. The following zoning regulations shall be overlaid upon, and shall be imposed in addition to, said existing zoning regulations. Whenever the following overlay regulations are at variance with said existing zoning regulations, the following regulations (chapter 20I) shall apply. All other statutes, rules, regulations, ordinances, or other governmentally adopted regulations pertaining to properties within this district shall continue to apply; and any variance between said other regulations and these overlay district regulations (chapter 20I) shall be governed by the interpretation provision set forth in section 16-20.011(c) of the code of ordinances.
- (b) Except when otherwise explicitly provided, the provisions of chapter 20 of this part shall apply to this district.

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;
4. 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.
 - (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.
 - (d) Storm doors, storm windows, shutters and awnings:
 - (e) Chimneys:
 - (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.
 - (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.
 4. Porches shall contain balustrades, columns and other features consistent with porches in that block.
 - (k) Ornaments:
 1. Architecturally significant ornaments, such as corner boards, cornice, brackets, downspouts, railings, columns, steps, doors and windows moldings, shall be retained.
 2. Replacement ornaments shall be permitted only when originals cannot be rehabilitated.
 3. Installation of new ornaments, where none previously existed, shall be permitted only when it is in accordance with the architectural style of the original structure.

Replace the non-original / non-historic windows on the house with double hung, SDL wood windows in the existing openings (front façade to be four vertical-over-one, side facades to be one-over-one) with less than 1 in. change in size, retaining or replacing in kind missing the exterior trim.

Based on the photographs provided by the Applicant, the Staff would concur with the Applicant's assessment of the status of the windows and as such does not have any concerns about the removal of historic fabric. The District inventory sheets are not clear as to the light design of the previous double hung windows, but the existence of the four vertical light accent windows on either side of the chimney would support the use of four vertical lights over one light for all of the double hung windows, not just those on the front façade. The Staff does not have concerns about the overall concept, material, or size of the new windows. The Staff would recommend, however, that all new windows on the front and side facades of the original portion of the house shall have true divided light divisions with a four vertical-over-one light pattern.

Raise the sill height of a window on the right side to allow installation of a kitchen counter top system. The existing window in this location has already been modified by the installation of a plywood insert / panel that covers most of the lower portion of the window opening with a contemporary, metal window in a part of the upper portion. Given that this window is already been modified and in the past the Staff has supported raising the sill heights to accommodate kitchen and bathroom renovations when it was absolutely necessary, the Staff does not generally have concerns about this component of the project. However, it would note that it might be possible to shift the window slightly to the rear and retain its full size given the design of the kitchen or slightly modify the kitchen counter design and leave the window in its current location and install a district compliant window. The Staff would recommend that the Applicant explore and document the infeasibility of retaining the full height window opening in the proposed kitchen in its current location or shifted to the rear.

Replace an exterior door opening on the front façade with compatible siding.

Based on the photographs provided by the Applicant, the Staff would concur with the Applicant's assessment of the status of the second exterior door on the front façade (i.e. that it is not original) and as such does not have concerns about the removal of historic fabric. The Staff would recommend, however, that the new siding to be installed on the front façade in place of the non-original door be wood with a smooth finish and have the same reveal as the original siding.

Remove the diamond-shaped shingles in the front gables and either repair any salvageable siding underneath or replace/ install new siding with a 5 in. reveal.

The Staff has no significant concerns about this component of the project, but would recommend that if new siding must be installed in the gables, the new siding be wood with a smooth finish.

Replace missing bricks / repair / repoint brick foundation with historic pointing mortar (replace missing bricks).

The Staff has no concerns about this component of the project.

Replace in kind any deteriorated rafter tails.

The Staff has no concerns about this component of the project.

Add a metal handrail to the front porch stairs.

Given the proposed railing will be located inside the existing cheek wall (vs. on top), will not touch the existing cheek wall or front porch column, will be minimal in size and visual presence, and could be removed in the future without damaging historic fabric, the Staff does not have concerns about the component of the project.

Remove the gabled roof stoop and exterior door on the left side and restore double hung paired window opening / siding.

Given the photographs provided by the Applicant, the Staff would concur that this side entrance and stoop is not original or historic to the house and as such its removal would not result in a loss of historic fabric. However, the Staff would note that the existing floor plan does not accurately show the existing window / door configuration. Based on the photographs provided by the Applicant, there is not currently a window next to the door. The Staff would recommend that the new siding, window, and window trim to be installed in place of the removed side stoop meet all the District regulations, including the use of true divided light divisions in the upper sashes.

Modify the rear portion of the house to include a new hipped roof, new walls, and repaired / rebuilt foundation, with conversion of a portion to a rear screened porch with no change in footprint.

The Staff would note that none of the changes to the rear façade are subject to review by the Commission. It would appear that this is a former rear porch that has been significantly modified over time or a more contemporary rear addition. In either case, the Staff is concerned that the extensive proposed modifications will either completely remove the ability to distinguish a former historic feature of the house and/or create a false sense of development to the house by making the final design thoroughly integrated to and the same as the existing house. The Staff would recommend that the modifications to the rear portion of the house retain or incorporate a massing, roof form, and features that would distinguish the new work from the existing, original house.

Staff Recommendation: Based upon the following:

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

Staff recommends approval of the application for a Type III Certificate of Appropriateness (CA3-16-061) for alterations at **674 Lexington Avenue** - Property is zoned R-4A / Adair Park Historic District (Subarea 1) / Beltline, with the following conditions:

1. All new windows on the front and side facades of the original portion of the house shall have true divided light divisions with a four vertical-over-one light pattern, per Section 16-20I.006(4)(b);
2. The Applicant shall explore and document the infeasibility of retaining the full height window opening in the proposed kitchen in its current location or shifted to the rear, per Section 16-20I.006(4)(b);
3. The new siding to be installed on the front façade in place of the non-original door shall be wood with a smooth finish and have the same reveal as the original siding, per Section 16-20I.006(4)(a) and (k);
4. If new siding must be installed in the gables, the new siding shall be wood with a smooth finish, per Section 16-20I.006(4)(a) and (k);
5. The new siding, window, and window trim to be installed in place of the removed side stoop shall meet all the District regulations, including the use of true divided light divisions in the upper sashes, per Section 16-20I.006(4)(a), (b) and (k);
6. The modifications to the rear portion of the house shall retain or incorporate a massing, roof form, and features that would distinguish the new work from the existing, original house, per Section 16-20I.006(4)(a); and
7. The Staff shall review, and if appropriate approve, the final plans and supporting documentation.



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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT February 24, 2016

Agenda Item: Review and Comment (RC-16-052) on alterations and an addition at **26 Woodcrest Avenue**- Property is zoned R-4/ Brookwood Hills Conservation District.

Applicant: Adam Mascola
339 West Oak Trail, Woodstock

Facts: According to the Brookwood Hills Inventory, the single-family dwelling was built in 1925 and is considered contributing.

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

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

Sec. 16-20.009. Same; further standards.

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

- (1) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure or site and its environment.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (3) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (4) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object or site shall be kept where possible.

- (5) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (6) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (7) Wherever possible, new additions or alterations to buildings, structures or sites shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the building, structure or site would be unimpaired.

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

Addition

According to the site plan submitted, the existing lot fronts 62.14' on Woodcrest and has a depth of 178' on its longest side. In looking at the City of Atlanta records, there is a slight discrepancy in the lot dimensions. Staff suggests the Applicant contact the Office of Buildings to determine whether resolution of the lot discrepancy is required.

The Applicant is proposing to remove an existing concrete pad, one window and one door on the rear façade to accommodate a new single-story addition. Staff finds the removal of historic fabric will not be a significant detriment to the existing house. As the proposed addition is located on the rear and is inset from the corner of the house, Staff finds the addition will be difficult to see from the street and will not have a significant impact on the streetscape.

The proposed single story addition has materials and fenestration that are consistent and compatible with the existing dwelling. Staff finds the location of proposed addition and numerous rear doors will help differentiate the addition from the existing historic house. Staff finds the height and massing allows for additional space while allowing the existing historic house to remain the dominant feature. Staff has no general concerns regarding the proposed addition.

Alterations

The Applicant is proposing to add two new windows in between two existing windows on the rear elevation. Staff has no concerns regarding the additional windows as they are on the rear. The Applicant is proposing to remove an existing window on the south elevation and relocate it. It is not clear from the plans where the window will be relocated to. Staff suggests the applicant clarify where the window proposed for relocation will be placed. The Applicant is proposing to add two additional windows on the second floor of the south elevation. As the proposed new windows are on the side, Staff has no concerns regarding the installation of additional windows.

Staff recommends the Commission send a letter with comments to the Applicant.



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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT February 24, 2016

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-16-054) for alterations at **865 Rose Circle**. Property is zoned R 4A / West End Historic District / Beltline.

Applicant: Lynn Marie Angus
3082 Brook Drive, Decatur

Facts: This existing single family residence was constructed in 1923-1924 and is considered contributing to the District.

Prior to the submission of this application a Stop Work Order for work being performed without a permit or approval by the Commission. The Applicant subsequently submitted a Type II Staff Review (CA2S-16-013) for this work. In the review of the Applicant's submitted material, it was determined that the original porch columns had been replaced, which was the only project element which requires review by the Commission. All other elements of the proposed scope of work are being reviewed under the previously applied for Type II Staff Review Application.

Analysis: The following code sections apply to this application:

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

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

- (1) Certificates of Appropriateness: Certificates of appropriateness within this district shall be required as follows:
 - (a) When required:
 - (i) To change the exterior appearance of any portion of a structure within the district, when said change can be seen from the public right-of-way;
 - (ii) To erect a new structure or to make an addition to any structure within the district, when said addition can be seen from public right-of-way; and
 - (iii) To demolish or move any contributing structure, in whole or in part, within the district.

(b) Type required:

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

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

(9) Porches:

- (a) Architecturally significant porches, including their component features, steps and stoops shall be retained.
- (b) Replacement porches, steps and stoops shall match the original in size, style and materials. All front porch steps shall have closed risers and ends.
- (d) New or replacement porches shall contain balustrades, columns and other features consistent with the architectural style of the house or other original porches in that block. The height of the top rail shall be no more than 33 inches above the finish porch floor, except as required by the City's building code.

Plans and drawings

The plans submitted by the Applicant for review do not accurately depict the preexisting conditions of the property before the work was completed. Additionally, the plans do not accurately depict the project proposed by the applicant. Staff recommends the Applicant provide drawings which depict the previously existing conditions of the property and the proposed scope of work.

Alterations

According to the Applicant, the front porch columns which were installed will be removed and replaced with columns which match the original columns. The plans provided by the Applicant show tapered columns as both the original, and proposed column configuration. However, the inventory photograph shows boxed columns in use on the front porch. As such, Staff recommends the front porch columns be replaced with boxed columns to match the original elements shown in the photographic inventory.

Staff Recommendation: Based upon the following:

- a) The project meets the regulations per Section 16-20G.006;

CA2-16-054

Staff recommends approval of an Application for a Type II Certificate of Appropriateness (CA2-16-054) for alterations at **865 Rose Circle**. Property is zoned R 4A / West End Historic District / Beltline with the following conditions:

1. The Applicant shall provide drawings which depict the previously existing conditions of the property and the proposed scope of work;
2. The front porch columns shall be replaced with boxed columns to match the original elements shown in the photographic inventory, per Sec. 16-20G.006(9)(a); and
3. Staff shall review and if appropriate, approve the final plans and documentation.



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Director, Office of Planning

STAFF REPORT February 24, 2016

Agenda Item: Application for a Type II Certificate of Appropriateness (CA2-16-055) for alterations at **505 Robinson Avenue**– Property is zoned R-5/ Grant Park Historic District (Subarea 1/)Beltline.

Applicant: Udi Perez for Direct Properties, LLC
2250 N. Druid Hills Road

Facts: According to the Grant Park Inventory sheet this existing dwelling built in 1927 is considered contributing.

Analysis: The following code sections apply to this application:

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

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

- (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.
- (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

- (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. 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.

(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.

Site Plan

According to the site plan submitted, the existing interior lot fronts 50.26' on Robinson Avenue and has a depth of 175'. In looking at the City of Atlanta records, there is a slight discrepancy in the lot dimensions. Staff suggests the Applicant contact the Office of Buildings to determine whether resolution of the lot discrepancy is required.

The Applicant is proposing to add a new addition, a new deck and an extension of the driveway. Per regulations, one of the options for side yard setbacks is to be a minimum of 7'. Staff finds the proposed side yard setbacks meet the requirements. Per regulations, the minimum rear yard setback is 7'. Staff finds the rear yard setback has been met.

Per underlying zoning requirements, the maximum floor area ratio (FAR) allowed is .50. The proposed FAR is .29 and therefore meets the requirements. Per underlying zoning requirements, the maximum lot coverage allowed is 55%. The proposed lot coverage is 50% and therefore meets the requirements.

Alterations

The Commission reviews the facades that face a public street. As this is an interior lot, Staff will only make comments regarding alterations to the front façade.

The Applicant is proposing to remove the existing metal awnings and metal columns. Staff has no concerns regarding the removal of the awnings and columns as they are not original to the house. Staff does not have concerns regarding the proposed new columns.

The Applicant is proposing to replace one door with a window and replace a second door with a new door. If a house was originally built as a duplex, Staff usually recommends both doors be retained. Given the window and door configuration on the left side of the front façade, Staff finds the existing door opening may not be original. Staff recommends the Applicant provide documentation the existing house was not originally built as a duplex.

The Applicant is proposing to replace the windows on the front façade with vinyl windows. In looking at the pictures submitted, it is difficult to see the front façade windows. Staff cannot determine the condition of the windows or whether the original or historic. Staff recommends the Applicant provide documentation the windows are beyond repair or that the windows are not original or historic. If replacement of the windows is warranted, Staff recommends the new windows are wood, true divided lite and match the design of the original or historic windows.

The Applicant is proposing to replace the existing wood siding. In looking at the pictures submitted, it is not clear the existing wood siding is beyond repair and requires replacement. Staff recommends the Applicant provide documentation the existing siding is beyond repair and requires replacement. If replacement is warranted, Staff has no concerns regarding the proposed siding.

Staff Recommendation: Based upon the following:

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

Staff recommends approval of an application for a Type II Certificate of Appropriateness (CA2-16-055) for alterations at **505 Robinson Avenue**– Property is zoned R-5/ Grant Park Historic District (Subarea 1/Beltline., with the following conditions:

1. The Applicant shall provide documentation the existing house was not originally built as a duplex, per Section 16-20K.007(2)(D);
2. The Applicant shall provide documentation the windows are beyond repair or that the windows are not original or historic, per Section 16-20K.007(2)(D);
3. If replacement of the windows are warranted, the new windows shall be wood, true divided lite and match the design of the original or historic windows, per Section 16-20K.007(2)(D);
4. The Applicant shall provide documentation the existing siding is beyond repair and requires replacement, per Section 16-20K.007(2)(D); and
5. Staff shall review and if appropriate, approve the final plans.



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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT February 24, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-057) for a variance to allow a reduction in front yard setback from a minimum of 60 ft. (required) to 27 ft. (proposed) at **451 Atlanta Avenue** - Property is zoned R-5 / Grant Park Historic District (Subarea 1).

Applicant: Gilbert Tillman
469 Morgan Dairy Road

Facts: The 1980s non-contributing building appears to be relatively unaltered from its original configuration, materials, and architectural components. The front yard of the property is relatively flat and even with the public sidewalk.

In 2015, the Commission approved with conditions (CA3-15-438) a substantial renovation to the house that included the following actions:

1. Reconfigure the front porch to create a projecting front porch with a shed roof and two-part columns;
2. Replace the existing double hung with casement windows;
3. Re-side the existing house;
4. Repair or replace rotten soffit, fascia and other exterior trim; and
5. Build an entirely new second floor with a front-facing gable, gable brackets, cementitious shake sheathing, and side-projecting accent “gable” on the right side.

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

Given the proposed second story addition was to be located directly on top of the existing front façade and as such would be subject to the front yard setback requirements (and potentially increasing the level of non-conformity), one of the conditions included in the Commission's approval was as follows:

“The Applicant shall document compliance with the front yard setback requirements found in the District regulations, per Section 16-20K.007(1);”

Subsequent to the Commission’s conditional approval of the design, the Applicant submitted final permit-ready plans, but was unable to comply with the condition related to the front yard setback. There is only one contributing house on the block face and as such its front yard setback establishes the “range” for the block face for new construction or additions that affect the front yard setback. Therefore, the condition of the Commission’s approval related to the front yard setback was not satisfied.

Before the Commission at this time is a request to reduce the front yard setback from the distance established by the one contributing structure on the block face (the minimum of 60 ft.). The actual site plan and design that was previously and conditionally approved by the Commission would not change. If the current variance were approved by the Commission the renovations and additions could be built as approved by the Commission.

No site features or the design of the actual house would change with this variance application.

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

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

- (1) *General Criteria.*
 - a. Notwithstanding any other provision herein, no Certificate of Appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
 - b. Except as otherwise provided herein, the procedures for determining the appropriate type of certificate shall be those specified in section 16-20.008 of the zoning code.
 - c. In Residential Subarea I, the commission shall apply the standards referenced in 16.20.009 only if the standards set forth in this Chapter 20K do not specifically address the application.
- (2) *Certificates of Appropriateness.*
 - c. Type III Certificates of Appropriateness shall be required for:
 2. All major alterations and additions to existing structure, with respect to any façade that faces a public street.
- (3) *Variances.* Variance requests shall be heard by the commission which will have the authority to grant or deny variances from the provisions of this chapter when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, criteria and appeal provisions for decisions regarding such variances shall be the same as those specified in chapter 26 of this part 16.

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.
- (2) *Architectural Standards.*
 - A. *Statement of Intent.* The purpose of these regulations is to set forth basic, minimum standards of architectural design and construction that are compatible with and complementary to the existing historic residences within the neighborhood, as the cumulative historic diversity of the built environment is a defining characteristic of this neighborhood. It is not the intent of these regulations to limit the design of new housing to replication of styles of existing structures, but to foster residential design that, with regard to massing, size, scale, materials, and architectural elements, enhances the architectural quality of the neighborhood and simultaneously encourages creativity. Additionally, these regulations are intended to

integrate the physical characteristics of new construction into the existing neighborhood in a meaningful way so as to restore and promote the public health, safety, and welfare of this neighborhood.

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

- B. Design Standards and Criteria for New Principal Structures.
1. Identified design elements of size, scale, massing and materials of new construction shall be substantially consistent with said identified design elements found in contributing structures of like use in the district as listed in subsection 16-20K.007(15)(c).
 2. A paved walkway from the front sidewalk to the front entry of the principal structure shall be provided.
 3. Front porches on the principal structure shall be required and shall be a minimum of one-third the width of the front façade and a minimum of seven feet in depth. Side porches shall be a minimum of four feet in depth. Porches may be enclosed by screen wire only, provided all the main features of a porch are maintained in place and the screening materials can be removed at a future date with minimal damage to said features.
 4. All front façades and front porches of the principal structure shall face and be parallel to the lot frontage. Wrap around front porches are permitted.
 5. Roof form above the front façade of the principal structure shall be gabled and/or hipped. Roof pitch shall be a minimum of 6 in 12. Roof pitch above porches shall not be restricted.
 6. The height of the principal structure shall not exceed 35 feet. (See section 16-28.022 for excluded portions of structures.)
 11. Any façades that face a public street shall consist of fenestration that is either: 1) substantially consistent with fenestration on contributing structures of like use in the district, or 2) shall be no less than 15 percent and no greater than 40 percent of the total surface wall area. Windows may be individual or grouped. No individual window unit shall exceed 28 square feet. Within each individual window unit, no individual window sash, either fixed or operable, shall exceed 16 square feet.
 15. On those façades of any structure that face a public street, the following regulations on building materials shall apply. Alternate materials may be submitted for review by the commission.
 - b. Visible foundation materials: Foundations shall constitute a distinct building design element and shall contrast with the front façade siding material. Brick, stone, concrete, stucco, and architectural concrete masonry units (C.M.U.) shall be permitted. Standard, unfinished concrete block and stacked stone is prohibited.
 - c. Siding/veneer: Horizontal lap siding, vinyl siding, aluminum siding, shingles, brick, hard stucco, and stone shall be permitted. Stacked stone is prohibited.
 - d. Roofing: Asphalt shingles, wood shingles, metal shingles, slate, and pre-finished metal panels shall be permitted.
- C. Design Standards and Criteria for Alterations and Additions to Non-contributing Structures. Alterations to non-contributing structures, for which a Certificate of Appropriateness shall be required, shall be consistent with and reinforce the architectural character of the existing structure or shall comply with the applicable regulations for new construction set forth in subsection 16-20K.007(2)(B) above.

Per Section 16-26.003:

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

Generally speaking, the Staff concurs with the Applicant's variance argument. It is unusual that there is only one contributing house on the block face for the compatibility rule comparison. Further, that particular house is set back from the street an unusual distance such that it is substantially different than any of the non-contributing buildings on the block face and different than many houses in the overall District. Also, the existing house is non-contributing so its existing setback cannot be used in the compatibility rule comparison. The Staff would note that previously there was a second contributing building on the block face with a much smaller setback than 60 ft. which created a more reasonable range on the block face. That house has been demolished and replaced eliminating the creation of a true range on the street. Lastly, if the front yard setback distance were complied with, the proposed second story addition would be located almost at the back of the house and would create a completely different project than what was originally proposed by the Applicant.

The Staff would recommend approval of the variance request. However, it would also recommend no changes be made to the actual site plan, house footprint, front porch footprint, house design approved via CA3-15-438 except to comply with the conditions of CA3-15-438.

Variance (CA3-16-057):

Staff Recommendation: Based upon the following:

1. Except as noted above, the Applicant has met the criteria for issuing a variance, per Section 16-26.003; and
2. The actual site plan and proposed design of the house would not change with the approval of this variance.

Staff recommends approval of an application for a Type III Certificate of Appropriateness (CA3-16-057) for a variance to allow a reduction in front yard setback from a minimum of 60 ft. (required) to 27 ft. (proposed) at **451 Atlanta Avenue** - Property is zoned R-5 / Grant Park Historic District (Subarea 1), with the following conditions:

1. No changes shall be made to the actual site plan, house footprint, front porch footprint, and house design approved via CA3-15-438 except to comply with the conditions of CA3-15-438; and
2. The Staff shall review and if appropriate approve the final plans and supporting documents for the proposed project.



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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

December 9, 2015

Updated

February 24, 2016

(updated information in arial black)

Agenda Item: Application for a Type III Certificates 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.007(2)(D);
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.

At the December 9, 2015 meeting, this application deferred to allow the Applicant time to address the concerns of Staff and the Commission.

At the January 13, 2016 meeting, this application was deferred due to a lack of quorum. Updated plans have been submitted since the January 13th meeting.

At the January 27, 2016 meeting, this application was deferred to allow the time to address the concerns of the Commission and Staff. Updated plans have been submitted.

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.

Previously, Staff found the Applicant had two choices regarding constructing a new house. The first option was to build back the historic house exactly as it was with the same height, setbacks, roof form, roof pitch, etc. This option could be used as long as the historic foundation was retained and the house did not increase in size. The second option is to build a new house that meets all of the new construction requirements.

After meeting with the Applicant, Staff found the historic foundation was replaced. Additionally, in looking at revised plans submitted by the Applicant, the proposed house is still larger than the previously existing house. Based on the information we have at this time, Staff finds the proposed new house must meet all new construction requirements as outlined in the Grant Park Historic District regulations.

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.

Staff retains its recommendations regarding the as-built plans.

As recommended by Staff, the Applicant has submitted accurate as-built plans.

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.

Staff retains its recommendation regarding the lot coverage requirement.

In an updated site plan, the lot coverage is indicated as 46%. The walkway, driveway and stairs are indicated as pervious, however the materials are not indicated. Staff would note that most materials with the exception of grass and dirt count against the lot coverage. Staff has concerns the actual lot coverage is more than 46%. Staff recommends the Applicant provide detailed information regarding the proposed lot coverage. Staff recommends the lot coverage meet the requirements.

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.

Staff retains its recommendation regarding the half depth front yard setback.

As recommended by Staff, the half depth front yard meets the requirements.

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.

In an updated site plan the side yard setback is less than 7' and therefore does not meet the requirement. Staff recommends the side yard setback be no less than 7'.

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.

Staff retains its recommendations regarding the walkway.

Staff retains its recommendation regarding the walkway.

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.

Staff retains its recommendation regarding the sidewalk.

Staff retains its recommendation regarding the driveway and the sidewalk.

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. Staff suggests the design and configuration of the proposed new house is more consistent and compatible with the historic 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.

Per regulations, the roof pitch shall be no less than 6 in 12. Staff finds the roof pitch is less than 6 in 12 and therefore does not meet the requirements. Staff recommends the proposed roof is no less than 6 in 12.

As recommended by Staff, the pitch of the roof is no less than 6 in 12. While not regulated by the Grant Park Historic District requirements, Staff finds the overall design, proportions and configuration of the proposed house are not consistent or compatible with historic houses in the district. Staff retains its previous suggestion that the design, proportions and configuration of the proposed house be more consistent and compatible with the historic houses in the district.

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.

Staff retains its recommendations regarding the fenestration.

Staff finds the design of the fenestration is appropriate. Staff retains its recommendation regarding the lite divisions.

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.

Staff retains its recommendations regarding the cornice return and the building materials.

In updated plans, the reference to standing seam and a cornice return have been eliminated. There are very few building materials indicated on the plans. Staff recommends all building materials are indicated on the elevations.

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.

Staff retains its recommendation regarding the porch. Additionally, a walkway from the porch the sidewalk is required. Staff recommends the site plan indicate a walkway from the south elevation porch to the sidewalk.

As recommended by Staff, a front porch has been added to the Little Street elevation. Staff would note the porch has an appropriate 7' depth. As there is no door facing the street, the columns are not clearly delineated and there is no separate roof, Staff finds the proposed porch appears to look more like a deck. Staff suggests the Little Street elevation be revised to have a more appropriate porch design and a door that faces the street. Staff retains its recommendation regarding the walkway.

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 provide detailed documentation that shows the lot coverage requirement has been met, per Section 16-07.008(6);
2. The side yard setback shall be no less than 7', per Section 16-20K.007(1)(b);
3. The site plan shall indicate an appropriate walkway from the front entryway to the sidewalk, per Section 16-20K.007(2)(B)(2);
4. 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);
5. The site plan shall indicate the material for the driveway, per Section 16-20K.007(2)(B)(15)(a);
6. 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);
7. 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;
8. The Applicant shall clarify the material of the vertical siding;
9. All building materials shall be indicated on the plans;
10. The site plan shall indicate a walkway from the south elevation porch to the sidewalk, per Section 16-20K.007(2)(B)(2); and
11. Staff shall review and if appropriate, approve the final plans.



KASIM REED
MAYOR

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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT
February 24, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness / Certificate of Compliance (CA3-15-470) for construction of a new house at **627 Moreland Avenue, N.E.** – Property is zoned SPI-7 - Subarea 2 (Candler Park Special Public Interest District.)

Applicant: Tiara Crumby
1004 Glen Ivy, Marietta

Facts: The existing vacant is located in Subarea 2C of the Candler Park SPI district.

Analysis: The following code sections apply to this application:

Per Section 16-18G.003 of the Atlanta Land Development Code, as amended:
Boundaries of the District and subarea established.

- (2) Subarea 2: This subarea is comprised of three separate areas, defined as those properties which have a front yard on the following streets:
 - a. The west side of Page Avenue, the south side of Clifton Terrace, and the east side of Terrace Avenue;

Per Section 16-18G.004. General Regulations.

The following regulations shall apply to all properties located within the Candler Park Special Public Interest District, including all subareas of said district:

- (1) The provisions set forth in sections 16-18.005, 16-18.006 and 16-18.007 relating to requirements for special administrative permits shall not apply to the SPI-7 Candler Park District.
- (2) Any proposed amendment to this chapter shall be processed, considered and decided pursuant to the procedures and criteria contained in chapter 27 of this part. Prior to action by the zoning review board on any amendment affecting this district, said amendment shall first referred by the director of the bureau of planning to the Atlanta Urban Design Commission so as to provide an opportunity for review and written comment on said proposed amendment.

Per Section 16-18G.006. Residential subareas 2 and 3: specific regulations.

Subareas 2 and 3 together are identified as the residential subareas. In addition to the general regulations and provisions of this chapter, the following specific regulations shall apply to the residential subareas:

- (1) The specific regulations for the residential subareas shall consist of section 16-18G.006 through section 16-18G.0013.
- (2) No building permit shall be issued by the bureau of buildings within the SPI-7 Candler Park District without the prior approval and issuance of a certificate of compliance from the Atlanta Urban Design Commission (AUDC). The purpose of this requirement is to assist the bureau of buildings with review of proposed permits for consistency with the requirements of sections 16-18G.006 through 16-18G.013 of this chapter. In addition to all materials otherwise required by the bureau of buildings, applications for building permits in these subareas shall include: a site plan at a minimum scale of one inch, equals 20 feet; typical building sections and exterior elevations at a minimum scale of

one-fourth inch equals one foot; and outline specifications for all exterior building and landscaping materials. Larger scale drawings at appropriate scale shall be required of significant details when necessary for adequate review. Following transmittal of a complete application from the bureau of buildings to the AUDC, the AUDC shall review said application for consistency with the criteria and standards set forth in sections 16-18G.006 through 16-18G.013. The burden is on the applicant to demonstrate said consistency. If the application is consistent with said criteria and standards, it shall be approved and the AUDC shall issue a certificate of compliance certifying said compliance. The AUDC shall have the authority to impose conditions on said certificates as appropriate. If the application is not consistent with said criteria and standards, it shall be denied. Immediately following said action, the AUDC shall transmit the application together with its denial or approval to the bureau of buildings. The bureau of buildings shall then review the application for compliance with all remaining applicable provisions of this chapter and other applicable ordinances. No building permit shall be issued for any application that has not received the required certificate of compliance. Appeals from the final decision of the director may be taken pursuant to the provisions of section 16-30.010 to the board of zoning adjustment.

- (5) The City of Atlanta Tree Ordinance shall apply.

Per Section 16-18G.007. Residential subareas 2 and 3: permitted principal uses and structures.

- (1) Subarea 2: A building or premise shall be used only for a single-family detached dwelling. In no case shall there be more than one main building and one main use on a lot.

Per Section 16-18G.008. Residential subareas 2 and 3: permitted accessory uses and structures.

Uses and structures which are customarily incidental and subordinate to permitted principal uses and structures are permitted. These include but are not limited to the following, subject to limitations and requirements set forth herein or elsewhere in this part:

- (2) When a private garage is part of a principal structure, the vehicular entry door shall not be located on the front facade of the main building, and all vehicular access to the garage shall be from the rear or side of the principal structure. Garages, when detached from the main residential structure, shall be located to the rear of the main structure within the buildable area of the lot and, on corner lots, shall be subject to side yard setbacks.

Per Section 16-18G.009. Residential subareas 2 and 3: minimum yard requirements; maximum floor area ratio.

The following yard requirements shall apply to all permitted uses. Distances shall be construed as minimum requirements except where otherwise specifically indicated:

- (1) Front yards:
 - c. Subarea 2C: 42 feet minimum, 47 feet maximum.
- (2) Side yards:
 - a. Subarea 2: 7 feet.
- (3) Rear yards: 7 feet.
- (5) Maximum floor area ratio: The residential, or dwelling, floor area ratio shall not exceed 0.50.
- (6) Minimum lot size:
 - a. Subarea 2: Every lot shall have a minimum area of 7500 square feet and a minimum frontage of 50 feet.

Per Section 16-18G.010. Residential subareas 2 and 3: minimum off-street parking requirements.

In addition to the provisions of section 16-28.008(7), which shall apply and are incorporated herein, the following parking requirements shall apply to all permitted uses.

- (1) There shall be a minimum of two spaces per dwelling unit.
- (2) No parking shall be permitted in a required front yard or half-depth front yard or between a primary residence and a street.

Sec. 16-18G.011. Residential subareas 2 and 3: architectural requirements.

In addition to the regulations and provisions of this chapter, and except as otherwise specifically provided herein, the following architectural regulations shall apply.

- (1) Definitions. For the purposes of interpreting this code section, the following definitions shall apply:
 - a. Neighborhood means the Candler Park Neighborhood as it exists on the official neighborhood map of the City of Atlanta.
 - b. Substantially proportional means that the element in question, such as roof pitch, scale, mass, or height, is sufficiently proportional to that found in the chosen architectural style to allow a trained observer to identify the new construction as originating from said architectural style.
 - c. Substantially characteristic means that the material in question, such as brickwork, stonework, or roofing material, reflects visual qualities that are sufficiently characteristic of those found in the chosen architectural style to allow a trained observer to confirm that the new construction is consistent with said architectural style.

- (2) Statement of intent. The council finds that the following established residential architectural styles currently exist in the neighborhood and contribute to its unique character: Late Victorian; Transitional style of bungalow between late Victorian and Craftsman; Bungalows with Greek Revival, Tudor or Craftsman detailing; American Four Square; and Queen Anne. These residential structures generally exhibit the following significant characteristics: small rectangular shaped lots; houses which are generally situated near the front centers of these lots and stand back a uniform distance from the streets; and, due to the hilly topography, many houses with low retaining walls at the sidewalk and with steps which lead up from the sidewalk. The purpose of the following regulations is to set forth basic, minimum standards of architectural design and construction that are consistent with these existing historic styles of 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 the regulations to limit the design of new housing to replication of existing structures, but rather to foster residential design that incorporates the historic architectural elements and materials that are specific to the neighborhood in a meaningful, coherent manner. The following regulations are intended to achieve basic compatibility with these existing architectural styles while simultaneously encouraging consistent, creative designs that are more than a mere aggregation of random historic elements, through the use of specific standards and criteria. In addition, these regulations are intended to integrate the aesthetic and physical characteristics of new construction and landscape in this area into the existing neighborhood and public park areas in a meaningful way so as to restore and promote the public health, safety and welfare of the community.
- (3) Standards and criteria. The following standards and criteria shall apply to all new construction in the residential subareas:
- a. All new construction on each vacant lot shall be representative of a single architectural style chosen from those styles set forth in subsection (2) above.
 - b. A paved walkway from the front sidewalk to the front entry of the principal structure shall be provided.
 - c. All front facades, front porches, front steps, and front doors of the principal structure shall face and be parallel to the street.
 - d. The form and pitch of the roof of new construction shall be substantially proportional to the chosen architectural style.
 - e. The height, scale and massing of new construction shall be substantially proportional to the chosen architectural style. In no case shall the height of a structure exceed 35 feet. (See section 16-28.022 for excluded portions of structures.)
 - f. The first floor of the principal structure shall be on foundations and elevated above grade a minimum of three entrance step risers, each of which shall be no less than seven inches in height.
 - g. Front porches on the principal structure shall be required. The design and size of said porch shall be substantially proportional to the chosen architectural style, provided that they shall be a minimum of 12 feet wide or one third the width of the front facade, whichever is greater, and a minimum of eight feet deep. Front porches shall contain roofs, balustrades, columns, steps, and other features typical of the chosen architectural style. Porches may be enclosed with screen wire or glass, provided that the main characteristics of the porch such as balustrades, columns or porch railings, and balusters are visible and maintained. Front porches may extend up to ten feet into the required front yard. All front porch steps shall have closed risers and ends.
 - h. Decks shall be located to the rear of a principal structure and shall not be visible from the public right-of-way.
 - i. When any portion of a chimney is visible as a facade element, the chimney shall originate at grade, and shall be faced with either brick or stone masonry.
 - j. Fences and walls, visible from the public right-of-way upon completion, subject to the provisions of section 16-28.008(5) and the following limitations, may occupy required yards:
 1. Fences and walls not exceeding six feet in height may be erected in side or rear yards.
 2. All fences located in a required front yard or in a required yard adjacent to a street shall be constructed of brick, stone, ornamental iron, or wood pickets, in a manner which is substantially characteristic of the chosen architectural style.
 3. Visible portions of retaining walls located in a required front yard or in a required yard adjacent to the street shall be constructed of stone, brick or smooth stucco in a manner which is substantially characteristic of the chosen architectural style.
 4. If more than one retaining wall is otherwise authorized in the front yard setback, the combined height of said retaining walls should not exceed four feet.
 - k. The following aspects of fenestration, if visible from the public right-of-way upon completion, shall be substantially proportional to the chosen architectural style:
 1. The style of the individual window.
 2. The size and shape of the individual window opening.
 3. The overall pattern of fenestration as it relates to the building facade

4. Generally, fenestration shall be double hung.
- l. Mechanical equipment shall be located to the side and rear of the principal structure and where possible, in the least visible location. Screening with appropriate plant or fence materials is required if the equipment is visible from the public right-of-way.
- m. The following building materials and design elements of new construction, if visible from the public right-of-way upon completion, shall be substantially characteristic of the chosen architectural style, and shall apply in addition to all other applicable regulations:
 1. The dimensions of the exposed face of lap siding and wood shingles.
 2. The type of brick and pattern of brickwork.
 3. The type of stone and pattern of stone work.
 4. The material and texture of stucco.
 5. The dimensions and placing of architectural ornamentation and trim. This is not intended to require the exact reproduction of existing molding profiles.
 6. The size and type of doors.
 7. The materials and pattern of roofing.
 8. Visible foundation materials. Foundations shall constitute a distinct building element and shall contrast with the primary facade siding material.
 9. Visible portions of chimneys.
 10. Front porches, including materials, features, and steps.
- n. Roof-top equipment such as attic ventilators, and HVAC vents, skylights, solar panels, communication equipment, air conditioner units, or any service or utilities equipment, when otherwise permitted and authorized by this Part 16, shall not be visible from any public right-of-way, provided that ridge vents may be visible from the right-of-way.
- o. Service and utilities equipment including gas, water, electricity, telephone, furnaces, and air conditioning units, when otherwise permitted and authorized by this Part 16, shall not be located in a front yard or a half-depth front yard.
- p. Satellite receiving-only dish antennas shall not be authorized other than by special exception by the board of zoning adjustment pursuant to Section 16-28.008 (11).
- q. Exterior lighting systems shall be designed and installed so as to be directed towards the lot on which it is located and so that no direct light is cast upon adjoining property.
- r. Grading shall not excessively or unnecessarily alter the existing topography of the site. New grades shall meet existing topography in a smooth transition. Erosion shall be prevented and runoff kept to a minimum.
- s. Every effort shall be made to preserve existing trees. A certificate of compliance shall be required for the removal of any tree with a caliper at breast height of 12 inches or greater. Trees so removed shall be replaced with trees approved by the city arborist. Before any site preparation work shall begin, a tree plan shall be approved by the city arborist. This plan shall include:
 1. Location of all existing trees with type and caliper indicated;
 2. Location of all existing trees to be saved indicated;
 3. Location of all proposed trees located with type and caliper indicated.

Sec. 16-18G.012. Subarea 2: additional regulations.

In addition to the architectural requirements in section 16-18G.011 above, all new construction in Subarea 2 shall comply with the following requirements:

- (1) No individual house design shall be substantially repeated on the same side of a street block.
- (2) A planting strip shall be provided adjacent and parallel to the street two feet in width, or in conformity with the width of the existing or pre-existing strip, whichever is greater, and shall remain unpaved.
- (3) A sidewalk not less than five feet in width shall be provided between the planting strip and the required front yard, parallel to the street. Sidewalks shall be paved with a hexagonal paver or stamped with a hexagonal design of a size consistent with the historic sidewalk paving pattern.
- (4) Fences not exceeding four feet in height may be erected in the front yard. Walls, other than necessary retaining walls, shall not be erected in the front yard.
- (5) Driveways within the front yard or half-depth front yard shall be a maximum of ten feet in width.
- (6) Zero lot line development is prohibited.

Site Plan Analysis

This existing lot fronts 61' on Moreland Avenue has a depth of 150'. Per regulations, the front yard setback shall be a minimum of 42' and a maximum of 47'. The proposed front yard setback is 44' and therefore meets the requirements. Per regulations, the side and rear yard setbacks shall be no less 7'. Staff finds the side and rear yard setbacks are more than 7' and therefore meet the requirements.

Per regulations, the maximum floor area ratio (FAR) allowed is .50. According the site plan, the FAR is 19.07%. When comparing the square footage indicated on the site plan with the floor plan, there is a discrepancy. Staff recommends the Applicant provide documentation the FAR requirement has been met. Staff would note that lot coverage is not regulated in this subarea.

Per regulations, a walkway from the entry to the sidewalk must be provided. Staff recommends the site plan indicate an appropriate walkway from the front entryway to the sidewalk. Per regulations, a sidewalk is required. The site plan does not indicate a sidewalk. In looking at pictures submitted by the Applicant, there is an existing sidewalk. Staff recommends the site plan indicate the existing sidewalk. As there is already a sidewalk, Staff finds the requirement for a planting strip does not apply.

Mechanical equipment, service and utilities equipment including gas, water, electricity, and cannot be visible from the public right-of-way. Staff recommends the Applicant clarify where the mechanical equipment, service equipment and utility equipment will be located. Staff recommends the location of all mechanical, service and utility equipment meets the requirements.

Per regulations, two parking spaces are required. Staff finds the required parking spaces are located in the attached garage at the rear of the house. There is a general requirement that all conforming lots that require parking have independent driveways that are connected to a public street. The Applicant is proposing one driveway to allow for shared parking with the adjacent property. As most variances in the district are reviewed and approved by the Urban Design Commission, Staff advised the Applicant to apply for a variance to be heard by the UDC. After further review, Staff found the requirement in question requires review and approval by the Board of Zoning Adjustment (BZA) and a Review and Comment by the UDC. While Staff does not have concerns regarding the shared parking proposal, Staff suggests the Applicant submit a variance application to be heard by the BZA.

In looking at the site plan, there are several trees proposed for removal. Per regulations, the removal of any tree over twelve inches requires a certificate of compliance. Staff finds there are four trees proposed for removal that are more than twelve inches. Staff recommends the Applicant clarify the condition and species of the trees proposed for removal and what the proposed replacement trees are. Staff recommends the Applicant clarify whether there was any design solutions explored that included the retention of the trees.

Building Height Analysis

Per the District regulations, the height of the structure is limited to 35 feet. The City's standard technique for measuring height is to measure from the average grade to the midpoint of the main roof form. Based on the elevations submitted, the proposed house meets the height requirements.

Architectural Analysis

In the District, a specific style allowed by the regulations must be selected for a new house. The following residential architectural styles are allowed: Late Victorian; Transitional style of bungalow between late Victorian and Craftsman; Bungalows with Greek Revival, Tudor or Craftsman detailing;

American Four Square; and Queen Anne. The massing, roof form, architectural elements, materials, fenestration and doors, and all other aspects of the design must conform to the selected style. To assist in its assessment, the Staff consulted A Field Guide to American Houses, (1984), by Virginia McAlester, for definitions and specifications.

In looking at the roof pitch, roof form, massing, fenestration, building materials and architectural details, Staff finds the proposed house is a mixture of styles as opposed to one of the single architectural styles allowed by the regulations. Staff recommends the Applicant choose one of the allowable architectural styles and design a house with a roof pitch, roof form, massing, building materials, fenestration and architectural details that are consistent with the chosen style.

Staff has concerns with the length of the house. While many new houses are built to look like a new house with an addition, there is usually some delineation between the main house, the addition and the garage. While attached garages are allowed, Staff finds the house appears to be too large and too long. If the proposed length of the house is maintained, Staff recommends there be a clear delineation between the main house, the addition and the garage.

Per regulations, no individual house design shall be substantially repeated on the same side of a street block within the District. Staff recommends the Applicant document the proposed house design is not substantially repeated on the same side of a street block within the District.

As required by the regulations, the house is built on a foundation and the first level is accessed by four front porch steps. The risers do not appear to be closed. Staff recommends the proposed front stairs have closed risers and ends. There appears to be no foundation walls on the sides of the porch. Staff recommends the elevations indicate appropriate foundation walls on the side of the porch.

Based on the following:

- a) The plans minimally meet the regulations, with exceptions noted above, per Section 16-18G.006; and
- b) A variance to be heard by the Board of Zoning Adjustment is required.

Staff recommends deferral of the application for a III Certificate of Appropriateness / Certificate of Compliance (CA3-15-470) for construction of a new house at **627 Moreland Avenue, N.E.** – Property is zoned SPI-7 - Subarea 2 (Candler Park Special Public Interest District.), to allow time for the Applicant to address the following concerns:

1. The Applicant shall provide documentation the FAR requirement has been met, per Section 16-18G.009(5);
2. The site plan shall indicate an appropriate walkway from the front entryway to the sidewalk, per Section 16-18G.011(3)(b);
3. The site plan shall indicate the existing sidewalk, per Section 16-18G.012(3);
4. The Applicant shall clarify where the mechanical equipment, service equipment and utility equipment will be located, per Section 16-18G.011(3)(n), (o), (p), and (q);
5. The location of all mechanical, service and utility equipment shall meet the requirements, per Section per Section 16-18G.011(3)(n), (o), (p), and (q);
6. The Applicant shall clarify the condition and species of the trees proposed for removal and what the proposed replacement trees are, per Section 16-28G.011(3)(s);

7. The Applicant shall clarify whether there were any design solutions explored that included the retention of the trees, per Section 16-28G.011(3)(s);
8. The Applicant shall choose one of the allowable styles and design a house with a roof pitch, roof form, massing, building materials, fenestration and architectural details that are consistent with the chosen style, per Section 16-18G.011(3)(a);
9. If the proposed length of the house is maintained, there shall be a clear delineation between the main house, the addition and the garage, per Section 16-18G.011(3)(a);
10. The Applicant shall document the proposed house design is not substantially repeated on the same side of a street block within the District, per Section 16-18G.012(1);
11. The proposed front stairs shall have closed risers and ends, per Section 16-18G.011(3)(g);
12. The elevations shall indicate appropriate foundation walls on the side of the porch, per Section per Section 16-18G.011(3)(g); and
13. Appropriate copies of all updated plans and documentation shall be submitted no later than eight days before the deferred meeting.



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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT
February 24, 2016

Agenda Item: Application for a Type III Certificate of Appropriateness / Certificate of Compliance (CA3-15-471) for construction of a new house at **621 Moreland Avenue, N.E.** – Property is zoned SPI-7 - Subarea 2 (Candler Park Special Public Interest District.)

Applicant: Tiara Crumby
1004 Glen Ivy, Marietta

Facts: The existing vacant is located in Subarea 2C of the Candler Park SPI district.

Analysis: The following code sections apply to this application:

Per Section 16-18G.003 of the Atlanta Land Development Code, as amended:
Boundaries of the District and subarea established.

- (2) Subarea 2: This subarea is comprised of three separate areas, defined as those properties which have a front yard on the following streets:
 - a. The west side of Page Avenue, the south side of Clifton Terrace, and the east side of Terrace Avenue;

Per Section 16-18G.004. General Regulations.

The following regulations shall apply to all properties located within the Candler Park Special Public Interest District, including all subareas of said district:

- (1) The provisions set forth in sections 16-18.005, 16-18.006 and 16-18.007 relating to requirements for special administrative permits shall not apply to the SPI-7 Candler Park District.
- (2) Any proposed amendment to this chapter shall be processed, considered and decided pursuant to the procedures and criteria contained in chapter 27 of this part. Prior to action by the zoning review board on any amendment affecting this district, said amendment shall first referred by the director of the bureau of planning to the Atlanta Urban Design Commission so as to provide an opportunity for review and written comment on said proposed amendment.

Per Section 16-18G.006. Residential subareas 2 and 3: specific regulations.

Subareas 2 and 3 together are identified as the residential subareas. In addition to the general regulations and provisions of this chapter, the following specific regulations shall apply to the residential subareas:

- (1) The specific regulations for the residential subareas shall consist of section 16-18G.006 through section 16-18G.0013.
- (2) No building permit shall be issued by the bureau of buildings within the SPI-7 Candler Park District without the prior approval and issuance of a certificate of compliance from the Atlanta Urban Design Commission (AUDC). The purpose of this requirement is to assist the bureau of buildings with review of proposed permits for consistency with the requirements of sections 16-18G.006 through 16-18G.013 of this chapter. In addition to all materials otherwise required by the bureau of buildings, applications for building permits in these subareas shall include: a site plan at a minimum scale of one inch, equals 20 feet; typical building sections and exterior elevations at a minimum scale of

one-fourth inch equals one foot; and outline specifications for all exterior building and landscaping materials. Larger scale drawings at appropriate scale shall be required of significant details when necessary for adequate review. Following transmittal of a complete application from the bureau of buildings to the AUDC, the AUDC shall review said application for consistency with the criteria and standards set forth in sections 16-18G.006 through 16-18G.013. The burden is on the applicant to demonstrate said consistency. If the application is consistent with said criteria and standards, it shall be approved and the AUDC shall issue a certificate of compliance certifying said compliance. The AUDC shall have the authority to impose conditions on said certificates as appropriate. If the application is not consistent with said criteria and standards, it shall be denied. Immediately following said action, the AUDC shall transmit the application together with its denial or approval to the bureau of buildings. The bureau of buildings shall then review the application for compliance with all remaining applicable provisions of this chapter and other applicable ordinances. No building permit shall be issued for any application that has not received the required certificate of compliance. Appeals from the final decision of the director may be taken pursuant to the provisions of section 16-30.010 to the board of zoning adjustment.

- (5) The City of Atlanta Tree Ordinance shall apply.

Per Section 16-18G.007. Residential subareas 2 and 3: permitted principal uses and structures.

- (1) Subarea 2: A building or premise shall be used only for a single-family detached dwelling. In no case shall there be more than one main building and one main use on a lot.

Per Section 16-18G.008. Residential subareas 2 and 3: permitted accessory uses and structures.

Uses and structures which are customarily incidental and subordinate to permitted principal uses and structures are permitted. These include but are not limited to the following, subject to limitations and requirements set forth herein or elsewhere in this part:

- (2) When a private garage is part of a principal structure, the vehicular entry door shall not be located on the front facade of the main building, and all vehicular access to the garage shall be from the rear or side of the principal structure. Garages, when detached from the main residential structure, shall be located to the rear of the main structure within the buildable area of the lot and, on corner lots, shall be subject to side yard setbacks.

Per Section 16-18G.009. Residential subareas 2 and 3: minimum yard requirements; maximum floor area ratio.

The following yard requirements shall apply to all permitted uses. Distances shall be construed as minimum requirements except where otherwise specifically indicated:

- (1) Front yards:
 - c. Subarea 2C: 42 feet minimum, 47 feet maximum.
- (2) Side yards:
 - a. Subarea 2: 7 feet.
- (3) Rear yards: 7 feet.
- (5) Maximum floor area ratio: The residential, or dwelling, floor area ratio shall not exceed 0.50.
- (6) Minimum lot size:
 - a. Subarea 2: Every lot shall have a minimum area of 7500 square feet and a minimum frontage of 50 feet.

Per Section 16-18G.010. Residential subareas 2 and 3: minimum off-street parking requirements.

In addition to the provisions of section 16-28.008(7), which shall apply and are incorporated herein, the following parking requirements shall apply to all permitted uses.

- (1) There shall be a minimum of two spaces per dwelling unit.
- (2) No parking shall be permitted in a required front yard or half-depth front yard or between a primary residence and a street.

Sec. 16-18G.011. Residential subareas 2 and 3: architectural requirements.

In addition to the regulations and provisions of this chapter, and except as otherwise specifically provided herein, the following architectural regulations shall apply.

- (1) Definitions. For the purposes of interpreting this code section, the following definitions shall apply:
 - a. Neighborhood means the Candler Park Neighborhood as it exists on the official neighborhood map of the City of Atlanta.
 - b. Substantially proportional means that the element in question, such as roof pitch, scale, mass, or height, is sufficiently proportional to that found in the chosen architectural style to allow a trained observer to identify the new construction as originating from said architectural style.
 - c. Substantially characteristic means that the material in question, such as brickwork, stonework, or roofing material, reflects visual qualities that are sufficiently characteristic of those found in the chosen architectural style to allow a trained observer to confirm that the new construction is consistent with said architectural style.

- (2) Statement of intent. The council finds that the following established residential architectural styles currently exist in the neighborhood and contribute to its unique character: Late Victorian; Transitional style of bungalow between late Victorian and Craftsman; Bungalows with Greek Revival, Tudor or Craftsman detailing; American Four Square; and Queen Anne. These residential structures generally exhibit the following significant characteristics: small rectangular shaped lots; houses which are generally situated near the front centers of these lots and stand back a uniform distance from the streets; and, due to the hilly topography, many houses with low retaining walls at the sidewalk and with steps which lead up from the sidewalk. The purpose of the following regulations is to set forth basic, minimum standards of architectural design and construction that are consistent with these existing historic styles of 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 the regulations to limit the design of new housing to replication of existing structures, but rather to foster residential design that incorporates the historic architectural elements and materials that are specific to the neighborhood in a meaningful, coherent manner. The following regulations are intended to achieve basic compatibility with these existing architectural styles while simultaneously encouraging consistent, creative designs that are more than a mere aggregation of random historic elements, through the use of specific standards and criteria. In addition, these regulations are intended to integrate the aesthetic and physical characteristics of new construction and landscape in this area into the existing neighborhood and public park areas in a meaningful way so as to restore and promote the public health, safety and welfare of the community.
- (3) Standards and criteria. The following standards and criteria shall apply to all new construction in the residential subareas:
- a. All new construction on each vacant lot shall be representative of a single architectural style chosen from those styles set forth in subsection (2) above.
 - b. A paved walkway from the front sidewalk to the front entry of the principal structure shall be provided.
 - c. All front facades, front porches, front steps, and front doors of the principal structure shall face and be parallel to the street.
 - d. The form and pitch of the roof of new construction shall be substantially proportional to the chosen architectural style.
 - e. The height, scale and massing of new construction shall be substantially proportional to the chosen architectural style. In no case shall the height of a structure exceed 35 feet. (See section 16-28.022 for excluded portions of structures.)
 - f. The first floor of the principal structure shall be on foundations and elevated above grade a minimum of three entrance step risers, each of which shall be no less than seven inches in height.
 - g. Front porches on the principal structure shall be required. The design and size of said porch shall be substantially proportional to the chosen architectural style, provided that they shall be a minimum of 12 feet wide or one third the width of the front facade, whichever is greater, and a minimum of eight feet deep. Front porches shall contain roofs, balustrades, columns, steps, and other features typical of the chosen architectural style. Porches may be enclosed with screen wire or glass, provided that the main characteristics of the porch such as balustrades, columns or porch railings, and balusters are visible and maintained. Front porches may extend up to ten feet into the required front yard. All front porch steps shall have closed risers and ends.
 - h. Decks shall be located to the rear of a principal structure and shall not be visible from the public right-of-way.
 - i. When any portion of a chimney is visible as a facade element, the chimney shall originate at grade, and shall be faced with either brick or stone masonry.
 - j. Fences and walls, visible from the public right-of-way upon completion, subject to the provisions of section 16-28.008(5) and the following limitations, may occupy required yards:
 1. Fences and walls not exceeding six feet in height may be erected in side or rear yards.
 2. All fences located in a required front yard or in a required yard adjacent to a street shall be constructed of brick, stone, ornamental iron, or wood pickets, in a manner which is substantially characteristic of the chosen architectural style.
 3. Visible portions of retaining walls located in a required front yard or in a required yard adjacent to the street shall be constructed of stone, brick or smooth stucco in a manner which is substantially characteristic of the chosen architectural style.
 4. If more than one retaining wall is otherwise authorized in the front yard setback, the combined height of said retaining walls should not exceed four feet.
 - k. The following aspects of fenestration, if visible from the public right-of-way upon completion, shall be substantially proportional to the chosen architectural style:
 1. The style of the individual window.
 2. The size and shape of the individual window opening.
 3. The overall pattern of fenestration as it relates to the building facade

4. Generally, fenestration shall be double hung.
- l. Mechanical equipment shall be located to the side and rear of the principal structure and where possible, in the least visible location. Screening with appropriate plant or fence materials is required if the equipment is visible from the public right-of-way.
- m. The following building materials and design elements of new construction, if visible from the public right-of-way upon completion, shall be substantially characteristic of the chosen architectural style, and shall apply in addition to all other applicable regulations:
 1. The dimensions of the exposed face of lap siding and wood shingles.
 2. The type of brick and pattern of brickwork.
 3. The type of stone and pattern of stone work.
 4. The material and texture of stucco.
 5. The dimensions and placing of architectural ornamentation and trim. This is not intended to require the exact reproduction of existing molding profiles.
 6. The size and type of doors.
 7. The materials and pattern of roofing.
 8. Visible foundation materials. Foundations shall constitute a distinct building element and shall contrast with the primary facade siding material.
 9. Visible portions of chimneys.
 10. Front porches, including materials, features, and steps.
- n. Roof-top equipment such as attic ventilators, and HVAC vents, skylights, solar panels, communication equipment, air conditioner units, or any service or utilities equipment, when otherwise permitted and authorized by this Part 16, shall not be visible from any public right-of-way, provided that ridge vents may be visible from the right-of-way.
- o. Service and utilities equipment including gas, water, electricity, telephone, furnaces, and air conditioning units, when otherwise permitted and authorized by this Part 16, shall not be located in a front yard or a half-depth front yard.
- p. Satellite receiving-only dish antennas shall not be authorized other than by special exception by the board of zoning adjustment pursuant to Section 16-28.008 (11).
- q. Exterior lighting systems shall be designed and installed so as to be directed towards the lot on which it is located and so that no direct light is cast upon adjoining property.
- r. Grading shall not excessively or unnecessarily alter the existing topography of the site. New grades shall meet existing topography in a smooth transition. Erosion shall be prevented and runoff kept to a minimum.
- s. Every effort shall be made to preserve existing trees. A certificate of compliance shall be required for the removal of any tree with a caliper at breast height of 12 inches or greater. Trees so removed shall be replaced with trees approved by the city arborist. Before any site preparation work shall begin, a tree plan shall be approved by the city arborist. This plan shall include:
 1. Location of all existing trees with type and caliper indicated;
 2. Location of all existing trees to be saved indicated;
 3. Location of all proposed trees located with type and caliper indicated.

Sec. 16-18G.012. Subarea 2: additional regulations.

In addition to the architectural requirements in section 16-18G.011 above, all new construction in Subarea 2 shall comply with the following requirements:

- (1) No individual house design shall be substantially repeated on the same side of a street block.
- (2) A planting strip shall be provided adjacent and parallel to the street two feet in width, or in conformity with the width of the existing or pre-existing strip, whichever is greater, and shall remain unpaved.
- (3) A sidewalk not less than five feet in width shall be provided between the planting strip and the required front yard, parallel to the street. Sidewalks shall be paved with a hexagonal paver or stamped with a hexagonal design of a size consistent with the historic sidewalk paving pattern.
- (4) Fences not exceeding four feet in height may be erected in the front yard. Walls, other than necessary retaining walls, shall not be erected in the front yard.
- (5) Driveways within the front yard or half-depth front yard shall be a maximum of ten feet in width.
- (6) Zero lot line development is prohibited.

Site Plan Analysis

This existing lot fronts 50' on Moreland Avenue has a depth of 150'. Per regulations, the front yard setback shall be a minimum of 42' and a maximum of 47'. The proposed front yard setback is 44' and therefore meets the requirements. Per regulations, the side and rear yard setbacks shall be no less 7'. Staff finds the side and rear yard setbacks are more than 7' and therefore meet the requirements.

Per regulations, the maximum floor area ratio (FAR) allowed is .50. According the site plan, the FAR is 23.55%. When comparing the square footage indicated on the site plan with the floor plan, there is a discrepancy. Staff recommends the Applicant provide documentation the FAR requirement has been met. Staff would note that lot coverage is not regulated in this subarea.

Per regulations, a walkway from the entry to the sidewalk must be provided. Staff recommends the site plan indicate an appropriate walkway from the front entryway to the sidewalk. Per regulations, a sidewalk is required. The site plan does not indicate a sidewalk. In looking at pictures submitted by the Applicant, there is an existing sidewalk. Staff recommends the site plan indicate the existing sidewalk. As there is already a sidewalk, Staff finds the requirement for a planting strip does not apply.

Mechanical equipment, service and utilities equipment including gas, water, electricity, and cannot be visible from the public right-of-way. Staff recommends the Applicant clarify where the mechanical equipment, service equipment and utility equipment will be located. Staff recommends the location of all mechanical, service and utility equipment meets the requirements.

Per regulations, two parking spaces are required. Staff finds the required parking spaces are located in the attached garage at the rear of the house. There is a general requirement that all conforming lots that require parking have independent driveways that are connected to a public street. The Applicant is proposing one driveway to allow for shared parking with the adjacent property. As most variances in the district are reviewed and approved by the Urban Design Commission, Staff advised the Applicant to apply for a variance to be heard by the UDC. After further review, Staff found the requirement in question requires review and approval by the Board of Zoning Adjustment (BZA) and a Review and Comment by the UDC. While Staff does not have concerns regarding the shared parking proposal, Staff suggests the Applicant submit a variance application to be heard by the BZA.

In looking at the site plan, there are several trees proposed for removal. Per regulations, the removal of any tree over twelve inches requires a certificate of compliance. Staff finds there is one proposed for removal that is more than twelve inches. Staff recommends the Applicant clarify the condition and species of the tree proposed for removal and what the proposed replacement tree is. Staff recommends the Applicant clarify whether there was any design solutions explored that included the retention of the tree.

Building Height Analysis

Per the District regulations, the height of the structure is limited to 35 feet. The City's standard technique for measuring height is to measure from the average grade to the midpoint of the main roof form. Based on the elevations submitted, the proposed house meets the height requirements.

Architectural Analysis

In the District, a specific style allowed by the regulations must be selected for a new house. The following residential architectural styles are allowed: Late Victorian; Transitional style of bungalow between late Victorian and Craftsman; Bungalows with Greek Revival, Tudor or Craftsman detailing;

American Four Square; and Queen Anne. The massing, roof form, architectural elements, materials, fenestration and doors, and all other aspects of the design must conform to the selected style. To assist in its assessment, the Staff consulted A Field Guide to American Houses, (1984), by Virginia McAlester, for definitions and specifications.

In looking at the roof pitch, roof form, massing, fenestration, building materials and architectural details, Staff finds the proposed house is a mixture of styles as opposed to one of the single architectural styles allowed by the regulations. Staff recommends the Applicant choose one of the allowable architectural styles and design a house with a roof pitch, roof form, massing, building materials, fenestration and architectural details that are consistent with the chosen style.

Staff has concerns with the length of the house. While many new houses are built to look like a new house with an addition, there is usually some delineation between the main house, the addition and the garage. While attached garages are allowed, Staff finds the house appears to be too large and too long. If the proposed length of the house is maintained, Staff recommends there be a clear delineation between the main house, the addition and the garage.

Per regulations, no individual house design shall be substantially repeated on the same side of a street block within the District. Staff recommends the Applicant document the proposed house design is not substantially repeated on the same side of a street block within the District.

Per regulations, the first floor shall be on a foundation and elevated above grade a minimum of three entrance risers. In looking at the elevations, the first floor requirement has not been met. Staff recommends the proposed first floor meet the requirements.

Based on the following:

- a) The plans minimally meet the regulations, with exceptions noted above, per Section 16-18G.006; and
- b) A variance to be heard by the Board of Zoning Adjustment is required.

Staff recommends deferral of the application for a III Certificate of Appropriateness / Certificate of Compliance (CA3-15-470) for construction of a new house at (CA3-15-471) for construction of a new house at **621 Moreland Avenue, N.E.** – Property is zoned SPI-7 - Subarea 2 (Candler Park Special Public Interest District.), to allow time for the Applicant to address the following concerns:

1. The Applicant shall provide documentation the FAR requirement has been met, per Section 16-18G.009(5);
2. The site plan shall indicate an appropriate walkway from the front entryway to the sidewalk, per Section 16-18G.011(3)(b);
3. The site plan shall indicate the existing sidewalk, per Section 16-18G.012(3);
4. The Applicant shall clarify where the mechanical equipment, service equipment and utility equipment will be located, per Section 16-18G.011(3)(n), (o), (p), and (q);
5. The location of all mechanical, service and utility equipment shall meet the requirements, per Section per Section 16-18G.011(3)(n), (o), (p), and (q);
6. The Applicant shall clarify the condition and species of the tree proposed for removal and what the proposed replacement tree is, per Section 16-28G.011(3)(s);

7. The Applicant shall clarify whether there were any design solutions explored that included the retention of the tree, per Section 16-28G.011(3)(s);
8. The Applicant shall choose one of the allowable styles and design a house with a roof pitch, roof form, massing, building materials, fenestration and architectural details that are consistent with the chosen style, per Section 16-18G.011(3)(a);
9. If the proposed length of the house is maintained, there shall be a clear delineation between the main house, the addition and the garage, per Section 16-18G.011(3)(a);
10. The Applicant shall document the proposed house design is not substantially repeated on the same side of a street block within the District, per Section 16-18G.012(1);
11. The proposed first floor shall meet the requirements, per Section per Section 16-18G.011(3)(f); and
12. Appropriate copies of all updated plans and documentation shall be submitted no later than eight days before the deferred meeting.



CITY OF ATLANTA

KASIM REED
MAYOR

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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT
December 9, 2015
Updated
February 24, 2016
(updated information in courier)

Agenda Item: Application for Type III Certificates of Appropriateness (CA3-15-488) for a variance to reduce the front yard setback from 21' (required) to 17' (proposed) and **a variance from the requirement that an independent driveway be connected to a public street;** and (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.

On December 9, 2015, this application was deferred to allow the Applicant time to submit a variance request and address the concerns of the Commission and Staff.

On January 13, 2016, this application was deferred due to a lack of quorum. Since the January 13th meeting, the Applicant submitted updated plans.

On February 10th, this application was deferred to allow for proper advertisement of the proposed revised variance request.

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.

Variance Request

The property in question is the only lot on the block face that faces Bass Street. As such, the Applicant had to use another block to determine the allowable front yard setback. The Applicant submitted setback information for houses on two nearby streets. Despite submitting setback information for numerous properties, only one lot contained a contributing house of like use. Staff finds the required front yard setback is 21' as opposed to a range as usually allowed by the regulations.

In looking at the lots on the streets near the subject property, the vast majority of the lots are rectilinear with depths that are no less than twice the frontage. The subject lot is unusual as it has a frontage that is larger than its depth. As the existing lot is the only lot on the block face and has a larger frontage than depth, Staff finds approval of a front yard setback variance is appropriate. Staff finds approval of the variance will not cause a significant detriment or impair the purpose or intent of the Zoning Ordinance. Based on the information we have at this time, Staff does not have concerns regarding the proposed variance.

The Applicant is requesting a variance to allow a driveway that is connected to the existing alley as opposed to a public street. Staff finds that using an alley to access the proposed parking is encouraged by the district. Staff finds having a driveway off of the alley would not create a public detriment. Staff has no concerns regarding the proposed variance.

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.

As indicated in the variance section Staff has no concerns regarding approval of the variance request for the front yard setback. As such, Staff has no concerns regarding the proposed front yard setback.

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%.

As recommended by Staff, the Applicant submitted updated plans. The FAR is indicated as .55 and therefore meets the requirements. The lot coverage is indicated as 44% and therefore meets the requirements.

In an updated site plan, the lot coverage is indicated as 45%. Staff finds the lot coverage requirement has still been met.

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 recommended by Staff, the plans indicate a walkway from the front entrances to the existing sidewalk. Staff retains its recommendation regarding the existing sidewalk.

Staff retains its recommendation regarding the sidewalk.

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.

In looking at the updated site plan, Staff finds that each driveway still only provides parking for one car. Staff retains its recommendations regarding the parking. Staff retains its suggestions regarding redesigning the parking so that one driveway is installed and the alley is utilized.

As recommended by Staff, each driveway provides parking for two cars. As suggested by Staff, there is now only one curb cut on Bass Street and the adjacent alley is being utilized for access to the second driveway. While Staff supports the use of alleys to access parking, the new configuration does not meet the requirements in regards to driveways. Staff recommends the Applicant submit an application for a variance from the requirement that independent driveways be connected to a public street.

As indicated in the variance section, Staff supports the approval of the variance from the requirement that an

independent driveway be connected to a public street. While not regulated by the Grant Park Historic District requirements, Staff does have concerns regarding how cars will enter the alley and be able to easily maneuver into the driveway on the property. Staff suggests the connection from the alley to the driveway be moved towards the rear of the property 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.

As recommended by Staff, the elevations indicate an appropriate material for the windows and trim.

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.

As recommended by Staff, the siding is indicated as smooth. Staff retains the portion of the condition related to the size of the reveal.

Staff retains its recommendation regarding the size of the 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.

As recommended by Staff, both porches are no less than 7' in depth.

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.

As recommended by Staff, the porches have widths that are just over 20'.

Staff Recommendation: Based upon the following:

- 1) The request meets the variance criteria, per Section 16-20K.007;

Staff recommends approval of an application for a Type III Certificate of Appropriateness (CA3-15-488) for a variance to reduce the front yard setback from 21' (required) to 17' (proposed) and **a variance from the requirement that an independent driveway be connected to a public street at 266 (aka 252) Bass Street** – Property is zoned R-5/ Grant Park Historic District (Subarea 1).

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;
- 2) An additional variance is required;

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), to allow the Applicant time to address the following concerns:

1. 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);
2. The façade material on the front façade shall have a 4" to 6" reveal, per Section 16-20K.007(2)(B)(1); and
3. Staff shall review and if appropriate, approve the final plans.



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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT
January 13, 2016
Updated
February 24, 2016
(updated information in italics)

Agenda Item: Applications for Type III Certificates of Appropriateness (CA3-15-493) for variances to increase the height from 23' (required) to 26' (proposed), a reduction in the front yard setback from 28.22' (required) to 24'7" (proposed), a reduction in the north side yard setback from 11.28' (required) to 8' 5 1/4" (proposed), a reduction in the south side yard setback from 11.93' (required) to 7'6" (proposed); and (CA3-15-340) for a new single-family house at **2083 Butler Way**. Property is zoned R-4A/Whittier Mill Historic District.

Applicant: Gina and Matt Ragsdale
2497 Edwards Drive

Facts: According to the Whittier Mill inventory, this lot is currently vacant. This property is subject to the Metropolitan River Protection Act (MRPA). As such, a review by the Atlanta Regional Commission (ARC) and the MRPA reviewer in the Office of Planning is required. This application has been deferred since September 9, 2015 to allow the Applicant time to complete the MRPA review.

At the February 10th meeting, this application was deferred to allow the Applicant time to address the concerns of the Commission and Staff.

Analysis: The following code sections apply to this application:

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

The following regulations shall apply to all properties within the Whittier Mill Historic District:

- (1) *The Compatibility Rule:* The compatibility rule is a method of requiring that alterations and new construction are sensitive and sympathetic to existing elements of design, scale and general character of the district with particular attention to the immediate environment constituting a particular block. In accordance with this purpose, the compatibility rule is as follows: "To the maximum extent possible, the element in question, such as roof form or architectural trim, shall substantially match that which predominates on that block. When elements are quantifiable, such as building height or floor heights, they shall equal the statistical average of all like elements of all structures of like use in that block." Those elements to which the compatibility rule applies are specified in regulations by reference to "compatibility rule."
- (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. 16-20J.006. Specific regulations--Residential Subarea I.

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

- (1) *Certificates of Appropriateness:* Certificates of appropriateness within this subarea shall be required as follows:
 - a. *When required:*
 1. To change the exterior appearance of the following elements of a structure within the subarea, when said changes can be seen from the public right-of-way: foundations, siding, chimneys and roofs;
 2. To change the exterior appearance of the following elements of the front facade of a structure: windows, doors, architectural details and porches. For the purpose of this chapter, front facade means the elevation of the building which faces the front yard as defined in code of ordinances section 16-28.007(3) and (4).
 3. To erect a new structure; and
 4. 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 16-20J.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 of the front facade.
- (2) *Financial Hardship Exemptions:*
 - a. These regulations set forth a minimum standard of architectural compatibility within the subarea. However, in order to balance this concern with other equally important objectives in the district, including economic development, neighborhood revitalization, and prevention of displacement of residents, the urban design commission may allow reasonable exemptions from these regulations on the ground of economic hardship to the property owner. The burden of proof that the regulations and guidelines pose such a hardship shall be on the property owner.
 - b. In order to qualify for an economic hardship exemption, the applicant(s) must first make a showing that the alteration(s) requested is necessary in order to continue utilizing the structure for its intended purpose.
 - c. If the urban design commission finds that this requirement of subsection (b) herein is satisfied, they shall consider the following factors in determining whether an economic hardship exemption in whole or in part will be granted:
 1. The present and future income of the property owner(s) and those occupying the property;
 2. The availability, at present or in the future of other sources of income of revenue, including loans, grants, and tax abatements;
 3. The cost associated with adherence to the subarea regulations;
 4. The degree of existing architectural importance and integrity of the structure; and
 5. The purpose and intent of this chapter.
 - d. The urban design commission shall balance these factors as applied to the applicant for said exemption and shall grant said exemption, in whole or in part, as appropriate to the case upon a finding that the economic hardship to the applicant is significant and substantially outweighs the need for strict adherence to these regulations.
- (3) *Lot Size, Dimensions and Configurations:* In addition to the requirements of the subdivision and zoning ordinances, the compatibility rule specified in this chapter 20J shall apply to all subdivisions and aggregations of lots with regard to lot size, dimensions and configurations.
- (4) *Duplexes:* Notwithstanding any contrary provisions in part 16 of the code of ordinances, new construction of a new two-family or duplex dwelling shall be permitted within this district only as a single building.
- (5) *Grading:*
 - 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 structural integrity of a structure.

- b. New grades shall meet existing topography in a smooth transition.
- (6) *Architectural Standards:*
- a. *Building facades:*
 - 1. All new construction shall conform to the existing building orientation by having porches and front doors facing the front yard.
 - 2. At a minimum, the front of all new construction, including any portion thereof, shall be placed at the distance from the street determined by the compatibility rule.
 - 3. There shall be two (2) side yards, one (1) on each side of the principal building, each having a width of not less than the width of the side yards for the block as established by the compatibility rule.
 - 4. There shall be a rear yard of not less than 10 feet.
 - 5. All building materials which upon completion are visible from the public right-of-way, shall be compatible with those which predominate in the subarea.
 - 6. 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.
 - 7. No new construction of additions shall exceed the height of the existing structure on the site or, for new construction, that of the tallest structure of like use on the block.
 - b. *Windows and doors:*
 - 1. Architecturally significant windows and doors, including details, trimwork, and framing, shall be retained.
 - 2. Replacement windows and doors shall be permitted only when originals cannot be rehabilitated. Replacement windows and doors shall match the original in design, materials, shape and size with no more than a one-inch width or height difference from the original size.
 - 3. New doors and windows, when permitted, shall be compatible in scale, size, proportion, placement, and design to existing windows and doors.
 - 4. 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.
 - 5. Windows in the front facade of new construction shall be predominantly vertical in proportion and must not be constructed in combination of more than two (2) windows.
 - 6. Replacement exterior doors shall match the original openings and conform to the original door in material and design.
 - 7. New exterior doors shall be wood panel or fixed glass panel in wood frame. In the alternative, metal doors may be used if their design matches that of an original door.
 - c. *Foundations:*
 - 1. Foundations shall be of brick, painted concrete block or stuccoed.
 - 2. Foundations shall be of masonry pier or continuous wall construction closed with solid or screen infill wall.
 - 3. Lattice, painted concrete block, brick or stucco shall be used as infill between foundation masonry piers when infill is otherwise required.
 - 4. Slab on grade is not permitted.
 - d. *Storm doors and storm windows:* Storm doors, screen doors or storm windows shall be of compatible design and shall not cover, obscure or dominate significant architectural details.
 - e. *Chimneys:*
 - 1. Chimneys shall be retained whenever possible.
 - 2. If extending or repairing a chimney, the original materials, mortar, color and pattern shall be matched whenever possible.
 - 3. The construction of new chimneys shall not be permitted on the front facade.
 - 4. New chimneys shall be faced with brick or stucco.
 - 5. Siding on chimneys is prohibited.
 - f. *Roof:*
 - 1. Replacement roofs shall match the original roof in material, pitch and shape as well as ridge, overhang and soffit construction.
 - 2. Cold-rolled roofing is permitted only on flat roofs.
 - 3. Corrugated metal and corrugated fiberglass roofs are not permitted.
 - 4. The shape and pitch of roofs for new construction shall be subject to the compatibility rule.
 - 5. Dormers shall not be permitted on the roof over the front facade of any structure.
 - 6. Skylights, solar panels and communication equipment, when otherwise allowed by these or other regulations, are not permitted on the roof over the front facade of any structure.
 - g. *Porches:*

1. Architecturally significant front porches, steps and stoops shall be retained, whenever possible.
 2. Replacement front porches, steps and stoops shall match the original in size, design and materials.
 3. Front porches may be enclosed with screenwire or glass if the main characteristics of a front porch are maintained.
 4. Front porches shall be required for the development of new homes and the compatibility rule shall apply or columns shall be six-inch by six-inch posts; the top and bottom rails of the balustrade shall be constructed of two-inch by four-inch lumber or the equivalent; the top rail shall not be higher than 36 inches above the porch floor; the bottom rail of the balustrade shall be three (3) to four (4) inches above the porch floor; and the individual balusters shall be constructed of two-inch by two-inch lumber and shall not be more than four (4) inches apart.
 5. Front porches shall contain balustrades, columns and other characteristics including floor dimension, height, roof pitch and overhang consistent with historic features for porches in that block, although standard lumber is permitted.
 6. New decks shall be permitted to the rear of the house.
 - i. *Walls and fences:*
 1. Front yard closure walls are not permitted.
 2. Fences in the front yard of any structure shall be of wood picket type construction.
 3. Retaining walls which are located in the front yard shall have a finished masonry surface constructed of materials compatible with the exterior finish of the principal dwelling. Retaining walls shall be integrated into the landscape.
 - j. *Architectural details:*
 1. Exterior architectural details, such as brackets, decorative trim, corner boards, windows moldings, railings, columns, steps and doors, which contribute to the character of the buildings and appear on the front facade, shall be retained, restored or replaced to match the original in dimension and design.
- (8) *Off-Street Parking Requirements:*
- a. Off-street parking shall not be permitted in the front yard.
 - b. Carports and garages shall be behind the rear of the main structure. If the main structure is located on a corner lot, the front yard setback for that side of the street shall apply to the construction of a carport or garage.

Variance Analysis

There were no pictures submitted with the application. Staff recommends the Applicant provide pictures of the existing conditions to provide additional context for the variance request.

In an updated submittal, the Applicant submitted pictures of the existing conditions.

Height

The Applicant is requesting an increase in the house height from 23' (required) to 26' (proposed). In Whittier Mill, the regulations do not specify how the height should be measured. As the method of measurement is not specified, Staff found the standard City of Atlanta measurement technique should be used. The required height submitted is based on measuring the tallest contributing house from average grade to midpoint on the roof as measured on all four sides. Staff finds the existing lot is unusual as most of the surrounding lots are relatively flat and the lot in question has a very different topography. The Applicant notes the average grade plane is 5' below the finished floor elevation. Given the topography of the lot, Staff finds approval of the requested height variance is appropriate.

In updated plans, the proposed height has been reduced from 26' to 23'. The revised height meets the requirements and therefore no variance is required.

Setbacks

The Applicant is proposing a reduction in the front yard setback from 28.22' (required) to 24'7" (proposed). In addition to changes in topography, the lot is further constrained by a 75' buffer requirement. The house cannot be moved back to accommodate the front yard setback. While the proposed front yard setback would be smaller than the historic houses on the block, there are two non-

contributing houses that have smaller front yard setbacks and four historic houses that have front yard setback in the 25' to 25.8' range. Given the constraints of the lot, Staff finds approval of the front yard setback requirement is appropriate.

In updated plans, the proposed front yard setback has been increased to 28'3". The proposed front yard setback meets the requirements and therefore no variance is required.

The Applicant is requesting a reduction in the north side yard setback from 11.28' (required) to 8' 5 ¼" (proposed) and a reduction in the south side yard setback from 11.93' (required) to 7'6" (proposed). While the range of setbacks on the block vary greatly, the average setback for both the north and south setback is just under 12'. While Staff finds the topography of the lot creates a hardship, Staff finds the width of the lot is typical on the block. While Staff could potentially support setback variances, Staff recommends the Applicant provide information regarding the possibility of reducing the width of the house.

In updated plans, the proposed north side yard setback has increased from 8' 5 ¼" to 11'9" and the south side yard setback has increased from 7'6" to 12'. Staff finds both side yard setbacks meet the requirements and therefore no variance is required. As all variances are no longer required, Staff recommends the variance application be withdrawn.

Site Plan

The lot in question fronts 59.93' on Butler Way and has a depth of 352.45' on its longest side. In comparing the site plan to the City of Atlanta cadastral maps, Staff finds there is a slight discrepancy in the dimensions. Staff suggests the Applicant work with the Office of Planning subdivision staff to resolve the discrepancy.

Setbacks

Per regulations, the front and side yard setback is based on the compatibility rule. As indicated in the variance section, Staff does not have a concern regarding the front yard setback. As indicated in the variance section, Staff has recommended additional documentation regarding the side yard setbacks. Per underlying zoning, the rear yard setback shall be no less than 10'. Staff finds the proposed rear yard setbacks meets the requirements.

As indicated in the variance section, Staff finds the proposed setbacks meet the requirements and no variance is required.

Development Controls

Per underlying zoning, the maximum lot coverage allowed is 55%. The calculations on the plans are not clear. Given the size of the lot Staff finds it likely the lot coverage requirement has been met. Staff recommends the Applicant submit lot coverage calculations. Per underlying zoning, the maximum floor area ratio (FAR) allowed is .50. There are no FAR calculations on the plans. Staff recommends the Applicant submit FAR calculations.

In updated plans the proposed FAR is .12 and the proposed lot coverage is 16%. Staff finds the proposed FAR and lot coverage meets the requirements.

Parking

Per underlying zoning, one parking space is required. As there is no parking allowed in the front yard, a driveway must be located no less than 20' past the front façade of the house. In looking at the site

plan, the proposed driveway is not clearly delineated. Staff recommends the site plan indicate a driveway that is located no less than 20' past the front façade of the house.

In updated plans, the driveway is clearly delineated. The driveway is slightly less than 20' past the front façade (front wall) of the house. Staff retains its recommendation regarding the driveway.

General Massing and Scale

The proposed new house is defined by a side gable roof, a full width porch and two chimneys. Staff finds the design of the house, as seen on the front façade, is consistent and compatible with historic houses on the block. Per regulations, the height requirements are based on the compatibility rule. As indicated in the variance section, Staff does not have concerns regarding the proposed height.

As indicated in the variance section, the height variance is no longer required.

While the front portion of the house is typical, Staff initially had concerns regarding the size of the house and placement of a courtyard between the main portion of the house and the rear of the house. Staff finds that a house of this size is not typical on the block or in the neighborhood. Staff does find that if a historic house had an addition, it might look similar to what is proposed. It appears to be an existing house with a clearly differentiated addition.

In revised plans, the height, length and width of the proposed house has been reduced. Staff finds the roof configuration is more appropriate.

One of Staff's concerns is the proposed courtyard and its location is not typical or compatible with the architecture of the neighborhood. This type of courtyard is more typically seen with higher style architecture and ranch style houses. Because the location is not at the very rear of the house, Staff finds it will likely be visible. Staff recommends the courtyard area is either moved to the rear of the house or designed to look more like a deck or porch.

In updated plans, the former courtyard is now a covered deck. Staff has no concerns regarding the proposed deck.

Architectural and Material Details

In looking at the proposed house, Staff finds the design is nearly identical to the historic houses at 2045, 2051, 2063 and 2071 Butler Way. While the overall design is compatible, Staff has concerns regarding the front porch columns and front doors. Staff finds the columns on similar historic houses are simpler. Staff recommends the front porch feature simpler single columns as opposed to double columns with lattice in between. In looking at the proposed building materials, Staff finds the materials are appropriate and meet the requirements.

In updated plans, the front façade features simpler columns that are appropriate.

Staff finds that having three sets of double doors on the front façade is not consistent or compatible with the architecture of the proposed house. There are duplexes in the neighborhood that have two doors. As this is a single family dwelling, Staff finds that having more than one door is not appropriate. Staff recommends there be one single door and appropriate windows on the front façade. Staff recommends all windows are either true divided lite or simulated divided lite with permanently affixed muntins to the exterior of the glass.

In updated plans, the front façade features appropriate fenestration. There is a notation that all windows will be simulated divided lite with muntins that are permanently affixed to the exterior of the glass. Staff has no concerns regarding the proposed fenestration.

Staff Recommendation: Based upon the following:

- (a) The plans meet the regulations, with the exception of the notes above, per Section 16-20J.005 and 16-20J.006.; and
- (b) The proposed variances are no longer required;

Staff recommends denial without prejudice of Application for a Type III Certificate of Appropriateness (CA3-15-493) for variances to increase the height from 23’(required) to 26’ (proposed), a reduction in the front yard setback from 28.22’ (required) to 24’7” (proposed), a reduction in the north side yard setback from 11.28’ (required) to 8’ 5 ¼” (proposed), a reduction in the south side yard setback from 11.93’ (required) to 7’6” (proposed) at **2083 Butler Way**- Property is zoned R-4A/Whittier Mill Historic District.

Staff Recommendation: Based upon the following:

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

Staff recommends approval of Application for a Type III Certificate of Appropriateness (CA3-15-340) for a new single-family house at **2083 Butler Way**- Property is zoned R-4A/Whittier Mill Historic District, with the following conditions:

1. The site plan shall indicate a driveway that is located no less than 20’ past the front façade of the house, per Section 16-20J.006(8)(a); and
2. Staff shall review and if appropriate, approve the final plans.



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STAFF REPORT
February 10, 2016
Updated February 24, 2016
(Updated text in Bold italics)

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-028) for a variance to allow replacement windows which do not match the size of the original window openings, and (CA2-16-026) for alterations at **491 Hopkins St.** Property is zoned R-4A / West End Historic District / Beltline.

Applicant: Halo Capital Inc.
3522 Ashford Dunwoody Rd.

Facts: According to the West End Historic District photographic inventory, this existing two family home was constructed in the 1960's and is considered contributing to the West End Historic District.

At the February 10, 2016 Commission meeting, the Commission voted to deny the Application for a Type III Certificate of Appropriateness (CA3 16 028) for a variance to allow replacement windows which do not match the size of the original window openings.

Analysis: The following code sections apply to this application:

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

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

- (1) Certificates of Appropriateness: Certificates of appropriateness within this district shall be required as follows:
 - (a) When required:
 - (i) To change the exterior appearance of any portion of a structure within the district, when said change can be seen from the public right-of-way;
 - (ii) To erect a new structure or to make an addition to any structure within the district, when said addition can be seen from public right-of-way; and
 - (iii) To demolish or move any contributing structure, in whole or in part, within the district.
 - (b) Type required:
 - (iv) The following Type II Certificates of Appropriateness shall be reviewed by the director of the commission and shall be required for any of the following:

- (e) replacement of non-original, non-historic or missing elements that otherwise meet the regulations, including but not limited to siding, windows, porch railings, porch columns, porch flooring, exterior doors if visible from a public street, and

If a Type II Certificate of Appropriateness is required and the proposed alteration meets the requirements of this chapter, as applicable, and other criteria applicable to Type II certificates, the director of the commission shall issue the Type II Certificate within 14 days of receipt of the completed application. If a Type II Certificate of Appropriateness is required and the proposed alteration does not meet the requirements of this chapter, as applicable, the director of the commission shall deny the application with notice to the applicant within 14 days of receipt of the completed application. Appeals from any such decision of the director regarding the approval and/or denial of Type II Certificates may be taken by any aggrieved person by filing an appeal in the manner prescribed in the appeals section of chapter 16-20.008(a) for Type I Certificates.

- (v) The following Type II Certificates of Appropriateness shall be review by the commission and shall be required for any of the following to the extent they are visible from a public street:
 - a. Alterations to any façade of any principal structure; and
 - b. All site work, except as noted in Section 16-20G.005(b)(4).
 - (vi) The following Type III Certificates of Appropriateness shall be reviewed by the commission and shall be required for:
 - d. Variances.
- (3) Variances: The urban design commission shall have the power to hear, grant and deny variances from the provisions of this chapter (20G) 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 46, which provisions are hereby incorporated herein.

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

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

- (1) Generally: The following building elements and architectural features shall be considered when applying section 16-20.009 of this chapter to the West End Historic District: doors, windows, foundations, finished floor elevations, roofs, roof features, gutters, downspouts, cornices, siding, porches, steps, terraces, dormers, shutters, awnings, gateways, archways, louvres, walls, fences, and gates.
- (3) Windows and Doors:
 - (a) Architecturally significant windows and doors, including details, trimwork, and framing, shall be retained.
 - (b) Original window and door openings shall not be blocked or enclosed, in whole or in part.
 - (c) Replacement windows and doors shall be permitted only when originals cannot be rehabilitated. Replacement windows and doors shall match the original in style, materials, shape and size, with no more than a one-inch width or height difference from the original size. The use of simulated divided lite windows is permitted.
 - (d) If muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
 - (e) The replacement and reconfiguration of windows on the side elevations to accommodate kitchens and bathrooms is permitted.
 - (g) New doors and windows, when permitted, shall be compatible in scale, size, proportion, placement, and style to existing windows and doors.

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

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

Variance

The Applicant is asking for a variance to allow the reconfiguring of the window openings on the front façade of the principal structure to allow the structure to be converted to a single family home.

In order to grant a variance from the regulations, the Commission must first make all of the following findings:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;
2. The application of the Zoning Ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship;
3. Such conditions are peculiar to the particular piece of property involved; and
4. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta.

In their variance justification, the applicant the exceptional conditions pertaining to the property in question is that it contains an apartment building built in the 1960's which is not consistent with the residential character of the street. Staff finds that this argument does not present a hardship based on the size, shape or topography of the lot. Staff recommends the Applicant provide information which details the extraordinary or exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography. In response to the question regarding how the application of the Zoning Ordinance would create an unnecessary hardship for this property, the applicant states that due to the requirement that replacement windows match the size and shape of the original window the property could not be converted to a single family home. Staff finds that this argument does not present a hardship as the size of windows themselves does not prevent interior alterations. The only exception to this would be the requirement of larger windows in bedrooms to allow for egress. The floor plans submitted by the Applicant do not indicate new bedrooms being installed on the first floor. On the second floor, there appear to be existing windows which would allow for egress, however this cannot be confirmed by Staff at this time. Staff recommends the Applicant provide information which documents a requirement by the Office of Buildings for the front windows to be enlarged for egress purposes.

In response to the question pertaining to the peculiar conditions of the property, the Applicant states that the current window configuration is not compatible with a single family residential use. While Staff agrees that the current window configuration is not compatible with a single family residential use, no hardship has been presented. In response to the question pertaining to any damage to the public good the variance would create if granted, the Applicant states that no detriment to the public good would result if the windows were altered. Staff agrees with this argument.

At the February 10, 2016 Commission meeting the Commission voted to deny the variance request.

Window reconfiguration and replacement

Given Staff's recommendations regarding the variance criteria stated above, there is not sufficient information to review the request to alter the current window configuration at this time.

The Applicant is proposing to replace all of the existing aluminum windows on the property. As the Commission only has purview over the portions of the structure which can be seen

from the public street, Staff's comments will address the front and both side facades of the property. Additionally, given the Commission's decision regarding the variance request, Staff recommends the plans be altered to show the retention of the existing window configuration on the front façade.

At this time, staff has received no information detailing the need for the windows in question to be replaced. Staff recommends the Applicant provide information detailing the need for the windows to be replaced. The applicant has provided information showing the proposed replacement windows would match the material of the original metal windows. If replacement of the original windows is warranted, Staff recommends the replacement windows match the originals in regards to style, materials, shape and size, with no more than a one-inch width or height difference from the original size.

Staff Recommendation: Based upon the following:

- a) The Commission's decision regarding the variance request;*
- b) The plans meet the regulations with the exceptions noted above, per Sec. 16-20G.006(3)*

CA2-16-026

Staff recommends approval of an Application for Type II Certificate of Appropriateness (CA2-16-026) for alterations at **491 Hopkins Street** - Property is zoned R-4A / West End Historic District / Beltline with the following conditions:

- 1. *The Applicant shall provide information detailing the need for the windows to be replaced, per Sec. 16-20G.006(3)(c);***
- 2. *If replacement of the original windows is warranted, the replacement windows shall match the originals in regards to style, materials, shape and size, with no more than a one-inch width or height difference from the original size, per Sec. 16-20G.006(c); and,***
- 3. *Staff shall review and if appropriate, approve the final plans and documentation.***



CITY OF ATLANTA

M. KASIM REED
MAYOR

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TIM KEANE
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

STAFF REPORT

February 10, 2016

Updated February 24, 2016

*(updated text in **Bold italics**)*

Agenda Item: Application for a Type III Certificate of Appropriateness (CA3-16-037) for a variance to allow parking in the front yard where otherwise prohibited, and (CA3-16-030) for a new single family house at **666 (aka 668) Bryan Street**. Property is zoned R 5 / Grant Park Historic District (Subarea 1) / Beltline.

Applicant: Crown Development Solutions, LLC.
895 Stallings Avenue

Facts: The subject property is currently a vacant lot.

At the February 10, 2016 Commission meeting the Applicant withdrew their variance request. The Commission voted to deny the application without prejudice as a matter of procedure.

Analysis: The following code sections apply to this application:

Sec. 16-07.007. - Minimum lot requirements.

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

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

Sec. 16-07.008. - Minimum yard requirements.

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

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

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

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

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.
- (3) Variances. Variance requests shall be heard by the commission which will have the authority to grant or deny variances from the provisions of this chapter when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, criteria and appeal provisions for decisions regarding such variances shall be the same as those specified in chapter 26 of this Part 16.
- (7) Paved surfaces: The original layout, patterns and paving materials of sidewalks, curbs and streets shall be retained.

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

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

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

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

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

Variance

The Applicant is requesting a variance to allow parking in the front yard where otherwise prohibited. The Applicant cites the small size of the lot and the crowded on street parking situation as the primary hardships for installing a compliant driveway. Staff would note that the regulations do not require off street parking to be provided for this property as the lot is nonconforming in regards to its size. The proposed lot coverage and setbacks would not allow for a 10 foot wide driveway to be installed the required 20 feet past the front façade of the structure. However, Staff finds that there is a possibility paving strips could be installed which extend the required 20 feet past the front façade of the structure. Staff recommends the Applicant provide information detailing whether other off street parking options are feasible for this property. Additionally, no information has been given to document a lack of on street parking due to crowded conditions. Staff recommends the Applicant provide documentation that on-street parking is not available for this property. Given the information available to Staff at this time, no hardship has been presented which would require parking in the front yard where it is otherwise prohibited.

The variance application was withdrawn at the February 10, 2016 Commission meeting.

Site Plan

The proposed structure will be setback 7 feet on both the side and rear property lines as required by the R-5 regulations and allowed by the Grant Park Historic District regulations. The proposed structure will be setback from Bryan Street 18 feet. The Grant Park Historic District regulations require the front yard setback to be based on either the compatibility rule or the previously existing contributing structure of like use. The Applicant has provided measurements of two neighboring contributing properties located at 664 Bryan Street, which has a front yard setback of 16.4 feet, and 670 Bryan Street, which has a front yard setback of 18.2 feet. Based on these measurements, the proposed setback appears to meet the compatibility rule. However, it is unclear from the plans whether the measurements of the two contributing structures were taken from the front porch or the front façade of the subject properties. Staff recommends the Applicant clarify the method used for measuring the two contributing structures used for

compatibility comparison. If the measurements were taken from the front porch, Staff recommends the Applicant provide correct compatibility measurements for compatibility comparison.

The Applicant has provided a new site plan which shows the front porch setback of the proposed structure conforming to the front porch setback of the two neighboring contributing structures. Staff finds that the regulations have been met for this element.

The subject property is a nonconforming lot with regards to its size and street frontage. As such the R-5 regulations allow for a floor area ratio of 65% of the net lot area. The net lot area of the subject property is 2900 sq. ft. meaning that any principal structure built on the site has a maximum allowable floor area of 1885 sq. ft. The proposed structure has a floor area of 1913 sq. ft. which exceeds 65% of the net lot area by 28 sq. ft. Staff recommends that the Applicant revise their plans to show a structure with a floor area no larger than 1885 sq. ft.

The Applicant has revised their drawings to show a structure with a floor area of 1885 sq. ft. Staff finds that the regulations have been met for this element.

Massing and Building Height

The proposed two story house is defined by a 6 in 12 gable roof and a 3/4 width front porch. Per regulations, the maximum height allowed is 35'. The Grant Park Historic District regulations do not specify how the height should be measured. As such, Staff finds the standard City measurement should be used. In looking at the front façade, Staff finds the height requirement has been met. While Staff finds the overall height, massing and design of the proposed dwelling is not similar to the historic houses on the block, Staff finds the regulations have been met.

Building Facades

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

Windows and Doors

A single front door is parallel and facing Bryan Street as required. From the drawings the front door will have a glass panel 1/2 the length of the door.

The Applicant is proposing to install 4 over 1, double hung windows on the front facade. Staff finds the design of the proposed windows to be appropriate. The Grant Park regulations allow for windows to either be compatible with the windows on contributing houses or to be no less than 15% and no more than 40% of the wall surface. The proposed structure will have approximately 13% fenestration on the front façade. Staff recommends the fenestration on the front façade be at least 15% of the wall surface.

The Applicant has submitted updated drawings which show the fenestration on the front façade to be approximately 17.7% of the wall surface Staff finds that the regulations for this element have been met.

Building Materials

The proposed materials include horizontal wood lap siding, decorative wood brackets, architectural shingles for the main roof, standing seam metal roofing for the porch roof, cmu foundation with a stucco coating, vinyl windows, wood decking on the front porch, wood steps on the front porch, and wood railing on the front porch. The material for the front door is not indicated. Staff recommends that an appropriate material for the front door be indicated on the plans. The materials for the front porch columns are not indicated. Staff recommends an appropriate material for the porch columns be indicated on the plans. The drawings indicate that wood piers will be used for the porch foundation. Staff finds that wood piers are not an appropriate material for a front porch foundation and recommends the Applicant revise their drawings to show a front porch foundation material which meets the District Regulations. The secondary façade of the principal structure will consist of stucco. While stucco is a permitted façade material, the regulations state that the foundation materials and the façade siding materials contrast with one another. Staff recommends the plans be altered to show façade materials and foundation materials which meet the district regulations. Further, Staff would suggest that the façade materials for all portions of the principal structure match so as to not create a juxtaposition of materials.

The Applicant has submitted updated plans which show a wooden front entry door and wood porch columns. The façade materials have changed to include horizontal wood lap siding on all facades instead of the previous wood siding and stucco configuration. A 2 foot high poured concrete foundation with a parge coat of stucco is proposed as both the main foundation and the front porch foundation. Staff finds that the regulations for these elements have been met.

Porch

Per regulations, the minimum allowed depth for the front porch is 7 feet. Staff finds that the proposed porch is 7 feet and therefore meets this requirement. The porch features columns and railings that are compatible with other similar porches in the District. The porch also features decorative wood brackets at the column capitals. Staff finds the overall decorative details of the proposed front porch are consistent and compatible with the house style.

CA3-16-030:

Staff Recommendation: Based upon the following:

- 1) The plans meet the regulations, per Section 16-20K.007;

Staff recommends approval of the Application for a Type III Certificate of Appropriateness (CA3-16-030) for a new single family house at **666 (aka 668) Bryan Street**. Property is zoned R 5 / Grant Park Historic District (Subarea 1) / Beltline with the following conditions:

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