



CITY OF ATLANTA

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Interim Commissioner

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DEPARTMENT OF CITY PLANNING
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DOUG YOUNG
Interim Director, Office of Design

TO: Atlanta Urban Design Commission
FROM: Matt Adams, Interim Executive Director
ADDRESS: 946 & 956 Allene Avenue SW
APPLICATION: CA3-22-403 & 404
MEETING DATE: January 11, 2023

FINDINGS OF FACT:

Historic Zoning: Adair Park Historic District

Other Zoning: Beltline

Date of Construction: N/a

Property Location: Southeast corner of the intersection of Allene Avenue SW and Pearce Street SW.

Contributing (Y/N)?: N/a

Building Type / Architectural form/style: N/a

Project Components Subject to Review by the Commission: New Construction

Project Components NOT Subject to Review by the Commission: n/a

Relevant Code Sections: Sec. 16-20I

Deferred Application (Y/N)?: Yes, deferred 9/28/22, 10/12/22, and 10/26/22, 11/9/22, 11/21/22, 12/14/22

Previous Applications/Known Issues: No

SUMMARY CONCLUSION / RECOMMENDATION: **Deferral until the January 25, 2022 hearing of the Urban Design Commission**

CONCLUSIONS: The following conclusions pertinent to this request are in accordance with Sec. 16-20I of the Zoning Ordinance of the City of Atlanta.

The Applicant proposes erection of two new construction homes, at 946 Allene Avenue SW on the corner of Allene Avenue SW and Pearce Street SW, and at 956 Allene Avenue SW. Historically there were three lots, 946, 950, and 956 Allene Avenue. Historically there was also only one house present on these three lots (950 Allene Avenue, constructed 1903). The proposed new construction would occur on 946 (to the north of 950 Allene, on the southeastern corner of the intersection of Allene Avenue SW and Pearce Street SW) and to the south on the 956 Allene parcel.

Staff has several concerns with the compatibility data which was supplied by the Applicant. On the block face of the proposed new construction, Allene Avenue SW between Pearce Street SW and Elbert Avenue SW, there are three contributing structures; 950 Allene (listed as 946 in the compatibility study) constructed 1913, 960 Allene (1915), and 964 Allene (1924).

- 968 Allene Avenue SW cannot be used for compatibility purposes as it was constructed in 2006 and is non-contributing.
- 953 Allene is located on the opposite side of the block and cannot be used for compatibility purposes.
- 977 Allene is located on the opposite side of the street and a different block and cannot be used for compatibility purposes.
- 978 Allene Avenue SW, is located on a separate block (Allene Avenue SW between Elbert Street SW and Brookline Street SW), may be used for compatibility purposes, but only to establish corner property left side-yard setbacks (the applicant has not provided this data for the property), none of the additional design information can be used.
- Staff would also note that while 960 Allene Street SW is a contributing structure, there has been a significant number of exterior changes that occurred unpermitted, outside the scope of work, submitted to the UDC for a certificate of appropriateness, including replacement of original siding, doors, windows, site work, and fencing, and these features should not be interpreted as original or permitted by the Commission for compatibility purposes.

The Applicant has sent revised plans and elevations as of November 1, 2022. Staff still has significant concerns as few of the major design concerns have been addressed and the compatibility rule data supplied by Staff was largely ignored in the revisions that were made.

The Applicant has not submitted any new materials to Staff since the November 9, 2022, hearing of the Urban Design Commission.

The Applicant submitted a new set of plans on January 2, 2023. Staff notes that the majority of the comments have not been addressed, particularly in terms of the design of 946 Allene Avenue SW. Specific concerns are noted in the staff report below.

946 Allene Avenue SW

Staff has significant concerns with the proposed design. In the Adair Park Historic District, the following elements are subject to the compatibility rule:

- **Front Yard Setbacks (SA1):** Staff finds that the proposed setback of 30 feet meets the compatibility rule. **The Applicant has resubmitted new compatibility data, which lists the closest contributing setback to 31 feet from the curb. With the submission of this new data, Staff finds that the proposed house must be moved back to meet their compatibility data. As the rear yard setback is currently 75 feet (and the required setback is only 15 feet) this alteration of the site plan should not be an issue.**
- **Side Yard Setbacks (SA1):** As 946 Allene will be the new corner lot on the block face, it does not have the same side yard setback requirements that 956 Allene does. There was no setback data submitted that reflects this. The Applicant will submit data showing how the proposed setbacks meet the compatibility rule for a corner lot. **No side yard setback data for corner properties has been submitted.**
- **Overall Height:** Based on the compatibility data provided by the Applicant the maximum height allowed would be 17.5 feet in height. The proposed design is for a two-story structure measuring 29 feet in height at its highest point. The Applicant will revise the proposed height of the structure to not exceed 17.5 feet in height. **The Applicant has not revised the proposal to meet the compatibility data. The proposed height of the structure remains at 22 feet 8 inches. The Applicant has not fully corrected the height issue. The proposed height of 19 feet 11 ½ inches does not meet the compatibility rule.**
- **Roof Form:** The only roof form present on the block face is hipped. The Applicant will revise the proposed design to utilize a hipped roof. **The proposed new construction remains gabled. The Applicant has not corrected the issue of the roof form, it remains gabled, and must be changed to a hipped roof to meet the compatibility rule.**
- **Roof Pitch:** The proposed roof pitch would be 3/12. No compatibility data has been provided for any of the contributing structures on the block face. However, based on the required roof form (hipped) this pitch would not be acceptable. The Applicant will provide compatibility data for the proposed roof. The Applicant will revise the form and pitch of the roof to meet the compatibility rule. **The proposed pitch is 9/12, but as with the roof form (gabled) this does not meet the compatibility rule. The roof pitch has been changed to 7/12 however, the roof form still does not meet the compatibility rule.**
- **Dormers:** There are no dormers present on the street-facing elevations of the contributing structures on the block face. The proposed shed dormer must be removed. Staff could support a window in the gable of a gabled front porch projection, as this is a feature present on the block face. The Applicant will revise the proposed façade design to remove the dormer. **The Applicant has moved the dormer to the left side elevation. Staff does not have any concerns with this proposal. The Applicant has added an additional dormer to the front elevation. While Staff finds this meets the compatibility rule, the current roof form, does not. The design as proposed does not meet district regulations and must be revised.**
- **Building Materials:** Staff has significant concerns with the use of both cedar shake and

metal roofing as neither of these materials meets the compatibility rule. The Applicant will revise the proposed building materials to meet the compatibility rule. **The Applicant proposes the use of cementitious siding over a brick foundation. Staff does not have any concerns with this proposal as it meets the district regulations.**

- **Foundation Height:** The proposed foundation height of 4 feet does not meet the compatibility rule. Staff finds that no contributing structures on the block face have a foundation greater than a foot in height, with the exception of 950 Allene, which is built into the sloping lot. As the Applicant is proposing to grade the land, this rear foundation height would not be applicable. The Applicant will revise the proposed design to lower the foundation height. **The Applicant has revised the proposal to meet the compatibility rule.**
- **Foundation Materials:** Staff finds that the proposed foundation material of brick meets the compatibility rule.
- **Siding Materials:** The Applicant proposes use of cementitious siding. Staff is not concerned with this proposal but would note that the cementitious siding must be smooth faced and have a reveal that matches the historic proportions present in the district, between 4 and 6 inches.
- **Scale, Size, Proportion of Openings:** Staff does not have any concerns with the street-facing elevation fenestration, once the non-compliant dormer is removed from the plans. The small, fixed transom windows on left and right-side elevations should be removed, as this is not consistent with historic patterning or scale of fenestration. **The Applicant has revised the fenestration pattern and Staff does not have any concerns.**
- **Ratio of Openings to Solids:** Overall the design will meet the compatibility rule once the non-compliant dormer is removed.
- **Porch Features:** Staff finds that the brick foundation, square wooden columns above a brick pier, and front-facing orientation meet the compatibility rule. Staff would note, that as with the overall foundation height, the compatibility rule would require that the porch height be lowered.
- **Windows:** Staff has examined photos of the contributing properties on the block face from the time of district listing. Though many windows have been replaced, unpermitted on several contributing structures, it appears that the original fenestration pattern which predominates on the block face was six-over-six double-hung windows. The Applicant will revise the proposed fenestration pattern to meet the compatibility rule. **The Applicant has updated the proposed fenestration lite pattern to a four-over-one, double-hung window. This lite pattern is not present anywhere on the block face. There are three-over-one windows present on a single house, but the lite pattern still must meet the compatibility rule. Staff could support one of the two proposed new construction houses (either 946 or 956) using the three-over-one lite pattern, and the other using a six-over-six lite pattern, as they are both represented on the block face, and would help to not substantially replicate one another. The design still utilizes a non-compliant window design.**
- **Doors:** Staff does not have any concerns with the proposed door design. **The door design has been altered to include sidelites. This is not a style that predominates on the block face. The design must be returned to the original door without sidelites.**
- **Paving Materials:** There is a driveway proposed, located to the right of the house, no

material is given for this drive, but it must be concrete to meet the compatibility rule. Staff would also note that the design is non-compliant. Adair Park regulations state, “Off-street parking shall not be permitted in the front yard.” The proposed driveway must extend 20 feet past the front façade of the new construction house. The Applicant will revise the proposed driveway design to comply with Sec. 16-20I.006 (5)(a). **The proposed driveway must be substantially redesigned. The proposed width of 12 feet does not meet city code. The driveway is also only extends to the front porch. Parking is not permitted in the front yard and must extend twenty feet past the front façade of the house. The Applicant will revise the proposed driveway to not exceed 10 feet in width, exclusive of the flair, and extended a minimum of 20 feet past the front façade of the house. The driveway has been brought into compliance.**

956 Allene Avenue SW

Staff has significant concerns with the proposed design. In the Adair Park Historic District, the following elements are subject to the compatibility rule:

- Front Yard Setbacks (SA1): Staff finds that the proposed setback of 30 feet meets the compatibility rule.
- Side Yard Setbacks (SA1): Staff finds that the proposed side yard setbacks meet the compatibility rule. Staff would note that the significant number of revisions needed may require the setbacks to change.
- Overall Height: Based on the compatibility data provided by the Applicant the maximum height allowed would be 17.5 feet in height. The proposed design is for a two-story structure measuring 29 feet in height at its highest point. The Applicant will revise the proposed height of the structure to not exceed 17.5 feet in height. **The Applicant has not revised the proposed height. The Applicant has not fully corrected the height issue. The proposed height of 20 feet 7 ½ inches does not meet the compatibility rule.**
- Roof Form: The only roof form present on the block face is hipped. The proposed design must be revised to utilize a hipped roof. **The Applicant has not revised the proposed roof form. The Applicant has not corrected the issue of the roof form, it remains gabled, and must be changed to a hipped roof to meet the compatibility rule.**
- Roof Pitch: The proposed roof pitch would be 3/12. No compatibility data has been provided for any of the contributing structures on the block face. However, based on the required roof form (hipped) this pitch would not be acceptable. The Applicant will revise the form and pitch of the roof to meet the compatibility rule. **The roof form has not been revised, and the pitch is inconsistent with a hipped roof. The roof form has not been revised, and the pitch is inconsistent with a hipped roof.**
- Dormers: There are no dormers present on the street-facing elevations of the contributing structures on the block face. The proposed shed dormer must be removed. Staff could support a window in the gable of a gabled front porch projection, as this is a feature present on the block face. The Applicant will revise the proposed façade design to remove the dormer. **The Applicant has moved the dormer to the left elevation, Staff does not have any concerns with this proposal. The**

Applicant has added an additional dormer to the front elevation. While Staff finds this meets the compatibility rule, the current roof form, does not. The design as proposed does not meet district regulations and must be revised.

- **Building Materials:** The Applicant proposes use of cementitious siding over a brick foundation. Staff does not have any concerns with this proposal.
- **Foundation Height:** The proposed foundation height of 4 feet does not meet the compatibility rule. Staff finds that no contributing structures on the block face have a foundation greater than a foot in height, with the exception of 950 Allene, which is built into the sloping lot. As the Applicant is proposing to grade the land, this rear foundation height would not be applicable. The Applicant will revise the proposed design to lower the foundation height. **The Applicant has revised the foundation height to meet the compatibility rule.**
- **Foundation Materials:** Staff finds that the proposed foundation material of brick meets the compatibility rule.
- **Siding Materials:** The Applicant proposes use of cementitious siding. Staff is not concerned with this proposal but would note that the cementitious siding must be smooth faced and have a reveal that matches the historic proportions present in the district, between 4 and 6 inches.
- **Scale, Size, Proportion of Openings:** Staff does not have any concerns with the street-facing elevation fenestration, once the non-compliant dormer is removed from the plans. The small, fixed transom windows on left and right-side elevations should be removed, as this is not consistent with historic patterning or scale of fenestration. The Applicant will remove the transom windows from the proposed design. **The Applicant has revised the proposed design.**
- **Ratio of Openings to Solids:** Overall the design will meet the compatibility rule once the non-compliant dormer is removed.
- **Porch Features:** Staff finds that the brick foundation, square wooden columns above a brick pier, and front-facing orientation meet the compatibility rule. Staff would note, that as with the overall foundation height, the compatibility rule would require that the porch height be lowered.
- **Windows:** Staff has examined photos of the contributing properties on the block face from the time of district listing. Though many windows have been replaced, unpermitted on several contributing structures, it appears that the original fenestration pattern which predominates on the block face was six-over-six double-hung windows. The Applicant will revise the proposed fenestration pattern to meet the compatibility rule. **The Applicant has updated the proposed fenestration lite pattern to a four-over-one, double-hung window. This lite pattern is not present anywhere on the block face. There are three-over-one windows present on a single house, but the lite pattern still must meet the compatibility rule. Staff could support one of the two proposed new construction houses (either 946 or 956) using the three-over-one lite pattern, and the other using a six-over-six lite pattern, as they are both represented on the block face, and would help to not substantially replicate one another. The Applicant has revised the windows to a six-over-one lite pattern. This does not meet the compatibility rule. The lite pattern must be changed to six-over-six.**
- **Doors:** Staff does not have any concerns with the proposed door design.

- **Paving Materials:** There is a driveway proposed, located to the right of the house, no material is given for this drive, but it must be concrete to meet the compatibility rule. Staff would also note that the design is non-compliant. Adair Park regulations state, “Off-street parking shall not be permitted in the front yard.” The proposed driveway must extend 20 feet past the front façade of the new construction house. The Applicant will revise the proposed driveway design to comply with Sec. 16-20I.006 (5)(a). **The Applicant proposes a shared driveway for 950 (existing) and 956 (proposed new construction). The proposed driveway would be 23 feet 7 inches in width, which far exceeds the 10-foot allowable width. The Applicant will revise the proposed driveway design to not exceed 10-feet in width, exclusive of the flair. The Applicant has revised the driveway design to bring it into compliance.**

District regulations also do not permit substantial replication of a design on the block face. Though many of the comments apply to both designs, these are largely quantitative in nature. There is still room for variation in massing, detailing and different elements, which can distinguish the designs of the respective houses.

STAFF RECOMMENDATION: Deferral until the November 21, 2022 hearing of the Urban Design Commission to allow the Applicant to address the following, on both proposed structures, unless otherwise noted:

- 1.) The Applicant will submit data showing how the proposed setbacks meet the compatibility rule for a corner lot (746 Allene Avenue only, Sec. 16-20I.006 (1)(a)(2)).
- 2.) The Applicant will revise the proposed height of the structure to not exceed 17.5 feet in height (Sec. 16-20I.006 (1)(b). **This condition is still outstanding.**
- 3.) The Applicant will revise the proposed design to utilize a hipped roof (Sec. 16-20I.006 (2)(f)(3). **This condition is still outstanding.**
- 4.) The Applicant will provide compatibility data for the proposed roof (Sec. 16-20I.006 (2)(f)(3). **This condition is still outstanding.**
- 5.) The Applicant will revise the form and pitch of the roof to meet the compatibility rule (Sec. 16-20I.006 (2)(f)(3). **This condition is still outstanding.**
- 6.) The Applicant will revise the proposed façade design to remove the dormer (Sec. 16-20I.006 (2)(f)(6). **This condition is still outstanding.**
- 7.) The Applicant will revise the proposed building materials to meet the compatibility rule (Sec. 16-20I.006 (2)(1). **The Applicant has satisfied this condition.**
- 8.) The Applicant will revise the proposed design to lower the foundation height (Sec. 16-20I.006 (1)(b). **The Applicant has satisfied this condition.**
- 9.) The Applicant will remove the transom windows from the proposed design. **The Applicant has satisfied this condition.**
- 10.) The Applicant will revise the proposed fenestration pattern to meet the compatibility rule. **The Applicant has satisfied this condition.**
- 11.) **The Applicant will revise the proposed window lite patterns to meet the compatibility rule.**
- 12.) **The Applicant will revise the proposed door design of 946 Allene Avenue to remove the sidelites which do not meet the compatibility rule.**

- 13.) The Applicant will revise the proposed driveway design to comply with Sec. 16-20I.006 (5)(a). **The Applicant will revise the proposed driveway to not exceed 10 feet in width, exclusive of the flair, and extended a minimum of 20 feet past the front façade of the house. The Applicant has satisfied this condition.**
- 14.) The Applicant submit the revised materials to Staff no later than eight (8) days prior to the next Commission hearing.
- 15.) Staff will review all materials, and if appropriate, issue final approval of plans.

cc: Applicant
Neighborhood
File



CITY OF ATLANTA

ANDRE DICKENS
MAYOR

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Jahnee Prince
Commissioner

Doug Young
Interim- Director
OFFICE OF DESIGN

MEMORANDUM

TO: Atlanta Urban Design Commission
FROM: Matt Adams, Executive Director
ADDRESS: 1012 Lawton
APPLICATION: CA2-22-563
MEETING DATE: January 11, 2023

FINDINGS OF FACT:

Historic Zoning: Oakland City Historic District **Other Zoning:** R4-A

Date of Construction: 1920

Property Location West of Lee Street and East of Peebles

Contributing (Y/N)? Yes, **Building Type / Architectural form/style:** Four-Square

Project Components Subject to Review by the Commission:

Project Components NOT Subject to Review by the Commission: Interior

Relevant Code Sections: Sec. 16-20M.

Deferred Application (Y/N)? No

Previous Applications/Known Issues: Stop Work placed November 3, 2022, for working without a permit; conversion into a duplex; siding issues.

SUMMARY CONCLUSION / RECOMMENDATION: Approval with Conditions.

CONCLUSIONS: The following conclusions pertinent to this request are in accordance Chapter 20 and Chapter 20G of the City of Atlanta Zoning Ordinance.

COMPATIBILITY STANDARD

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

ALTERATIONS

Siding

On the side and back façade, the Applicant proposes to replace the wood siding with infused cementitious siding; the front is proposed for full cementitious siding. District regulations states, “subject to the compatibility rule, wood or smooth-finish cementitious lap siding, wood shingles, brick, stone, and true stucco are permissible building materials for the façades of the principal structure. Corrugated metal, aluminum siding, and vinyl siding are not permitted.” Photos provided does show the wood siding needs repair but not all the siding needs replacing. Therefore, Staff does not support a whole-sale replacement of all the siding, but recommends the Applicant repair in-kind the wood siding that currently exist and replace the wood siding that needs replacing.

Windows

All the wood windows are proposed for replacement with vinyl windows. Photos indicate the original wood windows appear to be in good condition. Staff recommends the Applicant repair and replace in-kind the existing windows in material, style, and placement.

Door Conversion

The Applicant proposes to remove the added door that converted the house to an unauthorize duplex. Staff is not concerned with this proposal. At one point, there was an oval window where the current door is. Staff recommends the reinstalment of the oval window to match the original configuration of the window.

Porch

The Applicant proposes to replace and rebuild the porch where needed and replace the vinyl ceiling with wood. Since the Applicant has not provided specifics, Staff recommends the following:

- The railings be a two-part butt-head joint construction.
- The porch ceiling shall be bead board.

- If the porch flooring needs replacing, it shall be perpendicular in orientation and tongue and groove construction.
- All trim shall be wood and replace or repaired in-kind

Painting

The Applicant proposes painting the house. Staff is not concerned with painting the lap siding. However, the masonry which is painted is problematic. Paint on unpainted masonry is prohibited in historic districts unless the masonry was painted prior to the district designation. Research shows the masonry was painted prior to district designation. Therefore, the Applicant is permitted to paint the masonry. Staff is not concerned with the proposal.

ROUTINE REPAIRS

Photos provided show a house that needs routine repairs such as gutters replacement, and re-shingling. Staff is not concerned with any routine repairs.

STAFF RECOMMENDATION: Approval with Conditions

1. The wood siding shall remain, and any replacement or repair shall be done in-kind to match the original wood siding, per Sec. 16-20M .013(2)(13);
2. The existing wood windows shall remain and replace or repaired in-kind in material, style and placement, per Sec.16-20M.013(o)(1)(2)(a)(c);
3. The railings shall be a two-part butt head joint construction, per Sec.16-20M.013;
4. The porch ceiling shall be bead board, per Sec.16-20M.013;
5. The porch flooring shall be perpendicular in orientation if it needs replacing, per Sec.16-20M.013;
6. All trim on the porch shall be wood and replace or repaired in-kind, Sec.16-20M.013 and
7. Staff shall review and, if appropriate, approve the final plans.

cc: Applicant
Neighborhood
File



CITY OF ATLANTA

JAHNEE PRICE

Commissioner

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MAYOR

DEPARTMENT OF CITY PLANNING

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DOUG YOUNG

Interim Director, Office of Design

MEMORANDUM

TO: Atlanta Urban Design Commission
FROM: Matt Adams, Interim Executive Director
ADDRESS: 451 Collier Ridge Drive NW
APPLICATION: CA2-22-566
MEETING DATE: January 11, 2023

FINDINGS OF FACT:

Historic Zoning: Collier Heights Historic District

Other Zoning: R-4

Date of Construction: 1948

Property Location: East side of Collier Ridge Drive NW.

Contributing (Y/N)?: Yes

Building Type / Architectural form/style: American Small House

Project Components Subject to Review by the Commission: Alterations

Project Components NOT Subject to Review by the Commission: n/a

Relevant Code Sections: Sec. 16-20Q

Deferred Application (Y/N)?: No

Previous Applications/Known Issues: No

SUMMARY CONCLUSION / RECOMMENDATION: Approval with Conditions

CONCLUSIONS: The following conclusions pertinent to this request are in accordance with Sec. 16-20Q of the Zoning Ordinance of the City of Atlanta.

The Applicant proposes replacement of the existing siding, windows, and doors on the house. Though it is not included in the scope of proposed work, Staff observes that the rear addition, will be converted into a bedroom, with two windows added, and the existing door eliminated. There would be a new door added to the rear elevation, to the side of this addition.

Staff has concerns that the existing elevations do not accurately depict the house. The existing windows are depicted as one-over-one windows. There are no one-over-one windows existing on the structure. All windows are two-over-two, double-hung, wood-framed windows except for one window on the rear elevation, which is a six-over-six, wood-framed, double-hung window (based on visual examination this appear to be the only remaining original window on the house, and the two-over-two horizontal windows appear to have been installed when the two side additions were made to the house). There is a window not depicted on the right elevation, and the proposal does not address the enclosure of this opening. The Applicant will update the existing elevations to accurately depict all features present on the house.

Siding

Staff notes that there appear to have been at least four different siding materials present on the structure since the time of its construction, including wooden siding, asbestos shingles, aluminum siding, and composite shingles. The Applicant proposes removal of all existing siding and replacement with cementitious siding. Staff finds that the original siding material was wooden siding, which is still present under the additional siding which has covered it. The inspection report submitted by the Applicant states that all existing siding materials are in poor condition, damaged, and not able to be salvaged; however, the photographs submitted by the Applicant only show small portions of the original wooden siding. Staff finds that any replacement must match the original materials per Sec. 16-20Q.006 (1)(h). The Applicant will remove the non-historic siding to determine the condition of the original wooden siding, submitting photo-documentation so that Staff may determine the appropriateness of replacement. The Applicant may replace the siding on the additions which were constructed without the original wooden siding, with wood siding which matches the original present on the house in reveal.

Door Replacement

Sec. 16-20Q.006 (2)(a-c) states, “Original or historic windows and exterior doors shall be retained. Replacement windows or exterior doors shall be permitted only when the original or historic windows and exterior doors cannot be rehabilitated. If original or historic windows or exterior doors cannot be rehabilitated, replacement windows and doors shall match the original or historic in light design, function, materials, shape, and size.”

Staff finds that the two existing steel doors present on the house are not original to the structure. Staff is not concerned with their replacement. The proposed replacement with fiberglass doors does not match the original or historic in light design, function, materials, shape, and size. The

original doors present on the structure are no longer intact, and therefore compatibility data must be submitted by the Applicant to establish appropriate design for the replacement doors. The Applicant will submit compatibility data for doors present on the block face.

Further, Sec. 16-20Q.006 (2)(d) states, “Replacement windows and doors for non-original or non-historic windows and doors shall be compatible with the architectural style of the structure or shall be subject to the compatibility rule.” Staff finds the proposed new doorway on the rear elevation would meet this criterion.

Window Replacement

Sec. 16-20Q.006 (2)(a-c) states, “Original or historic windows and exterior doors shall be retained. Replacement windows or exterior doors shall be permitted only when the original or historic windows and exterior doors cannot be rehabilitated. If original or historic windows or exterior doors cannot be rehabilitated, replacement windows and doors shall match the original or historic in light design, function, materials, shape, and size.”

The Applicant proposes replacement of all 11 existing windows and installation of two new windows on the rear addition. All replacement windows would be one-over-one, single-hung, vinyl windows. Staff finds that the inspection report submitted does not establish the need for replacement. The inspection report states that “paint and wood were deteriorating”, some windows were “stuck”, and that some original panes had been replaced with plexiglass. The photos provided by the Applicant show that window trim and framing have been removed, one window showed cracking of wood, and some panes replaced with plexiglass or infilled with wood, but overall, the windows are in good condition with very little deterioration. Inoperability of windows is also not grounds for replacement. Staff also finds that the inspection report was not completed by a firm with any experience evaluating or restoring historic windows. Staff cannot support the replacement of the windows. The Applicant will retain and restore the existing historic windows present on the structure. The Applicant may replace the damaged glass in the windows, which have had original glass removed. The Applicant will repair and replace the damaged exterior framing on the historic windows with framing which matches the existing in material, scale, and reveal.

The Applicant will not enclose the existing window on the right elevation. The Applicant will restore the window which has been infilled with plywood in that location on the right elevation. The Applicant will install two new windows on the rear addition which are wood-framed, double-hung windows with a six-over-six lite pattern which matches the style of the one remaining 1948 window that on the house.

STAFF RECOMMENDATION: Approval with the following Conditions:

- 1.) The Applicant will update the existing elevations to accurately depict all features present on the house.
- 2.) The Applicant will remove the non-historic siding to determine the condition of the original wooden siding, submitting photo-documentation so that Staff may determine the appropriateness of replacement.

- 3.) The Applicant may replace the siding on the additions which were constructed without the original wooden siding, with wood siding which matches the original present on the house in reveal.
- 4.) The Applicant will submit compatibility data for doors present on the block face.
- 5.) The Applicant will retain and restore the existing historic windows present on the structure.
- 6.) The Applicant may replace the damaged glass in the windows, which have had original glass removed.
- 7.) The Applicant will repair and replace the damaged exterior framing on the historic windows with framing which matches the existing in material, scale, and reveal.
- 8.) The Applicant will not enclose the existing window on the right elevation.
- 9.) The Applicant will restore the window which has been infilled with plywood in that location on the right elevation.
- 10.) The Applicant will install two new windows on the rear addition which are wood-framed, double-hung windows with a six-over-six lite pattern which matches the style of the one remaining 1948 window that on the house.
- 11.) Staff shall review, and if appropriate, issue final approval of all materials.

cc: Applicant
Neighborhood
File



CITY OF ATLANTA

ANDRE DICKENS
MAYOR

DEPARTMENT OF CITY PLANNING
55 Trinity Avenue, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

Jahnee Prince
Commissioner

DOUG YOUNG
Interim Director, Office of Design

MEMORANDUM

TO: Atlanta Urban Design Commission
FROM: Matthew Adams, Interim Executive Director
ADDRESS: 930 Oglethorpe Ave.
APPLICATION: CA3-22-536
MEETING DATE: January 11, 2023

FINDINGS OF FACT:

Historic Zoning: West End Historic District **Other Zoning:** R-4A / Beltline.

Date of Construction: 1920

Property Location: South block face of Oglethorpe Ave, east of the Joseph E Lowery Blvd. intersection.

Contributing (Y/N)?: Yes

Building Type / Architectural form/style: Craftsman Bungalow

Project Components Subject to Review by the Commission: Variance.

Project Components NOT Subject to Review by the Commission: N/A

Relevant Code Sections: Sec. 16-20 & Sec. 16-20G

Previous Applications/Known Issues:

Based on the City's permitting records, a permit to install the solar panels was issued without a proper zoning review. Had this review occurred, the issue would have been caught and the variance application currently proposed by the Applicant would have been submitted before the work was completed. It should be noted that the fault for this error lies with DCP Staff. The HP Studio is working with our other DCP colleagues to ensure that this intake error is addressed for future projects.

SUMMARY CONCLUSIONS / RECOMMENDATIONS: Approval.

CONCLUSIONS: The following conclusions pertinent to this request are in accordance with Sec. 16-20 & Sec. 16-20G of the Zoning Ordinance of the City of Atlanta.

When reviewing variances, the Commission is required to find that the request meets all 4 of the variance criteria.

What are the extraordinary and exceptional conditions pertaining to the particular piece of property in question (size, shape, topography)?

The Applicant cites the size and shape of the property require the solar panels to be installed in the non-compliant location. The Applicant further states that any changes to the proposed locations would reduce the electrical production by 50%. - **MET**

How would the application of the zoning ordinance of the City of Atlanta to this particular piece of property create an unnecessary hardship?

The Applicant states that positioning the panels in a compliant location would “withhold the possibility of full functional opportunity for solar outcome. If the panels are not placed in the requested location, the panels will not produce the required amount of power.” Staff would note that the Applicant has provided a study - **MET**

What conditions are peculiar to this particular piece of property?

The applicant cites the winter shading of the area of the property which compliant panels could be placed. - **MET**

Submit facts to show that 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.

The Applicant cites the minimal visibility of the panels when seen from the right of way due to the positioning of trees and the height of the structure. Staff finds that the panels would be visible from the public right of way as one walks or drives past the structure but finds that their location and positioning would not impact the architectural character or interpretability of the structure or site. Further, Staff finds that both the needs for alternate energy production as well as the highly reversible nature of the panels are mitigating factors for any potential impact to the public good. - **MET**

Staff finds that the Applicant’s arguments meet the criteria for granting a variance. As such, Staff supports the variance request.

STAFF RECOMMENDATION: Approval.

Cc: Applicant
Neighborhood
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Jahnee Prince
Commissioner

Doug Young
Interim- Director
OFFICE OF DESIGN

MEMORANDUM

TO: Atlanta Urban Design Commission
FROM: Matt Adams, Executive Director
ADDRESS: 1089 Avon
APPLICATION: CA3-22-561
MEETING DATE: January 11, 2023

FINDINGS OF FACT:

Historic Zoning: Oakland City Historic District **Other Zoning:** R4-A

Date of Construction: 1920

Property Location Corner of Lee Street and Avon

Contributing (Y/N)? Yes, **Building Type / Architectural form/style:** non-descript

Project Components Subject to Review by the Commission: Alterations and Site work

Project Components NOT Subject to Review by the Commission: Interior

Relevant Code Sections: Sec. 16-20M.

Deferred Application (Y/N)? No

Previous Applications/Known Issues: Applicant is seeking State tax credits.

SUMMARY CONCLUSION / RECOMMENDATION: Approval

CONCLUSIONS: The following conclusions pertinent to this request are in accordance Chapter 20 and Chapter 20G of the City of Atlanta Zoning Ordinance.

ADDITION

Deck

The Applicant proposes to remove an existing deck that is in the rear of the property and build a new deck. The new deck will meet the setbacks on the sides and rear. This addition will also meet the required lot coverage. Staff is not concerned with this proposal.

ALTERATIONS

Siding

The existing vinyl siding is proposed to be removed to allow for the exposure of the original bevel lap siding. Staff is not concerned with this proposal.

Windows

Most of the existing windows have been boarded up. The Applicant proposes to retain the 9 over 1 existing windows. Staff is not concerned with this proposal. Also, the Applicant proposes the removal of 6 non-original windows which are located at the rear of the property. Staff is not concerned with this proposal.

Porch

The existing screened porch is proposed for removal, the Applicant proposes to retain the framing and install aluminum screening. Staff is not concerned with this proposal.

Routine Repairs

The Applicant proposes two routine repairs: removal of the original diamond shape asbestos shingles and removal of pipe chase. The Applicant has shown an appropriate style shingle that is patterned as the original and is not asbestos. Staff is not concerned with either proposal.

SITE WORK

The following site work is proposed: repairing the existing driveway in-kind and extend the driveway into the rear of the property. District regulations require the driveway to be no more than 10 feet wide minus the flare and a 20 ft extension past the front porch. What the Applicant proposes meets both these requirements. The extended driveway into the rear does not violate the lot coverage requirement. Staff is not concerned with the driveway proposal.

A 6ft fence is proposed for the rear of the property and a 4 ft privacy fence in the front of the property which will have 50% transparency. Staff is not concerned with this proposal.

STAFF RECOMMENDATION: Approval

cc: Applicant
Neighborhood
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Jahnee Prince
Commissioner

Doug Young
Interim- Director
OFFICE OF DESIGN

MEMORANDUM

TO: Atlanta Urban Design Commission

FROM: Matt Adams, Executive Director

ADDRESS: 1089 Avon

APPLICATION: CA3-22-561

MEETING DATE: January 11, 2023

FINDINGS OF FACT:

Historic Zoning: Oakland City Historic District **Other Zoning:** R4-A

Date of Construction: 1920

Property Location Corner of Lee Street and Avon

Contributing (Y/N)? Yes, **Building Type / Architectural form/style:** non-descript

Project Components Subject to Review by the Commission: Alterations and Site work

Project Components NOT Subject to Review by the Commission: Interior

Relevant Code Sections: Sec. 16-20M.

Deferred Application (Y/N)? No

Previous Applications/Known Issues: Applicant is seeking State tax credits.

SUMMARY CONCLUSION / RECOMMENDATION: Approval

CONCLUSIONS: The following conclusions pertinent to this request are in accordance Chapter 20 and Chapter 20G of the City of Atlanta Zoning Ordinance.

ADDITION

Deck

The Applicant proposes to remove an existing deck that is in the rear of the property and build a new deck. The new deck will meet the setbacks on the sides and rear. This addition will also meet the required lot coverage. Staff is not concerned with this proposal.

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The existing screened porch is proposed for removal, the Applicant proposes to retain the framing and install aluminum screening. Staff is not concerned with this proposal.

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The Applicant proposes two routine repairs: removal of the original diamond shape asbestos shingles and removal of pipe chase. The Applicant has shown an appropriate style shingle that is patterned as the original and is not asbestos. Staff is not concerned with either proposal.

SITE WORK

The following site work is proposed: repairing the existing driveway in-kind and extend the driveway into the rear of the property. District regulations require the driveway to be no more than 10 feet wide minus the flare and a 20 ft extension past the front porch. What the Applicant proposes meets both these requirements. The extended driveway into the rear does not violate the lot coverage requirement. Staff is not concerned with the driveway proposal.

A 6ft fence is proposed for the rear of the property Staff is not concerned with this proposal.

STAFF RECOMMENDATION: Approval

cc: Applicant
Neighborhood
File



CITY OF ATLANTA

JAHNEE PRICE
Commissioner

ANDRE DICKENS
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DOUG YOUNG
Interim Director, Office of Design

MEMORANDUM

TO: Atlanta Urban Design Commission
FROM: Matt Adams, Interim Executive Director
ADDRESS: 983 Lawton Street SW
APPLICATION: CA3-22-568
MEETING DATE: January 11, 2023

FINDINGS OF FACT:

Historic Zoning: Oakland City Historic District

Other Zoning: R-4A

Date of Construction: 1947

Property Location: West side of Lawton Street SW.

Contributing (Y/N)?: Yes

Building Type / Architectural form/style: American Small House

Project Components Subject to Review by the Commission: Variance to allow solar panels on the front plane of the roof where they otherwise would be prohibited

Project Components NOT Subject to Review by the Commission: n/a

Relevant Code Sections: Sec. 16-20M

Deferred Application (Y/N)?: No

Previous Applications/Known Issues: No

SUMMARY CONCLUSION / RECOMMENDATION: Approval

CONCLUSIONS: The following conclusions pertinent to this request are in accordance with Sec. 16-20M of the Zoning Ordinance of the City of Atlanta.

Variance CA3-22-568

The requested variance is to permit installation of an array of solar panels on the front plane of the roof, where they would otherwise be prohibited.

There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;

The Applicant cites the roof structure and shape (side gabled), the presence of trees shading the rear plane of the roof, and hemisphere direction (the front roof is oriented facing east, and has longer periods of sun exposure).

The application of the Zoning Ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship;

The Applicant cites the lack of full functional output as an unnecessary hardship. If the solar panels are placed on the rear, western plane of the roof they will not generate sufficient amounts of energy.

Such conditions are peculiar to the particular piece of property involved;

The Applicant cites the roof structure, shape, presence of trees, and hemisphere orientation of the roof.

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.

The Applicant states that the longevity of the panels, potential for renewable energy, and reduced appearance to blend into the existing roof, all would not cause substantial detriment.

IN general, Staff finds that the Applicant's request meets the criteria for granting a variance. The data submitted supports the fact that the roof form limits the options regarding placement of the panels. The panels can only be placed on the east-facing or west-facing plane of the roof. The east-facing (front) plane of the roof is the only portion which received sufficient sunlight exposure due to the orientation of the house and presence of tree growth. As such, Staff supports the requested variance.

STAFF RECOMMENDATION: Approval.

cc: Applicant
Neighborhood
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Jahnee Prince
Commissioner

DOUG YOUNG
Interim Director, Office of Design

MEMORANDUM

TO: Atlanta Urban Design Commission

FROM: Matthew Adams, Interim Executive Director

ADDRESS: 1120 Arlington Ave.

APPLICATION: CA2-22-574

MEETING DATE: January 11, 2023

FINDINGS OF FACT:

Historic Zoning: Oakland City Historic District **Other Zoning:** R-4A

Date of Construction: 1920

Property Location: South block face of Arlington Ave. east of the Princess Ave. intersection.

Contributing (Y/N)?: Y

Building Type / Architectural form/style: Craftsman Bungalow

Project Components Subject to Review by the Commission: Alterations

Project Components NOT Subject to Review by the Commission: N/A

Relevant Code Sections: Sec. 16-20 & Sec. 16-20M

Previous Applications/Known Issues:

Staff previously reviewed and approved alterations at this address under CA2S-21-337. After work began, the brick foundation was covered with a coat of stucco. A stop work order was posted on the site and the Applicant is now requesting approval for the use of stucco on the foundation.

SUMMARY CONCLUSIONS / RECOMMENDATIONS: Deferral.

CONCLUSIONS: The following conclusions pertinent to this request are in accordance with Sec. 16-20 & Sec. 16-20M of the Zoning Ordinance of the City of Atlanta.

The Applicant is proposing stucco on the foundation of the existing contributing structure. As the work is proposed on a contributing structure, the regulations allow two methods for reviewing the proposed work: First, the alterations and additions shall be consistent with and reinforce the historic architectural character of the entire existing contributing structure while also complying with the requirements for new construction, and second, the alterations may not destroy historic materials. Staff finds that due to the consistency and adhesion of modern stucco versus historical stucco mixtures, the proposal would violate the second criteria. For this reason, Staff will use the first criteria to review this project.

The District regulations require foundation materials to meet the compatibility rule. Staff has not received compatibility information showing that stucco is the predominate foundation material on the block face. As such, Staff recommends that the Applicant provide documentation that stucco is the predominate foundation material for historic/contributing properties on the south block face of Arlington Avenue between the intersections of Princess Ave and Larosa Ter. Staff further recommends that the Applicant provide analysis of why the stucco cannot be removed from the foundation as has been requested by Staff.

STAFF RECOMMENDATION: Deferral to allow the Applicant time to address the following:

1. The Applicant shall provide documentation that stucco is the predominate foundation material for historic/contributing properties on the south block face of Arlington Avenue between the intersections of Princess Ave and Larosa Ter., per Sec. 16-20M.017(1)(a);
2. The Applicant shall provide analysis of why the stucco cannot be removed from the foundation as has been requested by Staff; and,
3. All updated documents shall be submitted no less than eight (8) days before the deferred meeting date.

Cc: Applicant
File



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Jahnee Prince
Commissioner

Doug Young
Interim- Director
OFFICE OF DESIGN

MEMORANDUM

TO: Atlanta Urban Design Commission
FROM: Matt Adams, Executive Director
ADDRESS: 1126 Arlington
APPLICATION: CA3-22-628
MEETING DATE: January 11, 2023, deferred since December 14, 2022

FINDINGS OF FACT:

Historic Zoning: Oakland City Historic District **Other Zoning:** R4-A

Date of Construction: 1920

Property Location Corner of Arlington and Princess

Contributing (Y/N)? Yes, **Building Type / Architectural form/style:** Queen Anne

Project Components Subject to Review by the Commission: Financial Hardship Request

Project Components NOT Subject to Review by the Commission: Interior

Relevant Code Sections: Sec. 16-20M.

Deferred Application (Y/N)? No

Previous Applications/Known Issues: Yes, the previous performed unauthorized work on the house that the current Applicant inherited. A Stop work was placed on property.

SUMMARY CONCLUSION / RECOMMENDATION: Approval with Conditions.

CONCLUSIONS: The following conclusions pertinent to this request are in accordance Chapter 20 and Chapter 20G of the City of Atlanta Zoning Ordinance.

FINANCIAL HARDSHIP

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

- the present income of the property owner(s) and those occupying the property
 - The Applicant earned \$100,000 annually. His \$0 income.
- the age of the property owner
 - Both residents are 27 years of age.
- the length of time the property owner has resided in the neighborhood or in the residence for which the exemption is sought
 - The Applicant has resided in the house 1 year and 3 months
- the availability of other sources of funds that are appropriate to the circumstances of the applicant, including loans, grants, and tax abatements
 - The Applicant has other expenses which includes credit cards, student loans and credit cards and has not been able to secure a loan to correct the work.
- the costs associated with adherence to these regulations
 - The costs associated with adhering to the regulations.
- the degree of existing architectural significance and integrity of the structure; and the purpose and intent of this chapter.
 - The existing architectural significance is intact. The windows correction windows will had to the integrity.

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

STAFF COMMENTS

The Applicant has answered all the required criteria for consideration for granting an economic hardship exemption. Staff is satisfied with the thoroughness of the application. However, the Applicant has only provided one estimate for the total repairs of the house. A cost of \$99,050. A substantial amount of money. The Applicant has shown this cost is equal to this base salary which means after taking out taxes and support for his family, the cost of repairs will be more. If possible, Staff would recommend the Applicant provide seek one more estimate that might can mitigate this cost. The Applicant has also demonstrated that his debt to ratio is high, and he is having a difficult time in securing a loan to help rectify these house issues.

The Applicant has proven his financial plight is dire and some relief should be granted, if not total relief.

If the Applicant is required to use different material for the windows and allowing the stucco to remain on the chimney will cut cost significantly. Staff would note that window material is not a called-out requirement in the Districts' regulations. However, Staff does understand that the precedent of wood replacement when wood was the original material of the windows is extremely important. With all of this in mind, Staff would lean on the Commission voice.

STAFF RECOMMENDATION: Approval with Conditions.

1. Mitigating conditions shall be determine by the Commission.

cc: Applicant
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File



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JANIDE SIDIFALL
Interim Commissioner

DOUG YOUNG
Interim Director, Office of Design

MEMORANDUM

TO: Atlanta Urban Design Commission

FROM: Matthew Adams, Interim Executive Director

ADDRESS: 1152 Oakland Dr SW

APPLICATION: CA3-22-334

MEETING DATE: January 11, 2023

FINDINGS OF FACT:

Historic Zoning: Oakland City Historic District **Other Zoning:** R-4

Date of Construction: N/A

Property Location: East block face of Oakland Dr SW, between Wilmington Ave SW and Avon Ave SW

Contributing (Y/N)?: N/A

Building Type / Architectural form/style: N/A – Vacant Lot

Project Components Subject to Review by the Commission: New construction of a single-family house and site work.

Project Components NOT Subject to Review by the Commission: N/A

Relevant Code Sections: Sec. 16-20 & Sec. 16-20M

Deferred Application (Y/N)?: Y, September 21; October 12; October 26; January 11. Updated Text In **Blue Font**

Previous Applications/Known Issues: N/A

SUMMARY CONCLUSION/ RECOMMENDATION: Approval with Conditions.

CONCLUSIONS: The following conclusions pertinent to this request are in accordance with Sec. 16-20 & Sec. 16-20M of the City of Atlanta Zoning Ordinance.

The original staff report and recommendation is provided in Italics. The updated staff report and recommendation is provided in standard text. For sections where “DOES NOT COMPLY” or “DOES COMPLY”, the format will be Original Report / Updated Report.

Property Information

The subject property is a vacant site. Based on staff research, the property has not likely been developed before.

Site Plan

Sec. 16-20M.012(1) Front yards: Front yard setbacks shall either: i) conform to the setback of the previously existing contributing building of like use; or ii) comply with the compatibility rule.

DOES NOT COMPLY / DOES NOT COMPLY

The proposed front yard setback is indicated in the compatibility study to be 25 feet. The submitted site plan indicates a front yard setback of 30 feet. A proposed setback of 30 feet is not within the range identified (12 feet to 27 feet).

The applicant is proposing a 25-foot setback; however, the setback is incorrectly identified. The measurement is based off the property line to the wall of the structure, not to the roof. However, the Oakland City Historic District regulations do not allow front yard projections (such as a porch).

The updated plans show a front ayrd setback of 25’ with a front porch setback of 17’. The allowable range of the front setbacks listed in the compatibility study is a minimum of 12’ and a maximum of 27’. Further, the Zoning Ordinance generally allows for a front porch to project 10’ into the front yard setback. As such, Staff has no concerns with the front setback.

DOES COMPLY

Sec. 16-20M.012(2) 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.

DOES COMPLY

The proposed south (right) side yard setback is 2.83 feet. The range identified in the compatibility study is 0 feet to 8.91 feet. The proposed setback is within the identified range. The proposed north (left) side yard setback is 10 feet. The applicant has not identified the second side yard setback within the compatibility study. The minimum side yard setback is 7 feet, thus complying.

Sec. 16-20M.012(3) Rear yard: Rear yard setback shall be seven feet.

DOES COMPLY

The proposed rear yard is approximately 50 feet based on the submitted compatibility study. The proposed rear setback is not identified on the submitted site plan.

Sec. 16-20M.012(4)(c) 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.

DOES COMPLY

The applicant is proposing one eight-foot-wide driveway. The material has not been identified. The length of the driveway outside of the front yard based on scaled measurements is approximately 22 feet, ensuring that the required parking space is located outside of the front yard area.

The applicant is proposing a concrete driveway. The proposed length of the driveway is 35 feet past the front plane of the house based on calculations.

Sec. 16-20M.012(5) Floor area ratio shall not exceed 0.50.

DOES COMPLY

The estimated floor area ratio (FAR) is proposed to be .4312.

Sec. 16-20M.013(2) (b) An unpaved planting strip adjacent and parallel to the public street shall be provided. The compatibility rule shall apply to the dimensions and design of planting strips.

DOES COMPLY

A survey was not submitted. The existing property has a planting strip adjacent and parallel to the public street. Staff shall propose a condition to ensure that the planting strip is “restored” to a brand-new state after construction of the house and all other site work has been completed.

The applicant has submitted the survey used in the subdivision application. A site plan was submitted with the revised documents and is inaccurate as the planting strip and sidewalk are located within the bounds of the property line. Staff shall propose a condition to ensure that the planting strip is “restored” to a brand-new state after construction of the house and all other site work has been completed and this is accurately reflected on the site plan.

Sec. 16-20M.013(2) (c) A sidewalk between the planting strip and the required front yard and parallel to the public street shall be provided. The sidewalk shall be the same width as the sidewalk on abutting properties or it shall be the width otherwise required by city ordinance, whichever is greater. If no sidewalk exists in the block, the new sidewalk shall not be less than six-feet wide. The compatibility rule shall apply to sidewalks paving materials. If no sidewalk paving material predominates in the block, the sidewalk shall be constructed of the historically accurate material for that block, either hexagonal pavers, concrete inlaid with hexagonal imprint, or brick.

DOES COMPLY

A survey was not submitted. The existing property has a concrete sidewalk. Staff shall propose a condition to ensure that the sidewalk is “restored” to a brand-new state after construction of the house and all other site work has been completed.

The applicant has submitted the survey used in the subdivision application. A site plan was submitted with the revised documents and is inaccurate as the planting strip and sidewalk are located within the bounds of the property line. Staff shall propose a condition to ensure that the planting strip is “restored” to a brand-new state after construction of the house and all other site work has been completed and this is accurately reflected on the site plan.

Sec. 16-20M.013(2) (d) A paved walkway from the front sidewalk to the front entry of the principal structure shall be provided.

DOES NOT COMPLY

The applicant is proposing a walkway from the driveway to the front porch steps. The material for the walkway has not been identified. A paved walkway from the front sidewalk to the front entry of the principal structure is not indicated.

The applicant has submitted a revised site plan indicating a walkway connecting the front porch steps to the driveway and the sidewalk. However, the sidewalk and planting strip is incorrectly drawn. The proposed material is concrete.

The updated site plan correctly shows the location of the sidewalk and the planting strip. As such, Staff finds this condition has been satisfied

DOES COMPLY

Elevations

Sec. 16-20M.013(2)(a) No individual house design shall substantially repeat a design of a new principal structure on the block face that was approved by the commission since the adoption of this district.

DOES COMPLY

The proposed new primary structure does not substantially repeat the design of a new principal structure previously approved by the commission based on the compatibility study and street photos.

Sec. 16-20M.013(2)(f) The compatibility rule shall apply to the form and pitch of the primary roof of the primary structure.

DOES COMPLY

The roof plan indicates a roof pitch of 6:12 and the compatibility study indicates the range is from 4:12 to 6:12. The roof pitch is consistent and compliant. The proposed roof is a combination of a gable-on-gable with a hipped roof in the rear. The roof form is consistent, and compliant based on the submitted compatibility study.

Sec. 16-20M.013(2)(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.

DOES NOT COMPLY

The proposed height of the structure is 28 feet. However, this metric does not indicate where the height is taken from. The structure based on the front elevation is 20 feet from grade to peak of the ridgeline based on scaled measurements. The submitted compatibility study indicates the structures are one story but does not provide height in feet. Staff shall propose a condition that the applicant provide the front elevation from existing grade to peak of the ridgeline on the front elevation for each structure subject to the compatibility rule and that the proposed height shall be located within the provided range.

The proposed height of the structure as indicated in the revised front (West) elevation is approximately 23 feet. The applicant has not provided a compatibility study that indicates the height of the structures based in feet. Staff is unable to determine compliance.

An updated compatibility study showing the height of the comparable properties in feet and inches have not been received. As such, Staff is still unable to determine the allowable height for the proposed structure. Staff recommends that the Applicant provide compatibility information detailing the minimum and maximum height of the comparable properties taken from grade at the front façade to the highest point of the roof. Staff further recommends that the height of the proposed structure meet the compatibility rule.

Sec. 16-20M.013(2)(h) The maximum height of the first floor of the front façade above grade shall be subject to the compatibility rule. At a minimum, 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 not be less than seven inches in height. Slab-on-grade construction is not permitted.

PARTIALLY COMPLY / DOES COMPLY

The proposed height of the first-floor façade above grade is approximately three feet based on the submitted compatibility study, which is within the submitted range. The scaling of drawings on the front elevation indicates a possible two feet and four feet as additional possibilities. Staff shall propose a condition to ensure all materials are consistent and compliant.

The applicant does not indicate on the elevations the height of the first-floor façade above grade, however in the compatibility study in unclear language they indicate 2.5 feet, which based on scaled measuring is consistent. The proposed 2.5 feet is located within the range identified in the compatibility study.

Sec. 16-20M.013(2)(i) The compatibility rule shall apply to the design and size of front porches, and the placement and orientation of front steps. Front porches shall contain roofs, balustrades, columns, steps, and other features as determined by the compatibility rule. Front porches may extend up to ten feet into the required front yard. All front porch steps shall have closed risers and ends.

DOES NOT COMPLY \ MOSTLY DOES COMPLY

*The front porch proposed is approximately eight feet deep and is located outside of the front yard area. The proposed front porch features a gable roof with brackets located on the right side of the structure covering approximately two-thirds of the front elevation. The proposed columns are similar to that of 1152 Oakland Drive and 1170 Oakland Drive. Staff requested revised sections and drawings for the porch columns. The porch columns appear to be fluted, however notes on the plans indicate otherwise. The balustrade is indicated to be of butt-end construction and are proposed to be 24 inches in height. A simple plain extension is indicated if building code requires additional height. A front stair detail was not provided or initially requested by staff. The front stair has a potentially brick cheekwall. The materials have not been identified. The front porch proposed is approximately eight feet deep and 24 feet wide covering approximately two-thirds of the front elevation. The proposed porch is located within the front yard area. The applicant is proposing a brick cheek wall with closed risers and ends, the steps are to be made of concrete as indicated in a note on the cover sheet. The porch railing features butt-end construction and are proposed to be no higher than the front windowsill and 24 inches. If code requires additional height, a simple extension bar will be used. The porch columns appear to be square, and the applicant notes that columns “to be built in the style of the neighborhood”. **Such notes are insufficient and do not demonstrate compliance. Staff shall propose a condition to ensure that all generalized notes are drawn and accurately reflected on the final plans to be approved by staff.***

The updated plans show the construction of the proposed columns and railing. Staff finds that this condition has been met. However, regarding the other front porch materials, Staff has not received any information. As such, Staff recommends the front porch flooring be a wood 1x4 tongue and groove product installed perpendicular to the front façade. Staff further recommends that all porch materials be listed on the plans and meet the District regulations.

Sec. 16-20M.013(2)(l) Fences and walls, excluding retaining walls, visible from a public street upon completion, subject to provisions of section 16-28.008(5) and the following limitations, may occupy required yards:

- 1. Fences not exceeding four feet in height may be erected in the front yard or half-depth front yard. Walls, excluding retaining walls, are not permitted in the front yard or half-depth front yard.*
- 2. Fences and walls, excluding retaining walls, not exceeding six feet in height may be erected in side or rear yards.*
- 3. The compatibility rule shall apply to the design of all fences located in a front yard or half-depth front yard. Fences located in the front yard or half-depth front yard shall be constructed of brick, stone, ornamental iron, or wood. Chain link fencing is not permitted in front yards or half-depth front yard.*

DOES NOT COMPLY / DOES COMPLY

A proposed fence is referenced on the submitted site plan. Additional details have not been provided. The proposed fence is no longer referenced in the revised site plan. Therefore, this section is no longer relevant.

Sec. 16-20M.013(2)(m) The compatibility rule shall apply to the design and height of portions of retaining walls located in a front yard or half-depth front yard that are visible from a public street. Such retaining

walls shall be faced with stone, brick, or smooth stucco. The compatibility rule notwithstanding, at no point of such retaining wall shall exceed four feet in height.

DOES COMPLY

A retaining wall has not been indicated on the submitted documentation.

Sec. 16-20M.013(2)(n) Fenestration, if visible from a public street upon completion, shall meet the following requirements:

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

PARTIALLY COMPLY / MOSTLY DOES COMPLY

The elevations indicated that the front façade is proposed to be predominantly vertical in proportion. The proposed windows are single hung with a 9/1 lite pattern. A large transom and vertical sidelights are also proposed next to the front door. The proposed window mullion may or may not exist and is not compliant with the regulations. A detailed customer proposal or similar has not been submitted. The transom and sidelights are an element that is indicated in the compatibility study. However, only one structure features these elements. The proposed transom and sidelights are not architecturally consistent. The sidelights should have approximately a 10-lite pattern and the transom should have an 8-lite pattern.

The elevations indicated that the front façade is proposed to be predominantly vertical in proportion. The proposed windows are white vinyl double hung with a 9/1 lite pattern. A large transom and vertical sidelights are also proposed next to the front door. The proposed window mullion has no details and is therefore not compliant with the regulations. A top-down window section was requested and not provided. A detailed customer proposal or similar has not been submitted. The transom and sidelights are an element that is indicated in the compatibility study. However, only one structure features these elements. The proposed transom and sidelights are architecturally consistent. The proposed sidelights feature a 12-lite pattern and the transom features an 8-lite pattern.

Sec. 16-20M.013(2)(o) Fenestration, if visible from a public street upon completion, shall meet the following requirements:

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

PARTIALLY COMPLY \ MOSTLY DOES COMPLY

The proposed windows, subject to review by the Urban Design Commission and the Historic Preservation Ordinance generally comply with the compatibility rule. However, the intent of the Oakland City Historic District is "To Preserve the district's historic pattern and distribution of buildings types that are characterized primarily by single-family residences, institutions, and neighborhood commercial buildings, many of which were constructed during the early to mid- 20th century." (Sec. 16-20M.001(2)) The windows proposed are single-hung, which is contradictory to the dominate period of residential construction where double-hung windows would have been predominant due natural cooling and ventilation purposes. Product information for the windows was not submitted. Staff cannot determine if the windows have a mullion or a proposed wall/siding between paired windows. If proposed wall/siding is in between paired windows, the proposed windows are not compatible and are architecturally inconsistent. A traditional mullion, while varying by width creates a reveal or extension beyond the window frame plane. Window trim details have been requested and were not provided. The applicant is proposing 9/1 sash windows for the larger windows and 4/1 sash windows for the smaller windows, which are entirely located on the side elevations. Window Type 3, on the north (left) side elevation is proposed to be a 1/1, which is not consistent.

The applicant is proposing white vinyl double-hung windows in a mix of 9/1, 4/1, and 6/1 patterns on the side elevations. Staff cannot determine if the window mullion for the paired condition is architecturally consistent. A top-down window section was requested and not provided. Window trim details have been noted on the plans but not provided in the sections requested.

Updated plans have been provided. After reviewing the revised submission, Staff recommends any simulated lite divisions contain dimensional mullions which are permanently affixed to the exterior of the glass. Staff further recommends that the proposed window and door trim consistent with the trim on the comparable properties be shown on the plans and consist of a windowsill, side casing, and a cap.

Sec. 16-20M.013(2)(q) Subject to the compatibility rule, wood or smooth-finish cementitious lap siding, wood shingles, brick, stone, and true stucco are permissible building materials for the façades of the principal structure. Corrugated metal, aluminum siding, and vinyl siding are not permitted.

DOES COMPLY

The applicant is proposing a smooth-faced cementitious siding with a four to six-inch reveal. The submitted compatibility study indicates a three-inch lap siding, however based on the photos submitted this is not feasible.

Sec. 16-20M.013(2)(r) In addition to all other applicable regulations, the compatibility rule shall apply to the following building materials and design elements, if visible from a public street upon completion:

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 stonework.*~~
4. ~~*The material and texture of stucco.*~~
5. *The size and type of exterior doors. Notwithstanding the compatibility rule, exterior doors shall be wood panel or fixed glass panel in wood frame.*
6. *The materials and pattern of roofing.*
7. *Gables and gable returns.*
8. ~~*Dormers*~~
9. *Paving materials for walks and drives.*
10. *Above-grade foundation materials. Notwithstanding the compatibility rule, foundations shall constitute a distinct building design element and shall contrast with the primary façade's exterior material and exposed concrete or concrete masonry unit (CMU) foundation walls are prohibited as a finished surface.*
11. ~~*Exterior portions of chimneys. Notwithstanding the compatibility rule, chimneys shall be faced with masonry and siding on chimneys is not permitted.*~~
12. ~~*The location and design of skylights. Notwithstanding the compatibility rule, 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.*~~

PARTIALLY COMPLY / MOSTLY DOES COMPLY

(1) The elevations indicate a four-to-six-inch reveal on cementitious smooth-faced lap siding. This appears consistent based on the submitted photographs in the compatibility study.

(5) The proposed front door features two vertical panels and a 1/4 glass panel. The proposed wood door is compliant.

(6) The proposed roof is asphalt shingles, which is the predominant roofing material on the block face. The pattern of asphalt shingles is consistent.

(7) The gable and gable returns, including eaves are consistent with the compatibility study and architectural style.

(9) Paving materials for walks and driveway have not been identified.

(10) The proposed foundation material above grade is not specified. Based on the elevation drawings, CMU block is being proposed.

(9) Paving materials for walks and driveways have been identified as concrete.

(10) The proposed foundation material above grade is specified as CMU block with a stucco finish. The stucco finish has not been identified.

UPDATED STAFF RECOMMENDATION: Approval with the following condition(s):

1. **The Applicant provide compatibility information detailing the minimum and maximum height of the comparable properties taken from grade at the front façade to the highest point of the roof per Sec. 16-20M.013(2)(g).**
2. **The height of the proposed structure meet the compatibility rule per Sec. 16-20M.013(2)(g).**
3. The applicant shall revise all elevations to provide all dimensions per Sec. 16-20M.013(2) (g) and (h).
4. **The front porch flooring shall be a wood 1x4 tongue and groove product installed perpendicular to the front façade, per Sec. 16-20M.013(2)(i).**
5. **Staff further recommends that all porch materials be listed on the plans and meet the District regulations, per Sec. 16-20M.013(2)(i).**
6. **Any simulated lite divisions contain dimensional mullions which are permanently affixed to the exterior of the glass per Sec. 16-20M.013(2)(n) and (o):**
7. **The proposed window and door trim consistent with the trim on the comparable properties be shown on the plans and consist of a windowsill, side casing, and a cap per Sec. 16-20M.013(2)(n) and (o).**
8. The applicant shall revise all elevations to feature a smooth stucco finish on the foundation. Per Sec. 16-20M.013(2)(r).
9. The applicant shall remove all generalized notations indicating compliance with various regulations. All generalized notations removed shall be drawn and identified on the elevations, sections, details as required per Sec. 16-20M.
10. Staff shall review and if appropriate, approve the final plans and documentation.

cc: Applicant
Neighborhood
File