



# CITY OF ATLANTA

JANIDE SIDIFALL  
Interim Commissioner

ANDRE DICKINS  
MAYOR

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 25, 2023

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## **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, 1/11/23

**Previous Applications/Known Issues:** No

**SUMMARY CONCLUSION / RECOMMENDATION:** Approval with Conditions (CA3-22-403),  
Approval with Conditions (CA3-22-404)

**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.

The Applicant has submitted new plans as of January 19, 2023 along with a description of the methodology used to determine the height of the building on the block face used for compatibility purposes, stamped by a state licensed engineer.

### 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 submitted new compatibility data. The proposed house meets the compatibility rule. The Applicant has supplied the methodology used to determine the revised compatibility data, stamped by a state licensed engineer.**
- **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. The roof form and pitch has been brought into compliance.**
- **Roof Pitch:** The proposed roof pitch would be 3/12. Not 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. The roof form and pitch has been brought into compliance.**
- **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. The roof form and pitch has been brought into compliance.**

- **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. The windows must be updated to 3/1 windows. The window style has been brought into compliance.**

- **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. This condition remains outstanding.**
- **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 extend 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 submitted new compatibility data. The proposed height meets the compatibility rule. The Applicant has supplied the methodology used to determine the revised compatibility data, stamped by a state licensed engineer.**
- **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. The roof form and pitch has been brought into compliance.**
- **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. The roof form and pitch has been brought into compliance.**

- **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. The roof form and pitch has been brought into compliance.**
- **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. The Applicant has brought the proposed window style into compliance.

- 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)). ~~This condition is still outstanding.~~
- 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)). The Applicant has satisfied this condition.
- 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).~~
- 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. This condition remains outstanding.**
- 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

JAHNEE PRICE  
Commissioner

ANDRE DICKENS  
MAYOR

DEPARTMENT OF CITY PLANNING  
55 Trinity Avenue, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308

DOUG YOUNG  
Interim Director, Office of Design

## MEMORANDUM

**TO:** Atlanta Urban Design Commission  
**FROM:** Matt Adams, Interim Executive Director  
**ADDRESS:** 71 Boulevard NE  
**APPLICATION:** CA2-22-564  
**MEETING DATE:** January 25, 2023

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### **FINDINGS OF FACT:**

**Historic Zoning:** Martin Luther King Jr. Landmark District, Subarea 2 **Other Zoning:** Beltline

**Date of Construction:** 2006

**Property Location:** Northern side of Boulevard NE.

**Contributing (Y/N)?:** No

**Building Type / Architectural form/style:** n/a

**Project Components Subject to Review by the Commission:** Fence

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

**Relevant Code Sections:** Sec. 16-20C

**Deferred Application (Y/N)?:** Yes, deferred January 11<sup>th</sup> due to lack of sign posting

**Previous Applications/Known Issues:** Yes, CAP22-00001643

**SUMMARY CONCLUSION / RECOMMENDATION:** Approval

CA2-22-564 71 Boulevard NE

January 25, 2023

Page 2 of 2

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

The Applicant received a stop-work order CAP-00001643 on October 21, 2022, for unpermitted construction of a fence. The fence has been completed. Staff has reviewed the proposed fence, which measures six feet in height and encloses the rear and right side of the yard. The fence is constructed of wood. Staff finds that the fence meets the compatibility rule in terms of materials.

**STAFF RECOMMENDATION: Approval**

cc: Applicant  
Neighborhood  
File



# CITY OF ATLANTA

KEISHA LANCE BOTTOMS  
MAYOR

DEPARTMENT OF CITY PLANNING  
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TIM KEANE  
Commissioner

KEVIN BACON, AIA, AICP  
Director, Office of Design

## MEMORANDUM

**TO:** Atlanta Urban Design Commission  
**FROM:** Doug Young, Executive Director  
**ADDRESS:** 1336 Fairview Rd.  
**APPLICATION:** CA2-22-580  
**MEETING DATE:** January 25, 2023

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### **FINDINGS OF FACT:**

**Historic Zoning:** Druid Hills Landmark District      **Other Zoning:** N/A

**Date of Construction:** 1929

**Property Location:** northwest corner of Fairview Rd. and Springdale Rd.

**Contributing (Y/N)?:** N/A      **Building Type / Architectural form/style:** N/A

**Project Components Subject to Review by the Commission:** Revision to previously approved plans.

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

**Relevant Code Sections:** Sec. 16-20 & Sec. 16-20B

**Deferred Application (Y/N)?:** No.

**Previous Applications/Known Issues:**

In October of 2021, the Commission approved applications CA3-21-493, CA3-21-494, & CA3-21-495 at this address with several conditions.

**SUMMARY CONCLUSION / RECOMMENDATION:** Approval with conditions.

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

The Applicant is proposing a series of changes to the structure from the previous approvals. In general, Staff is not concerned with the changes, but does have concerns with two proposed changes. Firstly, the additions on the second story of the structure have been changed from wood panel cladding to shake cladding with flared corners. Staff is not supportive of this change and finds that it would not be consistent with the existing architecture and previous additions made to the structure. As such, Staff recommends the second floor additions be clad in wood paneling consistent with the existing architecture.

Second, the Applicant is proposing the removal and replacement of windows 28 and 8, citing that the windows are not repairable. The documentation provided by the Applicant does not detail the irreparability of these windows. As such, Staff recommends that the Applicant provide documentation of the infeasibility or repairing windows 28 and 48.

Lastly, Staff recommends that all previous conditions for CA3-21-493, 494, and 495, except for those augmented by this approval, remain in effect.

**STAFF RECOMMENDATION:** Approval with the following conditions:

1. The second floor additions shall be clad in wood paneling consistent with the existing architecture, per Sec. 16-20B.003(1)(i);
2. The Applicant shall provide documentation of the infeasibility or repairing windows 28 and 48, per Sec. 16-20B.003(1)(b);
3. All previous conditions for CA3-21-493, 494, and 495, except for those augmented by this approval, shall remain in effect; and,
4. Staff shall review and if appropriate, approve the final plans and documentation.

cc: Applicant  
Neighborhood  
File



# CITY OF ATLANTA

JAHNEE PRICE  
Commissioner

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MAYOR

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DOUG YOUNG  
Interim Director, Office of Design

## MEMORANDUM

**TO:** Atlanta Urban Design Commission  
**FROM:** Matt Adams, Interim Executive Director  
**ADDRESS:** 774 Springdale Road NE  
**APPLICATION:** CA3-22-548, CA3-22-582 (variance)  
**MEETING DATE:** January 25, 2022

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### FINDINGS OF FACT:

**Historic Zoning:** Druid Hills Landmark District

**Other Zoning:** n/a

**Date of Construction:** 1943

**Property Location:** West side of Springdale Road NE

**Contributing (Y/N)?:** Yes

**Building Type / Architectural form/style:** Mediterranean Revival

**Project Components Subject to Review by the Commission:** Addition (garage), Variance

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

**Relevant Code Sections:** Sec. 16-20B

**Deferred Application (Y/N)?:** Yes, Deferred 12/14, 1/11

**Previous Applications/Known Issues:** No

**SUMMARY CONCLUSION / RECOMMENDATION:** Approval (CA3-22-548), Approval (CA3-22-582)

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

The Applicant proposes alterations to an existing garage on the property. The alterations include extension of the building by three feet, the addition of dormers, and an open porch on the side. The Applicant states that this garage was moved from another location. In examining historic aerial photography of the property, Staff notes that there does appear to have been an outbuilding originally located in the center of the property, to the rear of the main house. The property was used as a school in the 1980s and 1990, at which time several changes were made to the house to accommodate the different use, including moving the garage, and adding a porte cochere. The proposed expansion of the garage would lengthen the building by three feet to accommodate parking for two vehicles. The non-historic garage door would be replaced with two garage doors which more closely match the historic Tudor Revival design of the building. It would also add three dormers to the upper floor (a gabled dormer on the front elevation, and two shed dormers on the right-side elevation). This would allow the upper floor to be used as a full guest house. On the exterior there would be a patio extension with an outdoor chimney. All alterations would be significantly below the roofline of the existing principal structure. The dormers would be half-timbered, to match the existing design of the garage. The windows on the garage, all of which are non-historic replacements, would not be altered. There would be new windows added to all three dormers, as well as casement windows on the lower level. The specifications for the proposed replacement windows meet the district regulations. There are two doors, one historic, one non-historic. The non-historic door would be removed and replaced by a wood five-panel door. Staff does not have any concerns with this proposal.

**STAFF RECOMMENDATION: Approval (CA3-22-548)**

Staff is not concerned with the proposed alterations to the non-historic garage; however, the existing garage is not conforming. Sec. 16-20B.006 states that the required side yard setbacks for this subarea of the Druid Hills Landmark District are 25 feet. The existing garage is located less than the required 25 feet from the property line. Variance CA3-22-582 addresses the setback reduction.

**Variance CA3-22-582**

The requested variance is to reduce the side yard setback from 25' (required) to 15" (proposed).

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 shape of the lot and unusual dimensions due to the presence of an elementary school, with different lot dimensions and setbacks, versus a residence on the adjacent lot to the lot (on the corner of Springdale Road and Ponce de Leon Avenue).

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 infeasibility of using the garage as evidence of an unnecessary hardship. The garage, which was moved in the non-historic period for an addition to the main house is now limited by its location (within the required side yard setback). The Applicant desires the variance to allow for the full use of the garage.

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

The Applicant cites the shape of the lot, unusual adjacent property (elementary school) conditions, and non-historic changes to the property.

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 project will not negatively impact the public good or impair the purposes or intent of the zoning ordinance, and that in reduction in the side yard setback would not cause a visual impact, due to the presence of the port cochere and lack of visibility from the public right of way, or infringe upon the adjacent property (the elementary school) which already has a significant (larger than residential) rear yard setback.

IN general, Staff finds that the Applicant's request meets the criteria for granting a variance. Staff is satisfied by the responses given particularly where the shape of the lot and its historic non-conformity with the lot dimensions of the Druid Hills Landmark District. As such, Staff supports the requested variance.

**STAFF RECOMMENDATION: Approval (CA3-22-582)**

cc: Applicant  
Neighborhood  
File



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ANDRE DICKENS

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DEPARTMENT OF CITY PLANNING

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404-330-6145 – FAX: 404-658-7491

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 25, 2023

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### **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)?:** Yes, differed 1/11/23

**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  
File



# CITY OF ATLANTA

ANDRE DICKENS  
MAYOR

DEPARTMENT OF CITY PLANNING  
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Janide Prince  
Commissioner

OFFICE OF DESIGN  
Doug Young  
Interim-Director

## MEMORANDUM

**TO:** Atlanta Urban Design Commission  
**FROM:** Matt Adams, Executive Director  
**ADDRESS:** 1191 Fairview  
**APPLICATION:** CA3-22-586  
**MEETING DATE:** January 25, 2023

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### FINDINGS OF FACT:

**Historic Zoning:** Druid Hills Landmark District      **Other Zoning:** N/A

**Date of Construction:** 1925

**Property Location:** East of Oakdale Road and West of Ponce de Leon

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

**Project Components Subject to Review by the Commission:** Addition and alterations.

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

**Relevant Code Sections:** Sec. 16-20B.

**Deferred Application (Y/N)?** No

**Previous Applications/Known Issues:** N/A

**SUMMARY CONCLUSION / RECOMMENDATION:** Approval with Conditions

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

All four sides of the house is in the purview for the commission. However, the proposed work will not affect the front façade.

The proposed work is enhancement of previous work.

### **ADDITION**

#### **Dormer**

The Applicant proposes a shed dormer on the rear of the house to allow for proper egress windows and ceiling heights on the second floor. The dormer's roof line will tuck under the existing roofline and will not exceed the side setbacks. The existing door underneath the dormer will be removed and replaced with siding to match. Staff is not concerned with this proposal.

### **ALTERATIONS**

#### **Porch Conversion**

The Applicant proposes to convert a portion of a previous breakfast room addition to a screen porch to serve new deck. This screen porch modification is an effort to restore the original character of the home. The roof is proposed to remain or replaced to match the existing roof. Staff if not concerned with this proposal.

#### **Deck modification**

The proposal is to modify the deck configuration. This modification will eliminate narrow portions and allow for stairs to connect upper and lower decks. Staff is concern with the extended deck, it will increase the lot coverage. In Fairview, the District regulations state, "Lot coverage" for all structures, parking and driveways shall not exceed 35 percent of the lot area. Staff recommends the Applicant reduce the deck so that it conforms with the District requirements or eliminate the deck.

### **STAFF RECOMMENDATION: Approval**

1. Deck shall be reduced to meet the lot coverage requirement or eliminate the deck from the plan, per Sec.16-20B.005(4) and
2. Staff shall review and, if appropriate, approve the final plans.

cc: Applicant  
Neighborhood  
File



# CITY OF ATLANTA

JAHNEE PRICE  
Commissioner

ANDRE DICKENS  
MAYOR

DEPARTMENT OF CITY PLANNING  
55 Trinity Avenue, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308

DOUG YOUNG  
Interim Director, Office of Design

## MEMORANDUM

**TO:** Atlanta Urban Design Commission  
**FROM:** Matt Adams, Interim Executive Director  
**ADDRESS:** 2034 Butler Way NW  
**APPLICATION:** CA3-22-587  
**MEETING DATE:** January 25, 2023

---

### **FINDINGS OF FACT:**

**Historic Zoning:** Whittier Mill Historic District

**Other Zoning:** R-4A

**Date of Construction:** 2008

**Property Location:** Northwestern corner of the intersection of Butler Way NW and Wales Avenue NW.

**Contributing (Y/N)?:** No

**Building Type / Architectural form/style:** Center-Hall Cottage

**Project Components Subject to Review by the Commission:** Addition

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

**Relevant Code Sections:** Sec. 16-20J

**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. 16-20J of the Zoning Ordinance of the City of Atlanta.

The Applicant proposes a rear screened porch addition to the existing house. As this property is located on a corner lot, the proposed addition would be visible from Wales Avenue NW. The proposed addition would be wood-framed, over a pier foundation. The addition features an end-gabled roof. The portion of the porch closest to Wales Avenue NW (the southern portion) would be uncovered and have stairs accessing the existing driveway. There is an existing rear entrance, covered with a hipped stoop. It is not entirely clear from the proposed plans how the porch would integrate with the existing stoop, as only proposed elevations have been submitted. The Applicant will submit existing elevations of the house. The Applicant has also only supplied photos of the left-side and rear elevations. The Applicant will submit existing photographs of all four elevations. With the exception of the wooden balustrade, not materials have been notes on the plans. The Applicant will annotate the proposed elevations to show all proposed building materials to ensure compliance with Sec. 16-20J.006 (a)(5).

**STAFF RECOMMENDATION: Approval with the Following Conditions:**

- 1.) The Applicant will submit existing elevations of the house.
- 2.) The Applicant will submit existing photographs of all four elevations.
- 3.) The Applicant will annotate the proposed elevations to show all proposed building materials to ensure compliance with Sec. 16-20J.006 (a)(5).
- 4.) Staff shall review, and if appropriate, issue final approval of all materials.

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, Interim Executive Director  
**ADDRESS:** 765 Azalia Street  
**APPLICATION:** CA3-22-588  
**MEETING DATE:** January 25, 2023

---

### **FINDINGS OF FACT:**

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

**Date of Construction:** 1925

**Property Location** West of Mathews and East of Beecher

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

**Project Components Subject to Review by the Commission:** Variance

**Project Components NOT Subject to Review by the Commission:** Interior

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

**Deferred Application (Y/N)?** No

**Previous Applications/Known Issues:**

**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.

## VARIANCE

The Applicant is seeking a variance to allow solar panel to be installed on the roof that is visible from the public right-away. The Applicant must address the following four questions:

- 1) What are the extraordinary and exceptional condition on the property?  
Applicant's statement, **"Connie's house has quite a bit of shading. Our design team proposed the panels go on the south roof due to major shading concerns. If the panels are placed on the west/back roof, Connie will not see any production from her solar for 27 years because of all the shading."**
- 2) How would the application create an unnecessary hardship?  
Applicant's statement, **"We understand this is a historical home and we hope to preserve the historic integrity of the home, while providing a cleaner source of energy to the homeowner. We want to avoid any unnecessary hardships. We believe the existing trees on the neighboring property will provide enough obstruction for the public view of the panels."**
- 3) What are the conditions that are peculiar to this piece of property?  
Applicant's statement: **"Shading; the property owner does not want to cut down trees not on her own property. Due to the amount of shading, the best place for the panels to go is on the south roof."**
- 4) If granted relief, would it cause substantial detriment to the public good or zoning ordinance?  
Applicant's statement: **"There are several trees that will obstruct the view of the panels from the street view. We need to place the panels on the south roof to avoid them being shaded entirely, however, the trees will still provide some blockage to the panels, which will not cause substantial detriment to the public good."**

### Staff Comments:

Staff concludes the Applicant has sufficiently proven the variance. The canopy of the trees, which are massive is creating a shading effect that makes it difficult for the Applicant to experience the full value of the solar panels, if placed on the rear of the house. Staff doesn't believe it would be wise to remove the trees that are so important to the landscape and ecosystem. While the proposed placement of the solar panels will be seen from the public right-away, where they are placed will be moved further back on the side and the construction of the panels, will make it less intrusive. Staff believes, the Applicant should have the value of having solar panels as long as the panels can be as flat as possible. It appears this is the case.

### STAFF RECOMMENDATION: Approval

cc: Applicant  
Neighborhood  
File



# CITY OF ATLANTA

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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:** 1062 Peoples St SW  
**APPLICATION:** CA2-22-581  
**MEETING DATE:** January 25, 2023

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### FINDINGS OF FACT:

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

**Date of Construction:** N/A

**Property Location:** North block face of White Oak Ave SW and the East block face of Peoples St SW at the intersection of White Oak Ave SW and Peoples St SW

**Contributing (Y/N)?:** N/A

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

**Project Components Subject to Review by the Commission:** Revisions to previously approved new construction of a single-family dwelling on a vacant lot.

**Project Components NOT Subject to Review by the Commission:** Previously approved and unaltered elements of the single-family dwelling and accessory structure.

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

**Deferred Application (Y/N)?:** N

**Previous Applications/Known Issues:** CA3-22-342

**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.

Property Information

The subject property is a vacant site. The previous structure located there was likely demolished before 2002. The Urban Design Commission previously approved the proposed new construction of a single-family dwelling (CA3-22-342) on August 24, 2022. The Urban Design Commission shall only consider elements that are changing from the previously approved plans with conditions. All outstanding conditions shall remain in effect unless this approval alters the original element or condition. Staff's review is therefore only based on the proposed changes from the previously approved plans with conditions. The following changes staff has identified:

1. Front Elevation – Stairs to be concrete with closed risers and ends (from brick).
2. Left Elevation – Patio window and door configuration altered. Applicant indicates this is not visible from the public road.
3. Left Elevation – Rear Dormer has been eliminated and incorporated into the structure as a whole featuring fish scale siding. Four double-hung windows remain.
4. Left Elevation – Skylight added to “hyphen”
5. Left Elevation – Rear first floor windows have been increased in size, maintaining approximately square dimensions.
6. Right Elevation – Rear first floor windows have been eliminated.
7. Right Elevation – Rear Dormer has been eliminated and incorporated into the structure as a whole featuring fish scale siding. The two vertical double-hung windows and square window have been replaced with three 48-inch by 48-inch square fixed glass windows.
8. Rear Elevation – The previous gable roof and dormers have been eliminated and incorporated into a single roof structure with fish scale siding.
9. Rear Elevation – The first floor double-hung window has been eliminated for a fixed 48-inch by 48-inch square window.
10. Rear Elevation – The ground floor ribbon (three) double-hung windows has been altered to a paired double-hung window.
11. Site Plan – The following setbacks have been altered:
  - a. Half-Depth (4.5 feet to 5.9 feet)
  - b. Front Yard (19.9 feet to approximately 11.16 feet)
  - c. Side Yard (12.5 feet to 11.2 feet)
  - d. Rear Yard (approximately 98.53 feet to 108.4 feet)
  - e. Proposed Primary Structure Footprint area (1,830 square feet to 1,680 square feet)

Compatibility Rule

Sec. 16-20M.005. - Compatibility rule.

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.**

Definition: Compatible – “capable of existing together in harmony”

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**

The proposed setback is 11.16 feet. The applicant has not provided an updated compatibility study indicating the revised setback is in compliance. Staff shall recommend a condition to ensure compliance.

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 left (east) side setback is 11.2 feet. The compatibility study submitted indicated the range was from 4 feet to 13 feet. However, the study is flawed as the measurements are based on identifying features of the comparable properties such as fences and driveways, which may not be located near or at the property line.

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**

The Half-Depth Front Yard is a secondary Front Yard. The proposed setback is 5.9 feet. The applicant has not provided an updated compatibility study indicating the revised setback complies. Staff shall recommend a condition to ensure compliance.

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

**DOES COMPLY**

The proposed rear yard is approximately 108.4 feet.

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 .24.

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 COMPLY**

The applicant is proposing a concrete walkway of approximately 6.8 feet wide to connect the sidewalk to the porch steps.

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**

A roof plan has been submitted by the applicant. The proposed primary roof pitch is 9/12. The proposed primary roof form is a cross-gable. The compatibility study indicated that the roof pitch range was between 6/12 and 9/12. A predominant roof form cannot be determined. However, the use of the cross-gable maintains a predominant front facing gable element on the block face. The rear portion of the structure is not a primary roof.

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 COMPLY**

The proposed height of the building is 23.25 feet. The compatibility study submitted indicates a range of approximately 17.58 feet to 26 feet.

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 COMPLY**

The front porch steps are proposed to be concrete with closed risers and ends.

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**

The proposed left elevation rear windows on the first and second floor comply with the compatibility rule. The proposed openings of W09, W11, and W13 are compatible with the size and shape of individual openings, the overall pattern of fenestration as it relates to the building façade, and the style of the individual window. W11 and W13 are not specifically indicated as fixed or casements, however either would be appropriate.

The proposed W05 located on the rear and right elevations is not compatible with the block face due to an excessively large square size of 48-inch by 48-inches. The first-floor right elevation also features a significantly large blank wall, which is inconsistent with building facades on the block face. Staff shall recommend a condition to ensure that W05 is altered in size and shape and windows are added to the first floor, thus bringing this provision of code into compliance.

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.

**PARTIALLY COMPLY**

The applicant is proposing fiber cement lap siding, corner board and trim on most of the structure. The siding is proposed to have a six-inch reveal. Product information was not provided. Based on the elevations and compatibility study the profile proposed is a bevel profile. The applicant is proposing wood fish scale shingles on the second floor contemporary “addition” on a minimum of three elevations. The proposed use of fish scale shingles it not architecturally consistent. Shingles in this regard are commonly architectural accents on gable faces, an example of a property using cedar shake (or similar) is 1050 Peeples. However, this portion of the structure has a 5/12 and a 4/12 roof pitch, preventing a clear cutoff for a gable face. Staff shall propose a condition to ensure compliance.

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**

The proposed principal structure consists of three parts. The first part is traditionally designed. The second part is a hyphen that acts as a connector. The third and final part is contemporary influenced to act as an “addition”.

(9) The submitted compatibility study does not call out paving materials for walks and drives. However, based on street photos and the submitted photos the predominant drive material is concrete. The predominant walk material is concrete, with at least one brick pavers. The applicant is proposing concrete for the proposed driveways and brick pavers for the proposed walkway. (10) The proposed foundation material above grade is smooth stucco and therefore complies with the compatibility rule. (12) The applicant is proposing a skylight on the interior of the hyphen connector. The skylight is not visible, specific product information has not been provided.

**The following recommended conditions shall bring the project into full compliance.**

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

1. All outstanding conditions in Application # CA3-22-342 shall remain in effect unless this approval alters the original element or condition.
2. The applicant shall provide a revised compatibility study providing the front yard, half-depth front yard, and side yard setbacks from property line to structure per Sec. 16-20M.012(1) and (2).
3. The applicant shall provide the proof of calculations on the site plan for floor area ratio (FAR) per Sec. 16-20M.012(5).
4. The applicant shall revise the size, shape, and style of W05 on the Right and Rear elevations to be consistent with the compatible rule per Sec. 16-20M.013(2)(o).
5. The applicant shall add a minimum of two windows of double-hung vertically oriented windows on the first-floor right elevation per Sec. 16-20M.013(2)(o).
6. The applicant shall provide product information for all siding per Sec. 16-20M.013(2)(q).
7. The applicant shall provide product information for the skylight per Sec. 16-20M.013(2)(r)(12).
8. The applicant shall revise the addition in with one of the following options per Sec. 16-20M.013(2)(q):
  - a. Eliminate the fish scale shingles and revert to using the fiber cement bevel siding on the rest of the structure.
  - b. Revise the roof by increasing or decreasing the roof pitch to ensure both sections are consistently creating an even gable face. Restrict the use of the fish scale shingles to the gable face and revert the rest of the siding to fiber cement bevel siding on the rest of the structure.
9. The applicant shall provide revised final plans and documentation in one (1) PDF. Staff shall review and if appropriate, approve the final plans and documentation.

cc: Applicant  
Neighborhood  
File



# CITY OF ATLANTA

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MAYOR

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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:** 725 Queen St SW  
**APPLICATION:** CA3-22-407  
**MEETING DATE:** January 25, 2023

---

### FINDINGS OF FACT:

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

**Date of Construction:** circa 1930

**Property Location:** West block face of Queen St SW, at the south block face of White St, near the intersection of Mathews St SW.

**Contributing (Y/N)?:** Yes

**Building Type / Architectural form/style:** Single Family Detached / Frame Vernacular

**Project Components Subject to Review by the Commission:** Exterior evaluation alterations on the front, side, and rear, including a rear addition and replacement windows and **other**.

**Project Components NOT Subject to Review by the Commission:** Interior work and **other**.

**Relevant Code Sections:** Sec. 16-20 and Sec. 16-20G.

**Deferred Application (Y/N)?:** Yes, September 28th, October 26th, November 21st, December 14, 2022

**Previous Applications/Known Issues:** 21CAP-00001308

**SUMMARY CONCLUSION / RECOMMENDATION:** Approval with Conditions

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

\* \* \* \* \*

**ORIGINAL REPORT:**

*The submitted application is deficient and is not clear with the existing condition (before/current) and the proposed condition (after/future) of the subject property. Staff requested additional information from the applicant on Tuesday, September 6th and further additional information on Thursday, September 9th. The information was requested to be provided by end of business on Monday, September 19th. Staff analysis will be conducted once the application materials are sufficient and clear. Additional comments may be necessary by Staff or the Commission.*

**ORIGINAL STAFF RECOMMENDATION: Deferral to the October 26, 2022 Urban Design Commission meeting and request the following information:**

1. *The applicant shall submit a revised scope, outlining all proposed additions, alterations, and site work on the property subject to the purview of the Urban Design Commission.*
2. *The applicant shall revise all exterior elevations to indicate the details, notes, and specifications of the existing elevation (before/current) and the proposed elevation (after/future). Each elevation shall be identified by cardinal direction (North-South-West-East) and the elevation for existing and proposed on the same page. The applicant shall ensure all documentation submitted is consistent and irregularities do not exist. (Provide per Sec. 16-20G.006):*
3. *The applicant shall provide the following regarding windows and doors (Provide per Sec. 16-20G.006(3)):*
  - a. *Provide an updated Window and Door Schedule indicating the existing material, existing window and door size, the proposed material, and the proposed window/door size. Identify each opening by a marker (letter or number) and match to all other references.*
  - b. *Provide a detailed customer proposal for windows and doors. This is a proposed order form. The proposed exterior visual pattern shall be indicated on this document or supplied as a supplemental page. Identify each line item by a marker (letter or number).*
  - c. *Provide elevation photos with each window and door identified by a marker. Multiple photos may be necessary to ensure that all windows are clearly visible. Photos shall be in landscape mode and submitted on architectural plans or full-size letter pages. A minimum of four photos shall be provided.*
  - d. *Provide an updated floor plan identifying each window and door by a marker (letter or number).*
  - e. *Provide product catalogue pages and highlight specifications relevant for the proposed project.*
  - f. *Provide an existing typical wood window horizontal section (top-down) including trim and siding details.*
  - g. *Provide a proposed typical addition/replacement horizontal section (top-down) including trim and siding details.*
  - h. *Provide a repair analysis of all existing original or historic wood windows that are required to be retained. Indicate the specifications of the proposed repair. Include photos as needed to demonstrate condition, proposed repair, or repair is not possible. Ensure that a marker is used for the repair analysis and photographs.*
4. *The applicant shall provide the following regarding siding (Provide per (Provide per Sec. 16-20G.006(2)):*
  - a. *Provide product information such as a product catalogue and highlight the specifications relevant to the proposed project.*
  - b. *Provide a detailed customer proposal for the siding. This is the proposed order form.*

- c. Provide the existing wood siding profiles including reveal and the proposed wood siding profiles and reveal.*
- 5. The applicant shall provide a minimum of eight photographs in the landscape mode and the applicant shall provide the following circular or bubble, other marker to indicate the following (Provide per Sec. 16-20G.006):*
  - a. Features that have been installed without prior approvals.*
  - b. Features that shall be retained.*
  - c. Features that shall be repaired. Indicating type/level of repair and materials.*
  - d. Features that shall be replaced. Indicating specifications, method, size, and materials.*
  - e. Features that shall be removed.*
  - f. The eight photographs shall involve the following vintage points:*
    - i. South – South elevation*
    - ii. North – North elevation*
    - iii. East – East elevation*
    - iv. West – West elevation*
    - v. Southwest – West and South elevations*
    - vi. Northwest – North and West elevations.*
    - vii. Southeast – East and south elevations.*
    - viii. Northeast – East and north elevations.*
  - g. Staff recommends submitting more than one set to ensure clarity of information; however, five sets are not necessary. Provide each photograph as one page letter-sized and each set in its own PDF.*
- 6. The applicant shall provide an updated site plan indicating all proposed additions, new construction, and site work. For buildings, indicate the setback from the wall of the structure to the nearest property line. (Provide per Sec. 16-06A.008) Provide the following setbacks:*
  - a. Garage*
    - i. Distance between the nearest wall of the garage to the nearest wall of the house.*
    - ii. The nearest side property line.*
    - iii. The nearest rear property line.*
  - b. Proposed Deck 1*
    - i. Side property line (north)*
  - c. Proposed Deck 3*
    - i. Rear property line (west)*
  - d. Master Suite*
    - i. Rear property line (west)*
- 7. The applicant shall revise or provide a project data table, indicating the existing and proposed square footages and lot coverage per Sec. 16-06A.008.*
- 8. All updated plans and materials shall be submitted no less than 8 days before the deferred meeting date.*

\* \* \* \* \*



\* \* \* \* \*

**DECEMBER 14, 2022 REPORT:**

The submitted application remains deficient. The applicant has provided within various emails on approximately October 19th, October 26th, and November 15th; the various documents provided that do not address the deficiencies in the application. **Staff suggest that the Commission and Public focus on the design of the addition and alterations to the contributing historic structure and therefore the compliance within the West End Historic District Regulations, rather than focus on the poor quality of the initially submitted application and the additional documentation.** Staff has gone over the adopted comments of the Urban Design Commission. Staff is preparing a template to aid in providing the required information to determine compliance, however such a template will not universally address all the inconsistencies and details required to determine compliance.

Staff has received seven (7) files throughout various emails.

1. 2 Vinyl Windows.pdf – This is a west (back) elevation photograph with two aluminum awning windows circled. This may indicate that two vinyl windows are proposed to be installed in this location. No further details have been provided.
2. Job Name.pdf – This appears to be a list of product materials used that focuses on the interior and structure of the proposed work. No further details have been provided. This list has little value to determine compliance with the West End Historic District regulations.
3. DRIVEWAY ELEVATION.jpg – This is a photograph of the north elevation (driveway) elevation. The image is obstructed by plantings and no additional details have been noted.
4. FRONT RIGHT ELEVATION.jpg – This is a photograph of the northern half of the east (front) elevation. No additional details have been noted.
5. FRONT STREET ELEVATION.jpg – This is a photograph of the southern half of the east (front) elevation. No additional details have been noted.
6. Back Elevation.jpg – This is a photograph of the west (back) elevation. No additional details have been noted.
7. 725 QUEEN STREET ARCH 24X36[8164] INCOMPLETE 10192022.pdf – This is the updated architectural drawings. The “INCOMPLETE 10192022” is an addition by staff when this document was received on October 19th.

The submitted architectural plans illustrate information in an improved manner. However, the drawings are still lacking. Details and notations are limited. Product information is also lacking. Staff will defer a full analysis of the proposed project until all application materials have been submitted in a coherent manner. A summary analysis of the proposed elevation is indicated below and may not reflect all non-compliance features.

1. An enclosed porch or similar was altered on or after approximately February 2015.
2. Cedar shake siding installed on the front porch gable and wrapping around. The proposed elevations indicate “No Changes to Elevation”.
3. The proposed Right Elevation indicates “New 8” Vinyl Lap Siding”. The proposed elevation indicates “No Changes to Elevation”. Based on limited photographs, the addition should have a channel bevel profile with matching reveal to match the previous/former additions of subject property.
4. The basement windows were replaced on or after approximately February 2015. These windows are not indicated in the Window Schedule.
5. The Window Schedule and Door Schedule is insufficient to ensure West End Historic District Regulations. Existing and Proposed window details have not been indicated. Product Information including but not limited to a detailed customer proposal or proposed order form have not been provided.

6. The Door Schedule indicates two doors exist on the subject property. The Door Schedule does not clearly indicate the proposed door, or if an existing door is to remain.
7. W02 is not a diamond window to match the other original windows.
8. The existing and proposed elevations indicate “No Changes to Elevation”. This is clearly incorrect.
9. The Window Vertical and Horizontal Sections are generic drawings and are not specific to the specific window product to be installed nor do are dimensions indicated. Window Trim and Siding is not included.

**DECEMBER 14, 2022**

**STAFF RECOMMENDATION: Deferral to the January 25, 2022 Urban Design Commission meeting and request the following information:**

1. The applicant shall submit a revised scope, outlining all proposed additions, alterations, and site work on the property subject to the purview of the Urban Design Commission.
2. The applicant shall revise all exterior elevations to indicate the details, notes, and specifications of the existing elevation (before/current) and the proposed elevation (after/future). **Each elevation shall be identified by cardinal direction (North-South-West-East) and the elevation for existing and proposed on the same page.** The applicant shall ensure all documentation submitted is consistent and irregularities do not exist. (Provide per Sec. 16-20G.006):
3. The applicant shall provide the following regarding windows and doors (Provide per Sec. 16-20G.006(3)):
  - a. Provide an updated Window and Door Schedule indicating the existing material, existing window and door size, the proposed material, and the proposed window/door size. Identify each opening by a marker (letter or number) and match to all other references.
  - b. Provide a detailed customer proposal for windows and doors. This is a proposed order form. The proposed exterior visual pattern shall be indicated on this document or supplied as a supplemental page. Identify each line item by a marker (letter or number).
  - c. Provide elevation photos with each window and door identified by a marker. Multiple photos may be necessary to ensure that all windows are clearly visible. Photos shall be in landscape mode and submitted on architectural plans or full-size letter pages. A minimum of four photos shall be provided.
  - d. Provide an updated floor plan identifying each window and door by a marker (letter or number).
  - e. Provide product catalogue pages and highlight specifications relevant for the proposed project.
  - f. Provide an existing typical wood window horizontal section (top-down) including trim and siding details.
  - g. Provide a proposed typical addition/replacement horizontal section (top-down) including trim and siding details.
  - h. Provide a repair analysis of all existing original or historic wood windows that are required to be retained. Indicate the specifications of the proposed repair. Include photos as needed to demonstrate condition, proposed repair, or repair is not possible. Ensure that a marker is used for the repair analysis and photographs.
4. The applicant shall provide the following regarding siding (Provide per (Provide per Sec. 16-20G.006(2)):
  - a. Provide product information such as a product catalogue and highlight the specifications relevant to the proposed project.
  - b. Provide a detailed customer proposal for the siding. This is the proposed order form.
  - c. Provide the existing wood siding profiles including reveal and the proposed wood siding profiles and reveal.

5. The applicant shall provide a minimum of eight photographs in the landscape mode and the applicant shall provide the following circular or bubble, other marker to indicate the following (Provide per Sec. 16-20G.006):
  - a. Features that have been installed without prior approvals.
  - b. Features that shall be retained.
  - c. Features that shall be repaired. Indicating type/level of repair and materials.
  - d. Features that shall be replaced. Indicating specifications, method, size, and materials.
  - e. Features that shall be removed.
  - f. The eight photographs shall involve the following vintage points:
    - i. South – South elevation
    - ii. North – North elevation
    - iii. East – East elevation
    - iv. West – West elevation
    - v. Southwest – West and South elevations
    - vi. Northwest – North and West elevations.
    - vii. Southeast – East and south elevations.
    - viii. Northeast – East and north elevations.
  - g. Staff recommends submitting more than one set to ensure clarity of information; however, five sets are not necessary. Provide each photograph as one page letter-sized and each set in its own PDF.
6. The applicant shall provide an updated site plan indicating all proposed additions, new construction, and site work. For buildings, indicate the setback from the wall of the structure to the nearest property line. (Provide per Sec. 16-06A.008) Provide the following setbacks:
  - a. Garage
    - i. Distance between the nearest wall of the garage to the nearest wall of the house.
    - ii. The nearest side property line.
    - iii. The nearest rear property line.
  - b. Proposed Deck 1
    - i. Side property line (north)
  - c. Proposed Deck 3
    - i. Rear property line (west)
  - d. Master Suite
    - i. Rear property line (west)
7. The applicant shall revise or provide a project data table, indicating the existing and proposed square footages and lot coverage per Sec. 16-06A.008.
8. All updated plans and materials shall be submitted no less than 8 days before the deferred meeting date.



**Updated Report (1/25/2023)**

The applicant has provided three documents on Monday, January 9, 2023. The following three documents have been supplied:

1. 725 QUEEN STREET ARCH 24X36[8164].pdf (MD5: eaf634a71d23062e3b30abb656f1d545)
2. 725 SERVEY (redo).PDF (MD5: 9a5664bfb54ada09b63618458d9b8884)
3. HPR\_CA3-22-407\_725\_QUEEN\_ST.pdf (MD5: 4bfad066d2777039d7c0422755f7dd8b)

Staff’s analysis is provided below and only considers the above documentation.

**Dimensional Requirements:**

**Sec. 16-06A.008. - Minimum yard requirements.**

	Threshold	Proposed	Complies (Y/N)
Front Yard (Minimum)	30 Feet	No Changes	N/A
Half Depth Front Yard (Minimum)	30 Feet	No Changes	N/A
Side Yard (Minimum)	7 Feet	Approximately 29.75 Feet	Y
Rear Yard (Minimum)	15 Feet	Approximately 24.58 Feet	Y
Floor Area Ratio (FAR) (Maximum)	50%	Approximately 20%	Y
Lot Coverage (Maximum)	55%	33.20%	Y

The applicant has indicated that a garage will be built. The regulations for the garage as an accessory structure are limited within the requirements of Chapter 20G, however a garage is no longer existing and therefore must comply with current accessory structure setbacks which limit the accessory structure to be built within the buildable lot area. The applicant may be required to apply if the intent is to build the garage in its previous location.

**CHAPTER 20G. - WEST END HISTORIC DISTRICT**

<p><b>Sec. 16-20G.005. - General regulations. (2) The Compatibility Rule:</b>                  The compatibility rule is a method of ensuring that alterations to existing structures and the design of proposed new construction are sensitive to and sympathetic toward existing elements of design, proportions, scale, massing, materials, and general character of the contributing buildings in the immediately adjacent environment of the block face. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The elements in question (roof form, architectural trim, etc.) shall match that which predominates on the contributing buildings of the same block face, or where quantifiable (i.e., buildings height and width as measured at front façade, floor height, lot dimensions, etc.), shall be no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same block face." Those elements to which the compatibility rule applies are specified in these regulations by reference to "compatibility rule."</p>
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Sec. 16-20G.006. - Specific regulations. (2) Building Facades:

~~(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.

**PARTIALLY COMPLIES**

(c) The application materials are not consistent regarding materials. All windows are required to be wood and the siding on the addition may be smooth faced fiber cement.

(d) The applicant materials are not clear for the existing siding and if any existing siding is to be replaced or removed, other than where necessary for the addition.

(g) The proposed addition does not exceed the height of the current structure.

Staff shall propose a condition to ensure compliance regarding materials and siding. Standards A, B, E, and F are not relevant to this project due to this being an addition and the front façade is not being expanded.

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

**DOES NOT COMPLY**

- (a) The applicant has removed architecturally significant windows and doors or is proposing to remove such items.
- (b) The applicant is proposing to remove window openings on the rear elevation of the building for the addition. This is an appropriate location to add an addition.
- (c) The applicant has not provided sufficient proof to prove that windows and/or doors removed without prior approvals or windows and/or doors to be removed cannot be repaired.
- (d) The applicant has not provided details to ensure that paired windows have sufficiently placed mullions or that the muntins on the replacement windows are stimulated divided lights or true divided lights.
- (e) The applicant is not proposing to reconfigure a window on the side elevations to accommodate a kitchen and bathroom.
- (g) The proposed windows mostly match the existing window configuration.
- (h) The ratio of openings to solids on the addition is appropriate.
- (j) The addition does face a public street; however, the lot is uniquely configured, and an alternative is not feasible. The addition does not intently violate this provision.
- (k) The existing front door is unpermitted and does not match the original door in configuration or material. Information was not submitted regarding this door.

Staff shall propose a number of conditions to ensure compliance with Sec. 16-20G.006(3).

Sec. 16-20G.006. - Specific regulations. (4) Storm Doors, Storm Windows, Shutters and Awnings: (a) Shutters shall not be added to the building if they were not a part of the original building. (b) Shutters shall be operable or appear operable, and shall fit the size of the window. (c) Replacement shutters shall match the original shutters in design, materials and configuration. (d) Storm doors, screen doors or storm windows shall be of compatible design and shall not cover, obscure or dominate significant architectural details. (e) Fabric and metal awnings are permitted. All other types of canopies and awnings are prohibited.
<b>DOES COMPLY</b>
The applicant has not indicated in the materials submitted that the use of storm doors, storm windows, shutters, and/or awnings is proposed.

Sec. 16-20G.006. - Specific regulations. (5) Foundations: (a) Foundation materials, including infill materials, shall replicate the original materials in. size, shape, color, texture and mortar, and shall be installed using construction techniques similar to the original. (b) New foundations shall be of masonry or concrete construction. Other foundation materials are permitted provided they are appropriate to the building on which they are located and in scale, materials and style with adjacent and surrounding buildings. (c) Slab on grade is not permitted. (d) Lattice, painted concrete block, brick or stucco shall be used as infill between foundation masonry piers when infill is otherwise required.
<b>MOSTLY COMPLIES</b>
(a) The proposed foundation for the addition is CMU block. The existing foundation based on photographs provided is a combination of brick with potentially stucco applied. The drawings do not indicate the finishing material on the addition. (b) The proposed foundation for the addition is CMU block. (c) The proposed addition is not slab on grade. (d) The applicant has not indicated the finishing material on the CMU block.
Staff shall propose a condition to ensure compliance.

Sec. 16-20G.006. - Specific regulations. (6) Chimney: (a) Chimneys shall match original materials, mortar, color and pattern whenever possible. (b) New chimneys shall be faced with brick or stucco. (c) Siding on chimneys is prohibited. (d) When any portion of a chimney is visible from a public street as a façade element, the chimney shall originate at grade.
<b>DOES COMPLY</b>
The applicant based on the materials submitted does not indicate any proposed changes to the existing chimney. The applicant is proposing to replace the existing roof. Staff shall propose a condition to ensure continued compliance.

Sec. 16-20G.006. - Specific regulations. (7) Roofs: (a) Replacement roofing materials shall be of the same size, texture and material as existing, exposed roofing materials when the existing, exposed roofing materials constitute a significant architectural feature of the structure. (b) Cold-rolled roofing is permitted only on flat roofs. Corrugated metal and corrugated fiberglass roofs are not permitted. (c) The use of synthetic roofing materials is permitted if not visibly distinguishable from the original as viewed from the public street. (d) The shape and pitch of roofs for new construction shall be subject to the compatibility rule. (e) Skylights, solar panels and communication equipment, when otherwise allowed by these or other regulations, are permitted on roofs of buildings provided they are not visible from any public right-of-way.
<b>DOES COMPLY</b>
The applicant is proposing to replace the existing roof. Specifications have not been provided. The roof for the master bedroom addition is a gable roof with a 5:1 pitch. The previous addition utilizes a shed roof.

Sec. 16-20G.006. - Specific regulations. (8) Decks: Decks shall be constructed to the rear of the structure and shall not extend beyond the sides of the structure. Decks on the corner lots shall be screened with fencing or vegetation to reduce visibility from the public street.
<b>DOES NOT COMPLY</b>
The applicant has indicated on the site plan that two decks are proposed, one of which is not located at the rear of the structure. The proposed elevations do not accurately indicate any decks. Staff shall propose a condition to ensure that any deck is located at the rear of the structure.

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. (c) Porches may be enclosed with screen wire or glass provided that the main characteristics of a front porch are maintained. (d) New or replacement porches shall contain balustrades, columns and other features consistent with the architectural style of the house or other original porches in that block. The height of the top rail shall be no more than 33 inches above the finish porch floor, except as required by the City's building code.
<b>DOES NOT COMPLY</b>
The applicant based on the drawings submitted is not repairing or replacing the existing wood railing. However, the photographs, drawings, and property history are not consistent. The installed railings are not permitted. Staff shall propose a condition to ensure compliance.



Sec. 16-20G.006. - Specific regulations. (10) Accessory Structures:  
Accessory structures, such as carriage houses, smoke houses, greenhouses, tenant and alley houses, private garages, carports, electric vehicle charging stations equipped with Level 1 and/or Level 2 EVSE, air conditioners and heating units, shall be located to the side or rear of the main structure within the buildable area of the lot and shall not project beyond the front of the main structures. In addition, said structures shall be located in the least visible location within permissible areas. Screening with appropriate plant or fence materials is required if said structure is visible from the public right-of-way.

**DOES COMPLY**

The applicant is proposing a garage, to be built in the same location as a previous accessory structure. However, specifications that are subject to the purview of the Historic Preservation Studio and Urban Design Commission have not been properly submitted. The new garage will need to meet current code requirements, or the applicant will need to apply for a variance to be granted by the Board of Zoning Appeals. Based on the current proposed location as well as the lot configuration, a garage cannot be reasonably located beyond the front plane of the house. The garage will be visible; however, a garage is not architecturally or historically inappropriate.

Sec. 16-20G.006. - Specific regulations. (11) Landscaping: The Tree Ordinance of the City of Atlanta shall apply to the West End Historic District.

**DOES COMPLY**

The applicant's site plan does indicate the planting of five additional trees per regulations. However, staff will defer compliance regarding the tree ordinance to the Office of Building.

Sec. 16-20G.006. - Specific regulations. (12) Paved Surfaces:

(a) The original layout, patterns and paving materials of sidewalks, driveways, alleyways, curbs and streets shall be retained. The design and material of new replacement paving materials shall be subject to the compatibility rule.

(b) The design and material of new paved surfaces areas, other than those specified in subsection (a) above, including driveways, walkways, and patios, or portions thereof, shall be subject to the compatibility rule.

(c) New driveways shall not exceed a width of ten feet not including the flare at the street.

**DOES COMPLY**

The applicant has not indicated in the materials if any site work regarding paved surfaces is occurring. Based on photographic evidence submitted, the walkways and driveways appear to be in acceptable condition. Staff shall propose a condition to ensure continued compliance.

Sec. 16-20G.006. - Specific regulations. (13) Off-Street Parking Requirements:

(a) Off-street parking shall not be permitted in the front yard or half-depth 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 street shall apply to the construction of a carport or garage.

(c) The use of alleys for access to such parking is permitted. No variance is required for driveways accessed from an alley.

**DOES COMPLY**

The applicant is not proposing any new parking spaces on the subject property. The applicant shall continue to not park within the front yard or half-depth front yard.

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

**DOES NOT COMPLY**

The subject property has an unpermitted wood fence installed that does not visually comply with the regulations above. Staff shall propose a condition to ensure comply.

Sec. 16-20G.006. - Specific regulations. (15) Retaining Walls:

- (a) The height of existing retaining walls located adjacent to a public right-of-way shall be maintained. New or replacement retaining walls shall be constructed of or faced with concrete stucco, natural stone or brick.
- (b) The height and materials of retaining walls located in the side or rear yards shall not be restricted. Concrete block may be used, provided a veneer of stone, brick, or concrete stucco is applied.

**DOES COMPLY**

The applicant has not indicated that a retaining wall is proposed or has occurred without permits.

Sec. 16-20G.006. - Specific regulations. (16) Ornaments:

- (a) Architecturally significant ornaments, such as corner boards, cornices, brackets, downspouts, railings, columns, steps, doors and window moldings, shall be retained.
- (b) Replacement ornaments shall be permitted only when originals cannot be rehabilitated.
- (c) 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.

**DOES NOT COMPLY**

- (a) The applicant has removed window trim on at least one window opening.
- (b) A condition assessment for existing ornamental details has not been provided. Based on photographic evidence submitted, all existing ornamentation appears in good condition.
- (c) The applicant has installed cedar shake siding on the existing front porch gable face where previously a wood frieze existed. The addition of such ornamentation is inappropriate. The applicant is also proposing to remove the gable face windows and install vents. The replacement of windows with vents is not appropriate.

Sec. 16-20G.006. - Specific regulations. (17) Public Sidewalks and Planting Strips: (a) Existing public sidewalks, planting strips, and associated topography shall be retained. (b) The public sidewalk shall be the same width as the sidewalk on abutting properties. (c) The compatibility rule shall apply to public sidewalk paving materials. (d) Where a public sidewalk to be replaced is adjacent to poured concrete, original concrete hexagonal pavers or poured concrete with stamped hexagonal motif, the new sidewalk shall be poured concrete bordered with brick laid flat.
<b>DOES COMPLY</b>
The applicant is not proposing public sidewalk or planting strip improvements.

**Updated STAFF RECOMMENDATION (1/25/2023): Approval with the following condition(s):**

1. The applicant shall remove the cedar shake shingles installed on the porch and repair the wood underneath or replace with written approval by staff per Sec. 16-20G.006(16).
2. The applicant shall remove unpermitted front door and install a replacement wood door to match the existing original or historic door with stimulated divided lites or stimulated divided lites and per Sec. 16-20G.006(3).
3. The applicant shall replace all ground level windows in the crawlspace area with wood windows matching the same size or matching the original window frame opening, whichever is greater with a 1/1 lite pattern per Sec. 16-20G.006(2)(c) and Sec. 16-20G.006(3).
4. The applicant shall repair original and/or historic wood windows. If the window cannot be repaired, documentation from at least one experienced window restoration individual or company must provide a written letter with supporting documentation. Staff, if supporting documentation is sufficient, may approve wood window replacements with matching size, lite pattern, placement, inset, and traditional divided lites or stimulated divided lites per Sec. 16-20G.006(3).
5. The applicant shall install and/or replace unpermitted windows with new wood windows (excluding ground level windows) with matching diamond lite pattern and be installed within the wood framing to match the inset/depth of the original or historic wood windows per Sec. 16-20G.006(2)(c).
6. The applicant shall provide the detailed customer proposal for all windows, doors, and siding to be incorporated into the final plans and documentation. Windows and Doors shall be clearly identified to match Window and Door Schedule and Floor Plan and/or Elevations per Sec. 16-20G.006(2)(c) and Sec. 16-20G.006(3).
7. The applicant shall retain W07 Windows (proposed to be vents) per Sec. 16-20G.006(3).
8. The applicant shall repair the existing wood siding on the original portion of the structure, and only replace up to 30% of the wood siding on each elevation that has been damaged without written approval by staff. The wood siding must match the existing siding in profile and reveal. All trim on

- the original portion of the structure shall be repaired in wood if necessary and match the original or historic window trim per Sec. 16-20G.006(2)(d).
9. The applicant shall install fiber cement smooth face or wood siding with a channel bevel siding with a profile reveal to match the previous channel bevel siding on the addition. All window trim on the addition shall be fiber cement smooth face or wood to match the original or historic window trim on the original portion of the house. The applicant shall provide photograph documentation of the reveal of the channel bevel siding on the existing/former additions. Per 16-20G.006(2)(d).
  10. The applicant shall remove unpermitted site work including the fence and update the site plan to indicate the location of a code compliant fence per Sec. 16-20G.006(14).
  11. The applicant shall update the proposed site plan to match the floor plan and elevations of the architectural drawings and clearly identify the setbacks, lot coverage, and FAR per Sec. 16-06A.008
  12. The applicant shall apply a smooth stucco finish to the foundation of the addition. The applicant shall not apply a stucco finish to the existing brick foundation. Per Sec. 16-20G.006(5)
  13. The applicant shall retain the existing chimney and if repairs are necessary, repoint using appropriate mortar mix and technique per Sec. 16-20G.006(6)
  14. The applicant shall provide an updated site plan indicating the location and setbacks for the proposed accessory structure and apply for a variance to the Board of Zoning Appeals for relief on setbacks, if required per Sec. 16-06A.008.
  15. The applicant shall remove the existing railing, update the elevation drawings, and install a wood railing without diamond pattern, with butt-end construction per Sec. 16-20G.006(9).
  16. The applicant shall revise the site plan, proposing a deck at the rear of the structure only per Sec. 16-20G.006(9).
  17. The applicant shall revise the site plan, if any propose site work involving the driveway or walkways is anticipated to occur or has occurred and such work shall comply per Sec. 16-20G.006(12)
  18. Staff shall review and if appropriate, approve the final plans and documentation.

cc: Applicant  
Neighborhood  
File.



# CITY OF ATLANTA

ANDRE DICKENS  
MAYOR

DEPARTMENT OF CITY PLANNING  
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Jahnee Prince  
Commissioner

DOUG YOUNG  
Interim Director, Office of Design

**TO:** Atlanta Urban Design Commission  
**FROM:** Matthew Adams, Interim Executive Director  
**ADDRESS:** 320 North Highland Ave and 346 Copenhill Ave.  
**APPLICATION:** CA3-22-457, CA3-22-462, CA3-22-589, CA3-22-590, & CA4PH-22-454  
**MEETING DATE:** January 25, 2023

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## FINDINGS OF FACT:

**Historic Zoning:** Inman Park Historic District (Subarea 1)    **Other Zoning:** MRC-3-C/Beltline.

**Date of Construction:** 1928 (320 North Highland) and 1920 (346 Copenhill).

**Property Location:** Northeast corner of North Highland Ave. and Copenhill Ave.

**Contributing (Y/N)?:** Yes

**Building Type / Architectural form/style:** Industrial/Commercial, Single Family Residential.

**Project Components Subject to Review by the Commission:** Additions, Alterations, Moving of a Historic Structure, New Construction of Mixed Use Buildings.

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

**Relevant Code Sections:** Section 16-20 & Sec. 16-20L.

**Deferred Application (Y/N)?:** Yes. Updated text in **Bold Arial Font**.

**Previous Applications/Known Issues:** At the October 26, 2022 Public Hearing, the Commission approved CA4PH-22-454 for the moving of a contributing building.

## SUMMARY CONCLUSIONS / RECOMMENDATIONS:

CA3-22-457: Deferral.

CA3-22-462: Deferral.

CA3-22-589: Deferral.

CA3-22-590: Approval.

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

**CA4PH-22-454: Moving of a contributing single family house - 346 Copenhill - (BLDG D):**

The review of the application to move the single-family house (given that the house is being moved internal to the site and not actually being demolished) will assess the rationale for the move, the logistical and design problems the house's current location presents to the project, the impact of the move on the context and interpretability of the house, and the ability and logistics of moving the house. The review will not address the more typical demolition-related criteria about threat to public health and safety and comparative cost analysis.

The narrative in the application includes several reasons for moving the house, most of which the Staff generally concurs with. The application notes issues related to disruption of the built pattern on and within the site, the continued isolation of the house in relation to its existing surrounding context, and the historic existence of a single family structure on the proposed receiving site.

The Staff would note a couple of key considerations regarding the move of the house. The proposed move will not remove the house from the District, the Subarea, or the block face. The house will be moved approximately 80 ft. to the south of its current position along Copenhill Avenue. In addition, the house will maintain its east-facing orientation at its new location. By placing the house at the corner of Copenhill Avenue and North Highland Avenue, the house will achieve a certain increase in appropriate context by way of eliminating vacant space or a parking lot on one side of the house. Given that the house will still be located on the same block face and will retain same exterior appearance with some alterations, the Staff finds the interpretability of the house will not be diminished by its move.

The narrative also provides a general description of the logistics of moving house and whether or not the house can actually be moved.

While the Staff supports the moving of the house internal to the lot on the same block face, it does find that additional information and background should be provided by the Applicant.

Staff would recommend that the Applicant provide a general description of the logistics of moving the house, along with a written structural analysis by a qualified professional and/or professional house moving firm confirming the structural soundness of the house and its ability to withstand the move.

Staff would recommend that the Applicant provide a written, step-by-step, detailed moving plan and associated specifications describing how the house will be moved.

Staff would recommend that the Applicant provide a detailed rehabilitation plan equivalent to that which would be required for a certificate of appropriateness for the rehabilitation of any house in the District.

Staff would recommend that the Applicant complete and install at the relocated house an interpretive panel which, at a minimum, describes the history of the house using professionally-accepted archival resources, when and how the house was moved, and photographs of the house in its previous location.

Staff would recommend that the house not be either prepared for moving or be moved until such time as a land disturbance permit or similar permit is issued by the City of Atlanta for the remainder of the project.

**CA3-22-589 - Variance**

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The Applicant is requesting a variance to reduce the allowable rear yard setback from approximately 12' 9" (required) to 0' (proposed) and to allow additions with 0 foot side yard setbacks which are closer to the side lot lines than the existing structure at 320 North Highland Ave.

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

The Applicant cites the shape of the lot.

- Side yard setback request: MET
- Rear yard setback request: 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 there are only two contributing structures on the subject block face from which comparisons can be made.

- Side yard setback request: NOT MET
- Rear yard setback request: NOT MET

**What conditions are peculiar to this particular piece of property?**

The Applicant cites the previous consolidation of the lot, along with its double frontage nature.

- Side yard setback request: NOT MET
- Rear yard setback request: NOT 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 discusses the conformity of the proposed setbacks with the surrounding block.

- Side yard setback request: MET
- Rear yard setback request: MET

Staff finds that the Applicant's arguments do not meet the criteria for granting a variance for the following reasons:

**Side Yard Setback Request:** The Applicant's analysis appears to be based on the assumption that side yard setbacks for additions are based on the compatibility rule. The District regulations, however, state specifically that additions are not subject to the compatibility rule in regards to their setbacks, but that the setbacks can be no closer to the side lot line than the existing structure. For this reason, the Applicant's responses to two of the criteria are unrelated to the actual requirements of the District.

**Rear Yard Setback Request:** While the Applicant has documented the shape of the lot and the small number of contributing structures on the block face, the Applicant

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has not demonstrated how these conditions present a hardship for the project. The Applicant also does not show how the consolidation of the lots relates to the rear yard setback variance request. Staff would note that the variance process is intended to address issues that would otherwise be insurmountable, not to permit preferred designs that do not meet the regulations when compliance with the Zoning Ordinance is possible.

Given this analysis, Staff recommends the Applicant provide documentation speaking to the second and third variance criteria.

**CA3-22-590 - Variance**

The Applicant is requesting a variance to allow a 0' rear yard setback that is not based on the compatibility rule and to allow a 0' side yard setback that is not based on the compatibility rule at 346 Copenhill Ave.

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

The Applicant cites the shape of the lot and the absence of contributing structures on the block face.

- Side yard setback request: MET
- Rear yard setback request: 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 cites the absence of contributing structures for measurements to be made off of and the topography of the site.

- Side yard setback request: MET
- Rear yard setback request: MET

**What conditions are peculiar to this particular piece of property?**

The Applicant cites the properties status as the only lot facing the subject block face and the 5' topographic change of the property along the street. Staff would note that there are actually two structures fronting this block face, but given the Commission's approval of CA4PH-22-454, the contributing structure previously on the site will be moved to another block face.

- Side yard setback request: MET
- Rear yard setback request: 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 discusses the conformity of the proposed setbacks with the surrounding block.

- Side yard setback request: MET
- Rear yard setback request: MET



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**Staff finds that the Applicant's arguments meet the criteria for granting a variance and supports the Applicant's request.**

**CA3-22-462 - Variance**

The Applicant is requesting a variance to allow an addition to a historic building that would destroy historic materials and spatial relationships that characterize the property.

Staff would note that after a full review of the project, several other needed variances have been identified. Staff would also note that other variances which are not necessary (i.e. the reduction of the non-applicable I-1 setback) have been submitted by the Applicant.

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

The Applicant cites the condition of the property and its need for stabilization. However, Staff finds that this condition does not relate to the size, shape, or topography of the site. The Applicant also cites lack of head height on the second level, though Staff would note that the lack of head height is due to the second floor level being raised which is a self-imposed condition. Staff recommends the Applicant provide information showing how the size, shape, or topography of the site require the addition that is proposed. – **NOT MET**

**Updated information showing that the size, shape, or topography of the site requires the increased height for the addition to the contributing structure has not been received. The Applicant has, however, provided documentation showing that the change is needed to meet IBC requirements for habitable space ceiling height. 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 the hardship of the application of the Zoning Ordinance would be the inability to make repairs and alterations to the structure. Staff would note that repairs to stabilize historic buildings typically do not require full story additions. Staff recommends the Applicant show how the application of the Zoning Ordinance would prevent repairs from occurring in a manner prescribed by the Inman Park Historic District regulations. – **NOT MET**

**Updated information showing how the application of the zoning ordinance would prevent repairs from occurring in a manner prescribed by the Inman Park Historic District regulations has not been received. The Applicant has, however, provided documentation showing that the regulations would prevent raising the roof structure to add interior head height to the structure. While Staff finds this evidence to be compelling, it does not readily tie the question of a hardship to the situation as alternative designs have not been provided for review. As such, Staff recommends the Applicant provide information documenting alternatives to the proposed design that would either eliminate or greatly reduce the requested variance, such as lowering the ceiling height of the first floor. – NOT MET**

What conditions are peculiar to this particular piece of property?

The Applicant cites multiple renovations to the structure which have caused “questionable” structural integrity and the need to stabilize the building. Staff would note that no information, such as a letter from a licensed structural engineer familiar with historic buildings, has been received. The Applicant also cites that raising the roofline would stabilize the structure and the desire to “showcase” the skylights and metal truss

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framing. While Staff finds there could be some merit in the need to stabilize the structure, Staff also finds that preferential design considerations such as the desire to “showcase” specific features would not speak to the criteria. Staff recommends the Applicant provide documentation from a licensed structural engineer with experience working with historic buildings attesting to the structural integrity of the current structure and also showing that raising the roofline is the only feasible means of addressing any structural concerns. – **NOT MET**

**The Applicant has provided updated information including a structural report from a state licensed professional speaking to the structural soundness of the subject property. In this report, the professional identifies several areas of concern but does not specify that the proposal sought by the Applicant (i.e. raising the existing roof) is the only feasible means of addressing the structural issues. The Applicant has provided documentation showing that the current second story would not meet IBC requirements for habitable space head height. While Staff finds this evidence to be compelling, it does not readily tie the question of a peculiar condition of the lot to the to the situation current proposal. As such, Staff would again recommend that the Applicant provide information documenting alternatives to the proposed design that would either eliminate or greatly reduce the requested variance. – NOT 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 states that the proposed roofline changes would not negatively impact the public and will allow adequate head height for the raised second level. While Staff would again reiterate that the need for additional head height is a self-imposed condition, Staff finds that the position of the proposed changes would be minimally visible from the Right of Way. Staff would note, however, that placing the changes even further back on the structure could eliminate visibility from the public Right of Way. – **MET**

Staff finds that the Applicant’s arguments do not meet the criteria for granting a variance. Staff cannot support the requested variance at this time.

**The purpose of the variance process is to address hardships that cannot be overcome without the granting of a variance, not to approve a preferred design solution when others may be present. As the information provided to date has not shown that there is an unavoidable hardship on the site, Staff cannot support the variance request as it is currently argued. Staff would note for the benefit of the Applicant’s revised argument that the financial cost of compliance with the zoning ordinance, whether it be for financial projections, pro-forma, anticipated rental rates, or other financially related items cannot be taken into consideration when granting a variance.**

**CA3-22-460 – Alterations, Additions, New Construction**

The District regulations contain both qualitative and quantitative requirements relating to alterations, additions, and new construction. If an item is not listed below, Staff found the associated regulation was met.

Alterations - 320 N. Highland Existing Structure – Building A

*Windows and Doors*

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The Applicant is proposing the removal and replacement of the windows and doors on the structure. No information has been received which would allow Staff to properly review this request. As such, Staff recommends the Applicant provide photographs of each window and door proposed for replacement that have been keyed to a marked up existing floor plan. Staff further recommends that those windows and doors which Staff finds to be original or historic, and repairable in condition be retained and repaired.

**Based on the photographs provided, along with archival photographs of the subject property taken in 1960, Staff finds that the windows on the front façade are likely historic if not original to the structure. As such, Staff cannot support their replacement without further investigation of their condition.**

**Regarding the doors of the proposed structure, Staff only has concerns with the proposed carriage door. The design proposed by the Applicant takes references from Firehouse No. 6, a historic 1894 firehouse in the Martin Luther King, Jr. Landmark District. Staff is concerned with this proposal for several reasons. Firstly, Staff has not received any documentation showing that the subject property was originally or historically a Firehouse. Secondly, the use of an ornate door from a firehouse of a higher or academic architectural style that is nearly 40 years older than the subject property would be conjectural at best. As such, Staff recommends that any replacement carriage style door be consistent with the industrial style of the structure.**

#### *Façade alterations*

The Applicant is proposing alterations to the east side façade to facilitate the addition of the existing structure to a new proposed structure (Building C) and alterations to the rear of the structure for a new proposed structure (Building B). These alterations would include the removal of wall sections to connect the existing building with the new structures. While Staff is not concerned with the loss of materials on the rear façade, Staff does find that the proposed alterations to the east side façade of Building A would result in a loss of approximately 40% of that façade. Staff recommends the demolition of the east side façade of Building A be reduced to the minimum required for the proposed interior programming.

**While the amount of the east side façade proposed for demolition has been reduced somewhat, there is still a considerable portion of the historic structure that would be lost. As such, Staff recommends the project be redesigned to reduce the amount of the east side façade of Building A that will be demolished by half.**

Alterations to the west side façade are also proposed to accommodate a new interior stairwell. The proposal would remove brick and replace it with windows. Staff finds that the resulting loss in historic brick is avoidable with the removal of the windows from the area currently occupied by the historic brick. As such, Staff recommends the windows be removed from the west side stairwell alteration and the historic brick be retained in place.

**The revised plans show compliance with this recommendation.**

#### *Rooftop Addition*

As the proposed addition is the subject of an as yet undecided variance request as to its massing. As such, Staff will not perform an in-depth analysis of the proposal at this time. However, regarding the general design of the proposal, Staff finds that the exposing of an interior truss system which was never intended to be an exterior feature of the structure would not meet the District regulations. As such, Staff recommends the Applicant revise the plans for the rooftop addition to retain the existing spatial relationships as it relates to interior and exterior features.

**As the current proposal still maintains the truss as a visible feature of the building, Staff will revise this recommendation so that it is clearer in its intent. Staff recommends that the truss system on the 320 North Highland Ave. building not be visible on the exterior of the structure.**

New Structures/Additions – 320 N Highland & 346 Copenhill Buildings B, C, D, & E

*Height*

Regarding the height calculations, the Subarea 1 regulations contained in Sec. 16-20L.006 do not specify how the height of structures other than one or two family residences are to be determined. As such, Staff finds that the general regulations in Sec. 16-20L.005 would apply. While the height of structures is mentioned in Sec.16-20L.005(1)(d), staff finds that this section defines how the compatibility rule is to be applied where it is invoked by the subarea regulations and would not provide for its use otherwise. This finding is further supported by the existence of direct invocations of the compatibility rule where it is intended to be used in the specific subarea regulations.

Because of this, Staff finds that the regulations contained in Sec. 16-20L.005(1)(b) would apply. This section makes specific reference to the project type proposed by the Applicant as follows:

Per Sec. 16-20L.005(1)(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 multi-family residential, institutional, commercial, industrial, and mixed-use structures in Subarea 1”

These regulations also specify the following for determining the size, scale and proportion, and massing:

Per Sec. 16-20L.005(1)(b)(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.”

Staff finds that Sec. 16-20L.005(1)(b)(ix) would require the Applicant to show that the proposed project is compatible with the size, scale and proportion, and massing of the property and the environment. Staff finds that it would be appropriate to limit the comparisons to historic structures of a similar typology or general use within the District. This process is consistent with other reviews that have been performed for multi-family, commercial, and mixed-use properties in Subarea 1. Further, Staff finds that this method would serve the intent of the regulations as expressed in the entirety of Sec. 16-20L.005(1)(b) by allowing for additions and new construction that are compatible in their size, scale and proportion, and massing to contributing structures while also allowing for the proposed structures to be contemporary in their design.

Staff would recommend that the Applicant provide comparisons to justify the size, scale and proportion, and massing of the proposed additions and new construction on the North Highland Ave. and Copenhill Ave. lots which are taken from contributing properties of a similar style or general use in the District.

**The Applicant has provided documentation from similar historic buildings in the surrounding area. In looking at these buildings, Staff finds that several are on the different subareas, and some are outside of the District boundaries. Staff finds that using these properties for comparisons would be inappropriate as they would not be in the immediate**

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**environment of the District. The only properties provided by the Applicant which Staff would be comfortable using for comparisons would be 1080 Euclid Ave. and 1083 Austin Ave. which contain heights of 45' 5" and 42' 2" respectively.**

**However, given that the analysis does not contain information on the subject block, which contains a number of contributing non single or two family structures, Staff is not comfortable with making a determination as to whether the proposal meets the requirements of Sec. 16-20L.005(1)(b)(ix) at this time. Further, the information provided only provides information on height and excludes information on the scale, proportion, and massing. As such, Staff finds this recommendation has not been fully met. For the Applicant's benefit, Staff would need information detailing the building width, height, setback, and information on the massing such as vertical wall to fenestration proportions, before a final determination can be made.**

#### *Setbacks*

Staff has not received compatibility information justifying the proposed side and rear yard setbacks of the proposed structures. Staff would also note that as both Building B and C are attached to the historic structure located at 320 N. Highland Ave (Building A) the regulations would prohibit their placement between the structure and the Copenhill Ave half-depth front yard. As such, Staff recommends that the Applicant provide a Compatibility Rule study justifying the proposed setbacks for Buildings B, C, D, and E.

**The Applicant has applied for variances to address the issues with the side and rear yard setbacks.**

#### *Paving*

The District regulations limit the width of driveways for Commercial and Multi-Family uses to 24 feet excluding the driveway apron flare at the street. The proposed driveway widens to approximately 25 feet at the lot line before the driveway apron begins. Staff recommends the proposed driveway be no wider than 24 feet for its entire length.

**The revised drawings show compliance with the 24' driveway limitations. As such, Staff finds this recommendation has been met.**

**While not subject to the Commission's review, Staff has concerns regarding the portions of the structure and balconies that will encroach on the neighboring alleyways. As the alleyways in question are privately owned by the adjacent property owners, any encroachments or improvements would need to be agreed to by all parties. Staff would recommend that the Applicant discuss the question of whether the projections into the alleyways would be considered an encroachment with the Office of Zoning and Development and the Atlanta Department of Transportation.**

#### *Design of New Construction*

**While the overall height, proportion, and massing of the proposal requires additional information, Staff finds it appropriate to provide commentary on the design of the new structures proposed by the Applicant. Staff would note that the comments at this time will leave out questions of scale, massing, and proportion except as it relates to the internal consistency of the proposal.**

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In looking at the proposed designs for the new structures, Staff has a few concerns. Firstly, while Staff finds that the two story connection between building A and B is generally compatible with the historic structure while also creating a necessary hyphen, Staff also finds that a reduction or elimination of the second story of the connection (Level 2 on Sheet A1.2) would reduce the need for the removal of historic material on the east side façade of Building A. As such, Staff recommends the Applicant explore alternatives for the connection on level 2 between Buildings A and B that would reduce the need for historic materials to be removed from Building A.

Regarding Building C, Staff is concerned with the overall massing of the structure as it compares to the historic building on the site, and the other adjacent new construction. While the topography of the site presents challenges to the design, Staff would generally expect for the overall design to be cohesive in terms of massing. Staff would recommend that the massing of Building C be reduced so as to be more compatible with buildings A and B.

Regarding Building D, while this structure would be moved from its original location, Staff is concerned with the finished grade of the structure in its new location as it would have a considerable increase in the overall height of the left side façade when compared to the original design. While again, Staff understands the challenges presented by the topographic changes, Staff is also aware of some grading that will be taking place as part of the project related to Building D. As such, Staff recommends the Applicant detail the grading that is currently proposed for the entire 320 Nort Highland Ave. parcel. Staff further recommends the Applicant provide design alternatives that would soften the overall massing of the proposed left elevation of Building D.

In general, Staff has no concerns with the materials or façade composition of building E as currently proposed.

Regarding the design of the proposal as a whole, the Commission only has purview over the portions visible from the public right of way. This would exclude any portions that are hidden by new or existing buildings from review. In general, Staff finds that the designs of the new construction focus on metal and masonry as their primary façade materials. In a few instances, stone panels are used as accents. Staff can find no evidence of stone paneling being used as accents on the contributing structures on the site, and therefore has concerns with its use on the new construction. As such, Staff recommends the stone paneling be removed from all new construction and additions in favor of brick or similar masonry materials.

**STAFF RECOMMENDATION CA3-22-462 (Variance):** Deferral to allow the Applicant time to address the following:

1. The Applicant shall provide information documenting alternatives to the proposed design that would either eliminate or greatly reduce the requested variance, such as lowering the ceiling height of the first floor.

**STAFF RECOMMENDATION CA3-22-589 (Variance):** Deferral to allow the Applicant time to address the following:

1. the Applicant shall provide documentation speaking to the second and third variance criteria.

**January 25, 2023**

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**STAFF RECOMMENDATION CA3-22-590 (Variance): Approval.**

**STAFF RECOMMENDATION CA3-22-457 (Alterations, Additions, New Construction): Deferral to allow the Applicant time to address the following:**

1. The Applicant shall provide photographs of each window and door proposed for replacement that have been keyed to a marked up existing floor plan, per Sec. 16-20L.005(1)(b)(ii);
2. Those windows and doors which Staff finds to be original or historic, and repairable in condition shall be retained and repaired, per Sec. 16-20L.005(1)(b)(ii);
3. **Any replacement carriage style door on Building A shall be consistent with the industrial style of the structure, per Sec. 16-20L.005(1)(b)(iii);**
4. **The project shall be redesigned to reduce the amount of the east side façade that will be demolished by half, per Sec. 16-20L.005(1)(b)(ii)&(ix);**
5. **The truss system on the 320 North Highland Ave. building shall not be visible on the exterior of the structure, per Sec. 16-20L.005(1)(b);**
6. The Applicant shall provide comparisons to justify the size, scale and proportion, and massing of the proposed additions and new construction on the North Highland Ave. and Copenhill Ave. lots which are taken from contributing properties of a similar style or general use in the District, per Sec. 16-20L.005(1)(b)(ix);
7. **The Applicant shall discuss the question of whether the projections into the alleyways would be considered an encroachment with the Office of Zoning and Development and the Atlanta Department of Transportation;**
8. The Applicant provide a Compatibility Rule study justifying the proposed setbacks for Buildings B, C, D, and E, per Sec. 16-20L.006(2)(a);
9. **The Applicant shall explore alternatives for the connection on level 2 between Buildings A and B that would reduce the need for historic materials to be removed from Building A, per Sec. 16-20L.005(1)(b)(ii);**
10. **The massing of Building C shall be reduced so as to be more compatible with buildings A and B, per Sec. 16-20L.005(1)(b)(ix);**
11. **The Applicant shall detail the grading that is currently proposed for the entire 320 North Highland Ave. parcel. Staff further recommends the Applicant provide design alternatives that would soften the overall massing of the proposed left elevation of Building D, per Sec. 16-20L.005(1)(b)(ix);**
12. **The stone paneling shall be removed from all new construction and additions in favor of brick or similar masonry materials, per Sec. 16-20L.005(1)(b)(iii); and,**
13. All updated plans, materials, and documentation shall be submitted no less than 8 days before the deferred meeting date.

cc: Applicant  
Neighborhood  
File



# CITY OF ATLANTA

ANDRE DICKENS  
MAYOR

DEPARTMENT OF CITY PLANNING  
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JANIDE SIDIFALL  
Interim Commissioner

DOUG YOUNG  
Interim Director, Office of Design

**TO:** Atlanta Urban Design Commission  
**FROM:** Matthew Adams, Interim Executive Director  
**ADDRESS:** 581, 591, & 601 Edgewood Ave.  
**APPLICATION:** CA3-22-434 & CA3-22-435  
**MEETING DATE:** January 25, 2023

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## **FINDINGS OF FACT:**

**Historic Zoning:** Martin Luther King, Jr. Landmark District (Subarea 4)      **Other Zoning:** N/A

**Date of Construction:** 1930

**Property Location:** North block face of Edgewood Ave. between the Bradley St. and Cornelia St. intersections.

**Contributing (Y/N)?:** Two Contributing Commercial structures, several non-contributing infill structures.

**Building Type / Architectural form/style:** Early 20<sup>th</sup> Century Commercial.

**Project Components Subject to Review by the Commission:** Alterations, New Construction, Financial Hardship Exemption.

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

**Relevant Code Sections:** Sec. 16-20 & Sec. 16-20C

**Deferred Application (Y/N)?:** Yes. Updated text for the January 25, 2023 meeting are in **Bolded Arial Font**.

**Previous Applications/Known Issues:**

N/A

**SUMMARY CONCLUSION / RECOMMENDATION CA3-22-434: Deferral.**

**SUMMARY CONCLUSION / RECOMMENDATION CA3-22-435: Approval.**



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

**CA3-22-435 – Financial Hardship Exemption**

The Applicant is applying for a financial hardship exemption to waive the height requirements of the Landmark District regulations. The height of additions and new construction in subarea 4 of the Landmark District are based on the compatibility rule and can be no taller than 1.5 times the height of the tallest contributing structure on the block face up to a maximum of 55' for properties east of the I-75/85 corridor. Staff would note for the benefit of the Commission Members and the Applicant that this compatibility analysis has not been provided.

In looking at the Elevation provided by the Applicant, Staff finds that the height of the tallest contributing structure on the block, 591 Edgewood Ave., is 23 feet 10 inches. This would mean that any addition or new construction could be no taller than 35 feet 9 inches. As the Applicant is proposing a structure that is 65 feet tall, the requested exemption would apply to both the maximum height allowed by the Compatibility rule and to exceed the height maximum allowed by the Subarea 4 regulations of the Landmark District.

Variations from the height requirements of the Landmark District regulations are prohibited and cannot be approved by City Staff, the Commission, or any other Board or Official with the City of Atlanta. However, as this would only apply to variances governed by CH 25 of the Zoning Ordinance, and the Financial Hardship Exemption is governed by Sec. 16-20C.004(6), Staff finds that this prohibition would not apply to the present request.

To qualify for a financial hardship exemption, the Applicant must first show that the relief requested is required to continue using the structure(s) for their intended use. After this burden of proof has been established, the Commission must consider the following criteria:

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 revenue, including loans, grants, and tax abatements;
3. The costs associated with adherence to the District regulations in comparison to the costs associated with achieving the same proposal without the District regulations;
4. The degree of existing architectural importance and integrity of the structure; and,
5. The purpose and intent of this chapter.

Staff finds that the first requirement, *to show that the relief requested is necessary in order to continue utilizing the structure(s) for their intended purposes*, speaks to the ability of an existing contributing structure to continue to be used for the intended use and would not apply to additions or related new construction. Staff finds that there are two contributing structures on the subject properties that are currently used as eating/drinking establishments and retail uses. Staff has not received any evidence showing that the exemptions that are currently requested are required for the continued use of either of these properties. Instead, the responses only speaks to an alleged financial hardship in having the addition/new construction conform to the zoning requirements of the District.

As the first burden of proof has not been met, Staff finds that any consideration of the financial hardship criteria would be moot. However, should the Commission wish to consider the exemption, Staff would note that they find the Applicant's responses do not meet the criteria for granting this exemption. Firstly, no information regarding the future income of the property owner and those occupying the property if the zoning regulations are not waived has been received. Secondly, no analysis has been received regarding the impact that a Transfer of Development Rights (which the properties would qualify for based on their being contributing structures in a Landmark District) or Historic Preservation Tax Credits would have on the

financial concerns. And lastly, Staff would note that among the goals stated in the the Purpose and Intent of the Landmark District are to preserve historic structures and to ensure that contemporary infill is compatible with the character and spatial relationships with the District. Staff finds that these goals are equal in their importance and that one should not be overlooked or waived because the other is being met.

Staff finds that the Applicant has not established the burden of proof that the financial hardship is required for the continued use of the two historic structures on the site and that, while moot, the remaining criteria for granting the exemption have not been met. As such, Staff cannot support the requested exemption.

**The Applicant has provided updated information including a narrative responses as well as engineering reports speaking to the repairs needed, and the costs associated with those repairs, for the existing structures. While Staff finds that the Applicant's estimates do not take into account potential flexibilities offered under the City's adoption of the International Existing Building Code, it is important to note that those flexibilities take the form of ad-hoc conversations and agreements with building code officials and are not standardized in a prescriptive way that could be anticipated as part of a cost estimate. For this reason, Staff finds that the Applicant has established that the current proposal could be necessary to the continued operation of the structure.**

**The remainder of the Applicant's responses speak to the criteria the Commission is tasked with considering when granting a financial hardship exemption. Of the Applicant's responses, Staff notes only one omission mentioned by previous Staff Reports: that of the availability of Historic Preservation Tax Credits and what their impact on the property could be. However, given that these credits are not a guarantee, and considering the other documentation provided by the Applicant, Staff finds that requiring the Applicant to provide documentation on the potential of these credits would not be productive.**

**Given the documentation provided and the Applicant's responses to the previous report, Staff supports the request for a financial hardship exemption.**

### CA3-22-434 – New Construction

#### Alterations to the historic structures

The Applicant is proposing alterations to the historic structures but has not provided sufficient information to review those changes. Staff recommends that the Applicant provide existing and proposed elevations which detail the changes proposed to the historic structures and label all materials.

#### New construction

The Applicant proposes a new multi-family structure that will connect to the existing historic structures on the site. While Staff finds that the overall design, other than the height of the portions within the Landmark District, would be compatible with the existing site and the District, Staff has a few concerns with the proposal and provided materials. Staff would note that given the lack of information provided and the preliminary nature of the drawings, many of these concerns may be revised by future revisions and other concerns may be created by those same revisions.

Staff has only received elevations of the Edgewood Ave. façade of the structure. While Staff understands that portions of the Bradley and Cornelia St. portions of the structure would not be in the District, the Commission would still need to approve the designs of those portions of the structure. As such, Staff recommends that elevations of all 4 sides of the structure be provided, with the zoning of the site marked on the elevations to illustrate the areas that the Commission has purview over.

**Staff Retains this recommendation. Staff would note that the intent of this condition is to have the horizontal zoning of the site detailed on the elevations to clearly depict the portions of the Bradley St. and Cornelia St. elevations that would be subject to the Commission’s Review. Without this information, it would be difficult to accurately determine whether these façades meet the District regulations.**

The submission does not label any of the materials that will be used on the exterior of the structure. While Staff understands that applications before the Commission are preliminary in nature, typically only at 50-60% completion, Staff would still expect to see some materiality shown on the plans even if it is not final. As such, Staff recommends that the elevations show the materials that are proposed for the new construction portion of the project. Staff further recommends that all building materials meet the District regulations.

**The Applicant has provided updated elevations showing the proposed primary building materials. Of these materials, Staff finds that the use of vinyl windows within the Landmark District portion of the project would not meet the Landmark District Regulations. As such, Staff recommends that any windows on the portions of the new structures and additions in the Martin Luther King, Jr. Landmark District be metal framed with any simulated lite divisions being dimensional and permanently affixed to the exterior of the glass.**

The Edgewood Ave. elevation shows several balcony spaces. Generally, Staff would recommend that these be recessed balconies that do not extend from the façade of the building. The intended effect would be for the balconies to function as a “cut out” similar to the fenestration pattern on the rest of the façade as opposed to an external appendage of the façade. As such, Staff recommends the Applicant provide information detailing how the balconies will be attached to the building.

**Staff Retains this recommendation. Staff further recommends that any balconies within the Martin Luther King, Jr. Landmark District appear as fully recessed cut-outs of the associated building façade.**

Information detailing the design, materials, and layout of the paving, both on the internal courtyard and the courtyards proposed on the Edgewood Ave. facades have not been received. Staff recommends the Applicant provide information detailing the plans for the courtyards, both internal and street-fronting, for review.

**Staff Retains this recommendation.**

Given Staff’s lack of support for the requested financial hardship exemption, Staff recommends that the portions of the project which are zoned as part of the Landmark District conform to the height requirements of the District regulations.

**STAFF RECOMMENDATION CA3-22-435: Approval.**

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

1. The Applicant shall provide existing and proposed elevations which detail the changes proposed to the historic structures and label all materials;
2. Elevations of all 4 sides of the structure shall be provided, with the zoning of the site marked on the elevations to illustrate the areas that the Commission has purview over;
3. The elevations shall show the materials that are proposed for the new construction portion of the project, per Sec. 16-20C.008(1)(a)(ii);
4. All building materials shall meet the District regulations, per Sec. 16-20C.008(1)(a)(ii);

5. The Applicant shall provide information detailing how the balconies will be attached to the building, per Sec. 16-20C.008(1)(a)(i);
6. **Any balconies within the Martin Luther King, Jr. Landmark District appear as fully recessed cut-outs of the associated building façade, per Sec. 16-20C.008(1)(a)(i);**
7. The Applicant shall provide information detailing the plans for the courtyards, both internal and street-fronting, for review, per Sec. 16-20C.008(1)(a)(ii);
8. The portions of the project which are zoned as part of the Landmark District shall conform to the height requirements of the District regulations, per Sec. 16-20C.006(2)(a)(i)(1); and,
9. All updated plans and materials shall be submitted no later than 8 days before the deferred meeting date.

cc: Applicant  
Neighborhood  
File



# CITY OF ATLANTA

ANDRE DICKENS  
MAYOR

DEPARTMENT OF CITY PLANNING  
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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 25, 2023

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### 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

**Deferred Application (Y/N)?:** Yes. Updated text in **Bolded Arial Font.**

**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.

**The Applicant has provided updated compatibility information detailing the foundation materials of the properties on the block face. For the Commission's benefit, the comparable properties detailed by the Compatibility Rule are as follows: 1126, 1120, 1114, 1108, and 1196 Arlington Ave. Alternate properties or block faces cannot be considered without a variance approved for the use of alternate properties or block faces for the compatibility rule measurements.**

**For non-quantitative compatibility rule comparisons, such as the foundation material, the District regulations require the element or building characteristic to be compatible with "that which predominates in such like contributing structures on the block face and ... be internally consistent with the historic design of the structure."**

**Of the 5 contributing structures on the block face, three contain brick foundations and two contain stucco foundations including the stucco added to the subject properties previously brick foundation. Staff would note that while the cheek walls on 1114 Arlington contain some stucco, that this is not the primary foundation material and there is no indication that the brick foundation was originally coated with stucco. Given this information, Staff finds that the use of stucco would not be compatible with the primary foundations of the contributing structures on the block face. As such, Staff cannot support the use of stucco as a primary foundation treatment.**

**Staff would note that analysis as to the removal of the stucco from the brick has not been received from the Applicant. However, Staff is aware of some methods of**

CA2-22-574 – 1120 Arlington Ave.

January 25, 2023

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**stucco removal, such as sponge-blasting, that could allow for the removal of the stucco while protecting the historic brick. In the absence of information showing that these methods would be infeasible, Staff must recommend in favor of the stucco's removal.**

**Staff recommends that the stucco on the foundation be removed from the structure using the gentlest means necessary.**

**STAFF RECOMMENDATION: Approval with the following conditions:**

- 1. The stucco on the foundation shall be removed from the structure using the gentlest means necessary, per Sec. 16-20M.013(2)(r)(10); and,**
- 2. Staff shall review and if appropriate, approve the final plans and documentation.**

Cc: Applicant  
Neighborhood  
File



# CITY OF ATLANTA

ANDRE DICKENS  
MAYOR

DEPARTMENT OF CITY PLANNING  
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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:** 1231 Lucile Ave SW  
**APPLICATION:** CA3-22-485  
**MEETING DATE:** December 14, 2022

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### FINDINGS OF FACT:

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

**Date of Construction:** 1920

**Property Location:** North block face of Lucile Ave SW, between the intersections of Atwood St SW and Holderness St SW.

**Contributing (Y/N)?:** Yes

**Building Type / Architectural form/style:** Single Family Detached / Frame Vernacular

**Project Components Subject to Review by the Commission:** Variance Request to allow for installation of a roof mounted solar array.

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

**Relevant Code Sections:** Sec. 16-20 and Sec. 16-20G.

**Deferred Application (Y/N)?:** Yes. Updated text for the January 25, 2023 public hearing in **Bold Arial Font**.

**Previous Applications/Known Issues:** N/A

**SUMMARY CONCLUSION / RECOMMENDATION:** Approval as indicated in the revised plans.



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

**The Applicant has provided additional information at the Commission's request such as perspective elevations and information on the proposed shingle color of the replacement roof. This information does not change Staff's analysis of whether the project meets the criteria for granting a variance.**

**UPDATED REPORT:**

The applicant has provided additional documentation that has been requested by the Urban Design Commission following the November 9, 2022, Urban Design Commission meeting. The applicant has provided the following:

1. An engineering report evaluating the existing roof. The roof has been found to be insufficient to meet the solar panel loading and roof loadings as noted.
2. A memo to the Urban Design Commission stating based on the findings of the roof analysis; repairs for the new roof at required prior to the installation of the roof-mounted solar panels. If the applicant is approved, EMPWR indicates that steps to repair the roof will be done in accordance to the required permits and inspections by the City of Atlanta.
3. Two separate Picture documents have been submitted indicating the interior and exterior of the existing roof for a total of 12 pictures. The provided photos have been significantly compressed and resized, limiting clarity of fine details.
4. A cost estimate for replacement of the existing roof from Georgia's Restoration Contract in the sum of \$14,600.00.
5. An Arbor has indicated that the large Pecan Tree (approximately 22") is a hazard and should be removed as soon as possible.
6. Revised Plans for the Solar Panels. The applicant has moved the panels up towards the front and center of the front side gable.

Based on the additional evidence submitted as well as the original evidence, staff's analysis has not changed. Solar energy generating efficiency is located on the southern half of the structure, with or without the tree present in the rear. **Therefore, staff recommends Approval as indicated in the revised plans.** The Commission does not need to regulate the roof work, as this is already regulated as a Type 1 Certificate of Appropriateness by Historic Preservation Studio staff. This applicant or any future applicants cannot alter the chimney or roof without proper approvals.

**ORIGINAL REPORT:**

The Applicant has provided responses to the Variance criteria with a revised submittal on November 1, 2022. The Commission is required to find that the Applicant's argument meets each of the five criteria for granting a variance. Staff has reviewed the application, submitted materials, the applicable district requirements, and the variance criteria. **Staff's consideration is below and is only considering the analysis based on the "New Option" configuration that was submitted with the initial application and the updated analysis submitted on November 1, 2022.** The process evaluates definitive proposals only and not options as the applicant had original submitted.

The Applicant is proposing a 11.6kw DC Solar System totaling 29 Hanwha Q PEAK DUO BLK-ML-G610+100 solar panels on the multiple different portions of the roof structure of the subject property. The subject property features a cross gable roof with a hipped roof configuration in the rear and a front gable on the front. The majority of the solar panels are centered towards the center of the roof structure located on the

front gable towards the cross-gable portion of the roof. The minority of the panels are located on the rear hipped roof section and both sides of the left elevation cross-gable.

Code Applicable to Applicants Request:

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

(7) Roofs: (e) Skylights, solar panels and communication equipment, when otherwise allowed by these or other regulations, are permitted on roofs of buildings provided they are not visible from any public right-of-way.

Variance criteria:

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

**DOES COMPLY**

*The subject property is located on the north face of Lucile Ave SW with a front gable. The ideal solar generation location is for a southern facing elevation, however the property is not configured as such. Therefore, the greater solar generating energy capacity is located on the southern portion of the structure, which is the sides of the structures front facing gable. The back roof plane is directly north facing which would impact the production of the system, in addition significant shading is created by trees in the backyard of the property and neighboring property.*

2. How would the application of the Zoning Ordinance of the City of Atlanta to this particular piece of property create an unnecessary hardship?

**DOES COMPLY**

*A code compliant roof mounted solar array would impact the production of electricity. The zoning ordinance, in this instance is potentially obstructing green infrastructure goals of various governmental organizations.*

3. What conditions are peculiar to this particular piece of property?

**DOES COMPLY**

*The subject property is located on the north face of Lucile Ave SW with a front gable. The ideal solar generation location is for a southern facing elevation, however the property is not configured as such. Therefore, the greater solar generating energy capacity is located on the southern portion of the structure, which is the sides of the structures front facing gable. The back roof plane is directly north facing which would impact the production of the system, in addition significant shading is created by trees in the backyard of the property and neighboring property. Additionally, the applicant has indicated, though no proof submitted that the rear roof structure is not sufficient to hold the weight of the solar panels and installers.*

4. Submit facts to show that relief, if granted, would not cause substantial detriment to the public good or impair the purpose and the intent of the Zoning Ordinance of the City of Atlanta?

**DOES COMPLY**

*The relief of the zoning ordinance to allow for installation of a roof mounted solar array on roof sections as indicated in the updated analysis and “new option” proposal will not be detrimental to the public good or impair the purpose and intent of the West End Historic District regulations located within the Zoning Ordinance of the City of Atlanta.*

5. State whether the property described in this application forms any part of the subject matter of a pending application or ordinance for a zoning change or Special Use Permit. (YES/NO)

**DOES COMPLY**

*The subject property, based on staff’s research does not appear to be subject to a pending application or ordinance for a zoning change or Special Use Permit.*

**ORIGINAL STAFF RECOMMENDATION: Approval.**

**UPDATED STAFF RECOMMENDATION: Approval as indicated in the revised plans.**

cc: Applicant  
Neighborhood  
File