



CITY OF ATLANTA

ANDRE DICKENS
MAYOR

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

Jahnee Prince
Commissioner

DOUG YOUNG
Director, Office of Design

MEMORANDUM

TO: Atlanta Urban Design Commission
FROM: Matthew Adams, Executive Director
ADDRESS: 1037 Sparks St.
APPLICATION: CA2-23-057
MEETING DATE: *September 13, 2023*

FINDINGS OF FACT:

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

Date of Construction: 1950

Property Location: North block face of Sparks St., east of the Peoples St. intersection.

Contributing (Y/N)?: Yes. **Building Type / Architectural form/style:** Minimal Traditional cottage.

Project Components Subject to Review by the Commission: Revisions to previously approved plans

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 Italic font.*

Previous Applications/Known Issues: The Commission previously approved CA3-20-253 at the 09/23/2020 hearing. On 01/28/2023 an inspector from the Office of Buildings noted that work had occurred which deviated from the approved plans and increased the scope of the project. The current review is for the revisions to the previously approved plans.

SUMMARY CONCLUSIONS / RECOMMENDATIONS: 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.

Plans

The plans provided do not accurately reflect the changes to the approved plan set. Namely, the addition on the left side of the plans are not accurately depicted. Staff recommends the plans be altered to show the condition of the existing structure and the proposed plans showing compliance with any condition placed on the structure by the Commission.

The updated plans show some conformity with this recommendation. However, the roof form of the side gable wing shown on the revised drawings still depicts an incorrect representation of the roof as it currently exists. As such, Staff retains this recommendation.

Addition

The largest deviation from the original approval is the addition between the existing left gable wing and the previously approved addition. In the original approval, a gap between the gable wing and the rear of the property was proposed to retain the original roof form of the gable wing. The current proposal encloses this space to create a single massing and alters the roof to have a single uniform roof form. Staff has no general concerns with the additional square footage, but finds that the alteration of the roof form is inappropriate. As such, Staff recommends that the plans be changed to show the original gable wing roof form in its original pitch and height.

The updated plans show the intent of the project to revert the structure back to the previously approved roof form. As such, Staff finds this recommendation has been met.

Site Work

The original plans showed no changes to the driveway, which originally terminated in the front yard. The driveway has since been replaced and it is unclear whether it extends 20' past the front façade of the structure to allow for two cars to be parked outside of the front yard. As such, Staff recommends the site plan be amended to show the footprint of the driveway that was constructed, and that the driveway be extended if necessary for compliance with the District regulations.

The Applicant has installed two 6' high privacy walls along the side of the front yard. As these features are not permitted in the front yard, Staff recommends that the 6' high privacy walls be removed from the sides of the front yard and replaced with 4' high picket fences.

The original walkway was removed and re-routed to connect with the replacement driveway. The Applicant has provided updated plans which show the walkway being re-installed as separate from the driveway and connecting to the public right of way as required by the District regulations. Staff has no concerns with this revision.

Alterations

The original chimney has been removed from the roof. Staff recommends that a brick chimney matching the size and location of the original chimney be installed.

CA2-23-057– 1037 Sparks St.

March 22, 2023

Page 3 of 3

The updated plans show a chimney being re-installed on the roof. Staff finds that the chimney shown is a graphical representation as opposed to an accurate reflection of the previously existing chimney. As such, Staff recommends that the plans be amended to show the chimney being reinstalled to its previous dimensions and materials.

The front porch railing has been installed using side nailed pickets instead of butt jointed rails and balusters. As such, Staff recommends the front porch railing be changed to meet the district regulations.

The Applicant has provided updated drawings after meeting with Staff to show the intent of the new railings. As such, Staff finds this recommendation has been met.

The Commission's previous approval required the double grouped window to be removed from the plans and all windows to be kept in their original locations. Staff would recommend that all windows meet the conditions of the original approval.

The updated plans show the double grouped window on the front façade remaining. Additional changes to the left side façade include the replacement of the transom style windows with new windows shown as 3 feet by 5 feet. However, the window plans are not drawn to-scale. As such, Staff recommends that the new windows on the left side façade match the dimensions of the window currently installed on the left side façade.

STAFF RECOMMENDATION: Approval with the following conditions:

1. The plans shall be altered to show the condition of the existing structure and the proposed plans showing compliance with any condition placed on the structure by the Commission;
2. The site plan shall be amended to show the footprint of the driveway that was constructed, and that the driveway be extended if necessary for compliance with the District regulations, per Sec. 16-20M.012(4);
3. *that the plans be amended to show the chimney being reinstalled to its previous dimensions and materials, per Sec. 16-20M.017(1);*
4. All windows shall meet the conditions of the original approval, per Sec. 16-20M.017(1)(a) and CA3-20-253;
5. *the new windows on the left side façade match the dimensions of the window currently installed on the left side façade, per Sec. 16-20M.017(1)(a); and,*
6. 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
55 Trinity Avenue, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

Jahnee Prince
Commissioner

Doug Young
Director
OFFICE OF DESIGN

MEMORANDUM

TO: Atlanta Urban Design Commission
FROM: Matt Adams- Interim Executive Director
ADDRESS: 2907 Eleanor Terrace
APPLICATION: CA2-23-269
MEETING DATE: September 13, 2023

FINDINGS OF FACT:

Historic Zoning: Collier Heights Historic District **Other Zoning:** R-4

Date of Construction: 1963

Property Location: East of Eleanor Court and West of Kings Grant

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

Project Components Subject to Review by the Commission: Alterations

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

Relevant Code Sections: Sec. 16-20Q.

Deferred Application (Y/N)? No

Previous Applications/Known Issues: Stop Work Order placed on 7/14/23 for exceeding the permit that was granted.

SUMMARY CONCLUSION / RECOMMENDATION: Approval with Conditions.

ALTERATIONS

Windows

The photos provided appear to be original to the house and has not changed. Staff is not concerned with the windows proposal. Staff recommends that if the windows need repairing or replacing, the Applicant provide photographic evidence to Staff to support the change. If the change is permitted, the windows must be replaced or repaired in-kind to match the original in style, location.

Railings

The railings have been installed on the front and in the carport area, neither are original to the house nor appear to have been approved for installation. This work is not permitted. The district regulations states, "Original or historic porches or stoops, including their component features shall be retained." The railing on the front is not the historic pattern on the porch. The railing in the carport provides a false sense of framing. District regulations states, "...carports may be fully enclosed into conditioned space provided the original character defining features visible from the public street are retained and are identifiable." Right now, the railings represent a framing that is not original to the house. Staff recommends, the railings be removed.

Siding

The siding appears to be in good condition and Staff can't see why replacement is needed. This maybe because the photos provided do not show replacement is necessary. Staff recommend the Applicant provide photos justifying replacement before replacing the siding.

While painting is not apart of the scope of work, Staff recommend the non-painted masonry not to be painted.

Facia, Soffit and Gutters

The provided photos indicated the facia, soffit, and gutters on certain part of the house needs replacing. While the Applicant has not indicated replacing the facia, soffit, and gutters, Staff recommend they be replaced.

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

STAFF RECOMMENDATION: Approval with Conditions.

1. The Applicant shall provide photographic evidence of the windows to determine feasibility, if windows require replacing or repairing, the windows shall match the original in light design, function, materials and shape and size, per Sec.16-20Q.006(3)(c)(d);
2. The siding shall be replaced or repaired in-kind to match the original siding, per Sec. 16-20Q.006(1)(h);
3. The railings shall be removed from the front and carpot, per Sec.16-20Q.006 (10);
4. The facia, soffit and gutters shall be replaced, per Sec.16-20Q;
5. The masonry shall not be painted, per Sec. 16-20Q.005(1)(b)(i) and
6. Staff shall review and if appropriate, approve the final plans and documentation.



CITY OF ATLANTA

Andre Dickens
MAYOR

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

Jahnee Prince
Commissioner

Doug Young
Director
OFFICE OF DESIGN

MEMORANDUM

TO: Atlanta Urban Design Commission

FROM: Matt Adams, Executive Director

ADDRESS: 466 Waldo

APPLICATION: CA2-23-283

MEETING DATE: September 13, 2023

FINDINGS OF FACT:

Historic Zoning: Grant Park Historic District **Other Zoning:** R-5

Date of Construction: 1925

Property Location: West of Hansell Street and East of Glenwood Avenue

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

Project Components Subject to Review by the Commission: Repair of front Gable Roof

Project Components NOT Subject to Review by the Commission:

Relevant Code Sections: Sec. 16-20K

Deferred Application (Y/N)? No

Previous Applications/Known Issues: None

SUMMARY CONCLUSION / RECOMMENDATION: Approval with Conditions.

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

ALTERATION/REPAIR

The Applicant proposes to repair the gable at the front of the house. This repair requires a 22 scaffolding because of the height of house. Photos provided by the Applicant show the gable needs general repair such as replacing the sheathing and flashing. Routine repairs are do not concern Staff.

Siding

The original siding on the house is wood which will include the siding in the gable. The Applicant is seeking to change it to cementitious siding matching the original wood siding. Staff cannot support this proposal. While cementitious siding is permitted, it will not be permitted for replacement of original wood siding. From photos provided, it appears the siding is in good shape but does need repairing. Staff recommend the Applicant repair the siding in-kind to match in material and reveal, if there are pieces that need replacing, Staff further recommend the replacement be done in-kind to match the original in material and reveal.

Trim

The original trim is wood. The Applicant is proposing the trim to be changing to PVC piping. Staff cannot support this. The original trim will need to be repaired or replaced in-kind to match to original material which is wood.

STAFF RECOMMENDATION: Approval with Conditions

1. All siding shall be repaired or replaced in-kind to match in original material and reveal, per Sec. 16-20K.007(2)(D) ;
2. All trim shall be repaired or replace in-kind to match in original material, width, and style, per Sec.16-20K.007(2)(D) and
3. Staff shall review and if appropriate, approve the final plans and documentation.

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
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

DOUG YOUNG
Director, Office of Design

MEMORANDUM

TO: Atlanta Urban Design Commission
FROM: Matt Adams, Executive Director
ADDRESS: 1064 Oglethorpe Avenue SW
APPLICATION: CA3-23-270
MEETING DATE: September 13, 2023

FINDINGS OF FACT:

Historic Zoning: West End Historic District

Other Zoning: MR-MU

Date of Construction: n/a

Property Location: South side of Oglethorpe Avenue 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. 16-20G

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 with Sec. 16-20G of the Zoning Ordinance of the City of Atlanta.

The Applicant proposes construction of a new 12-unit multi-family, affordable housing building. The property was rezoned from R-4A to MR-MU by case Z-21-051. The final action legislation for this rezoning was approved November 24, 2021.

The proposed new construction would have a hipped primary roof with a slope of 6/12, and a secondary rear hipped roof with a slope of 4/12. Staff has concerns with the proposed height, of 31 feet 10 inches as the compatibility data submitted by the Applicant shows that the tallest allowable height for the block face is 28 feet. The Applicant will revise the proposed roof design to be in compliance with Sec. 16-20G.006 (2)(g) which states, “No structure shall exceed that height established by the compatibility rule.”

The foundation would be CMU with a parge coat of stucco, and the exterior cladding would be smooth faced cementitious siding. The side yard setbacks are proposed as 5 feet, the rear yard setback as 10, which meets the zoning code for MR-MU parcels per Sec. 16-35.010 (2-3). The front yard setback is proposed as 12 feet, which falls within the appropriate range established by the compatibility rule. The Applicant proposes use of wood-framed, one-over-one, double-hung windows. Staff is not concerned with any of these proposals as they meet the requirements of the zoning code.

There is a primary porch on the street facing façade. This porch has square wooden supports and a wooden balustrade. The Applicant will utilize two-part, butt-jointed construction for the primary porch balustrade. The Applicant will utilize tongue-in-groove porch flooring installed perpendicular to the façade.

There would be a side-oriented secondary porch to access the rear units. This porch would be offset so it sits behind the bulk of the street-facing units. This porch would utilize square wooden supports which match the design of the primary porch and wooden balustrades. The Applicant will utilize two-part, butt-jointed construction for the secondary side-porch balustrade. Staff notes that while a wood door is proposed for the street-facing façade, the individual unit doors are proposed as fiberglass. Per Sec. 16-20G.006 (3)(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.” The proposed front door is solid wood, with a transom above. The Applicant will revise the proposed door to utilize a wood door with a rectangular half-light. The Applicant will revise the proposed plans to utilize all wood doors, which meet the requirements of Sec. 16-20G.006 (3)(k). The Applicant will provide specifications for the proposed unit doors.

In terms of site development, it appears that the Applicant will remove the existing retaining wall as part of the proposed construction. This retaining wall appears to have been constructed in conjunction with the apartments at 1058 Oglethorpe Avenue SW. This apartment complex was constructed in 1963 and is non-contributing to the historic district, so Staff is not concerned with the removal of the non-contributing feature. HVAC condenser units would be located at grade, on

the right elevation and would not be visible from the public right-of-way. Staff notes that no fencing is proposed along this side of the parcel. Given the proposed design and the proximity of the units to the adjacent parcel, Staff strongly recommends the use of fencing for screening.

New steps and a brick planting bed will incorporate the structure above the existing brick sidewalk. Given the existing height above grade, as well as the massing, Staff recommends revision of this design to incorporate a small front yard, to decrease the vertical profile of the structure and better integrate with the architecture of the existing housing stock. The Applicant will revise the front stair design to be in compliance with Sec. 16-20G.006 (2)(c). No parking is proposed for the structure, but dumpster access will be on the left elevation, adjacent to the adjoining parking lot at 1058 Oglethorpe Avenue SW. The Applicant proposes appropriate screening of the feature, and Staff is not concerned with the proposal.

STAFF RECOMMENDATION: Approval with the Following Conditions

- 1.) The Applicant will revise the proposed roof design to be in compliance with Sec. 16-20G.006 (2)(g) which states, “No structure shall exceed that height established by the compatibility rule.”
- 2.) The Applicant will utilize two-part, butt-jointed construction for the primary porch balustrade.
- 3.) The Applicant will utilize tongue-in-groove porch flooring installed perpendicular to the façade.
- 4.) The Applicant will utilize two-part, butt-jointed construction for the secondary side-porch balustrade.
- 5.) The Applicant will revise the proposed door to utilize a wood door with a rectangular half-light.
- 6.) The Applicant will revise the proposed plans to utilize all wood doors which meet the requirements of Sec. 16-20G.006 (3)(k).
- 7.) The Applicant will provide specifications for the proposed unit doors.
- 8.) The Applicant will revise the front stair design to be in compliance with Sec. 16-20G.006 (2)(c).
- 9.) Staff shall review, and if appropriate, issue final approval of the 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
404-330-6145 – FAX: 404-658-7491

DOUG YOUNG
Director, Office of Design

MEMORANDUM

TO: Atlanta Urban Design Commission

FROM: Matt Adams, Executive Director

ADDRESS: 281 Peters Street NW

APPLICATION: CA3-23-277

MEETING DATE: September 13, 2023

FINDINGS OF FACT:

Historic Zoning: Castleberry Hill Landmark District, Subarea 1 **Other Zoning:** n/a

Date of Construction: 1981

Property Location: West side of Peters Street NW

Contributing (Y/N)?: No

Building Type / Architectural form/style: Contemporary

Project Components Subject to Review by the Commission: Variance to allow accessory structures where they otherwise would be prohibited

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

Relevant Code Sections: Sec. 16-20N

Deferred Application (Y/N)?: No

Previous Applications/Known Issues: Yes, 23CAP-00000417, CA2-23-177

SUMMARY CONCLUSION / RECOMMENDATION: Approval

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

Variance CA3-23-277

The requested variance is to allow a deck and accessory structures (dining cabanas) in front of the principal structure, where they otherwise would be prohibited and to allow an outdoor dining area within 100 feet of a residential structure.

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

The Applicant states that there are no extraordinary conditions present on the lot. Staff finds that this is not the case. The building on the property is non-contributing to the Castleberry Hill Landmark District, constructed in 1981. The L-shaped building is constructed completely to the lot lines on the rear and left elevations, though the submitted site plan was intended only to illustrate the alterations, not the full lot. As a result, there is no rear yard, and the only open space available for accessory structures is between the front of the structure and the street, which is within the 100' foot zone of the adjacent residential structure.

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 loss of jobs due to inability to add an additional seating area as an unnecessary hardship. Staff finds that financial considerations are not relevant to the granting of a variance. Staff finds that the configuration of the non-contributing building, which predates the establishment of the historic district imposes a hardship by not providing a rear yard. The lack of a rear yard limits the property owner from construction of features which by code are required to be located to the rear of the structure further from the adjacent dwelling, including a deck and accessory structures.

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

The Applicant states that outdoor seating is a peculiar feature of the property, no additional explanation is provided. Staff finds that the outdoor seating is not an existing condition present on the lot, nor is it particular to this lot. Staff does find that the lot configuration, with the principal structure on the lot lines on the rear and left elevations creates and unusual and exceptional configuration, where there is no rear yard present.

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 because the restaurant will be in compliance with the city noise ordinance and have 'minimal dining'; however, no additional explanation of this is provided. Staff finds that there is no information provided in the Application to that effect; however, it does appear that the design of the cabanas, with the openings directed inward toward the building, versus outwards towards the surrounding

buildings mitigates the sound impacts. Overall, Staff finds that the placement of accessory structures in front of the building when there is no alternative does not cause substantial detriment, so long as it complies with other areas of the code.

IN general, Staff finds that the Applicant's request meets the criteria for granting a variance. Staff is satisfied by the responses given in which an unnecessary hardship was created by the lot configuration, which does not include a rear yard. In order to exercise full use of the lot, the Applicant must receive a variance from the zoning code to permit construction of the deck and accessory structures between the principal structure and the street.

STAFF RECOMMENDATION: Approval

The Applicant received a stop-work order (23CAP-00000417) on March 22, 2023, for unpermitted construction of a deck and cabanas in the front parking lot of their building. They are proposing retroactive approval of these alterations, as well as interior renovations outside the scope of the Commission's purview.

Per Sec. 16-20N.007 (14)(e), "Accessory structures shall be placed behind the principal structure within the buildable area of the lot." The construction of the deck and accessory structures in their present location requires a variance to the code. Pending approval of Variance CA3-23-277 the structures would be permitted to remain in their present location. (f) Accessory structures shall not cover more than 25 percent of the rear yard. At present the available yard space is completely covered, with the exception of 174 square feet. The code permits no more than 25% (320 square feet) of that yard (1278 square feet) to be covered by accessory structures. At present there are 464 square feet of cabanas present. The Applicant will remove cabana space to be in compliance with Sec. 16-20N.007 (14)(f).

Staff further notes that the outdoor dining area has reduced the available parking to zero. Per Sec. 16-020N.008(3)(d) 43 parking spaces are required for this establishment. The property is not eligible for allowances under Sec. 16-28.013 due to it possessing a liquor license. The Applicant will address the lack of parking created by the proposed application.

STAFF RECOMMENDATION: Approval with the Following Conditions:

- 1.) The Applicant will remove cabana space to be in compliance with Sec. 16-20N.007 (14)(f).
- 2.) The Applicant will address the lack of parking created by the proposed application prior to final approval.
- 3.) Staff shall review, and if appropriate, issue final approval of the project.

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
404-330-6145 – FAX: 404-658-7491

DOUG YOUNG
Director, Office of Design

MEMORANDUM

TO: Atlanta Urban Design Commission

FROM: Matt Adams, Executive Director

ADDRESS: 842 White Street SW

APPLICATION: CA3-23-278

MEETING DATE: September 13, 2023

FINDINGS OF FACT:

Historic Zoning: West End Historic District

Other Zoning: R-4A, Beltline

Date of Construction: 1930

Property Location: South side of White Street SW

Contributing (Y/N)?: Yes

Building Type / Architectural form/style: Gabled-El Cottage

Project Components Subject to Review by the Commission: Alterations

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

Relevant Code Sections: Sec. 16-20G

Deferred Application (Y/N)?: No.

Previous Applications/Known Issues: Yes, 21CAP-00001560, BB-202101654, 23CAP-00000957

SUMMARY CONCLUSION / RECOMMENDATION: Approval with Conditions

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

The previous property owner was issued a stop-work order (21CAP-00001560). The property and unpermitted work came into compliance after CA3-20-402, for an addition, and alterations was approved on 02/25/2021 and BB-202101654 was issued on July 26, 2022. Since that time the property has been sold, and the current Applicant has attempted to complete the previously approved work. A second stop work order, 23CAP-00000957, was issued on June 24, 2023, for working outside the scope of what was previously approved under CA3-20-402. Staff finds the following violations are outside the approved scope:

Windows

Windows were not approved for removal under the scope of CA3-20-402. The historic windows on the house were removed and discarded and have been replaced with one-over-one windows which are smaller than what was present historically, in-fill is visible around these windows. On the addition portion vinyl windows with a four-over-one pattern (with internal simulated muntins) was installed which does not meet the requirements of the code. Sec. 16-20G.006 (3) (c) states, "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." Further, per Sec. 16-20G.006 (3) (g) "New doors and windows, when permitted, shall be compatible in scale, size, proportion, placement, and style to existing windows and doors." The Applicant will remove the non-compliant windows and infill siding and replaced with them with wood, three-over-one light pattern windows, which differ from the originals by no more than an inch in size. The Applicant will remove the non-complaint vinyl windows on the addition and replace them with wood windows, which match the size, shape, design, and material of those on the historic home. The Applicant will provide specifications for the proposed replacement windows.

Gable Vent

The gable vent has been removed and is currently open space. The Applicant must replace the gable vent with one of the exact dimensions and style. The Applicant will submit specifications for the proposed gable vent replacement.

Porch Balustrade

The porch railings were installed unpermitted prior to the COA, and do not meet the district regulations. They must be butt-jointed and not exceed the height of the bottom of windowsills. The Applicant will remove the unpermitted front-nailed balustrades and replace them with balustrades of the appropriate height of two-part, butt-jointed construction.

Porch Flooring

The porch flooring was installed unpermitted prior to the COA and does not meet the requirements of the code. The flooring must be tongue-in-groove, installed perpendicular to the façade. The Applicant will remove the unpermitted decking and install tongue-in-groove porch flooring installed perpendicular to the façade.

Porch Supports

The replacement porch supports do not match what was present historically. The supports which were removed had distinctive mitered corners. The porch supports must replicate the originals. The Applicant will replace the existing porch supports with square supports with mitered corners which match the historic supports which were removed.

Foundation

The historic brick foundation of the right elevation has been removed and replaced with CMU. This was not permitted. The CMU must be removed, and the foundation reconstructed using brick which matches what was present historically. Sec. 16-20G.006 (5)(a) states, "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." The Applicant will remove the non-complaint CMU and restore the original brick construction of the foundation. The Applicant will submit specifications for the proposed brick to be used in restoration of the foundation.

Chimneys

The two historic chimneys present on the roofline have been enclosed in siding. This is not permitted by the code. The siding must be removed, and the chimneys faced with brick. The Applicant will remove the non-compliant siding and restore the historic brickwork on the chimneys.

Side Porch

This has been constructed outside the scope of what was proposed. The original entrance was presented as a stoop with a single step, and no railings, not a full side porch. As with the porch flooring and front railing, the construction methods do not meet the code. The horizontal covering on the bottom is also not appropriate to fit the historic character. Sec. 16-20G.006 (9)(d) states, "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." The Applicant will submit updated plans which illustrate the revised design side porch. The Applicant will redesign the porch to meet the compatibility rule and the requirements of Sec. 16-20G.006 (9)(d).

Side Door

The original proposal was for wooden French doors. The single door which was installed appears to be of fiberglass construction with a semi-circular light. The materials and design do not meet the requirements of the code. Sec. 16-20G.006 (3)(k) states, "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." The door must be removed and replaced with one of appropriate design and materials. The Applicant will replace the side door with a door which meets the requirements of Sec. 16-20G.006 (3)(k). The Applicant will submit specifications for the proposed side door.

HVAC Enclosure

Sec. 16-20G.006 (10) states," 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." While the solution is an appropriate one, the enclosure was not shown on the original plans or included in the permits. It must be included on the new elevations submitted. The Applicant will submit an updated site plan clearly illustrating all features present on the property including fencing and accessory structures.

STAFF RECOMMENDATION: Approval with the Following Conditions:

- 1.) The Applicant will remove the non-compliant windows and infill siding and replaced with them with wood, three-over-one light pattern windows, which differ from the originals by no more than an inch in size.
- 2.) The Applicant will remove the non-complaint vinyl windows on the addition and replace them with wood windows, which match the size, shape, design, and material of those on the historic home.
- 3.) The Applicant will provide specifications for the proposed replacement windows.
- 4.) The Applicant will submit specifications for the proposed gable vent replacement.
- 5.) The Applicant will remove the unpermitted front-nailed balustrades and replace them with balustrades of the appropriate height of two-part, butt-jointed construction.
- 6.) The Applicant will remove the unpermitted decking and install tongue-in-groove porch flooring installed perpendicular to the façade.
- 7.) The Applicant will replace the existing porch supports with square supports with mitered corners which match the historic supports which were removed.
- 8.) The Applicant will remove the non-complaint CMU and restore the original brick construction of the foundation.
- 9.) The Applicant will submit specifications for the proposed brick to be used in restoration of the foundation.
- 10.) The Applicant will remove the non-compliant siding and restore the historic brickwork on the chimneys.

- 11.)** The Applicant will submit updated plans which illustrate the revised design side porch.
- 12.)** The Applicant will redesign the porch to meet the compatibility rule and the requirements of Sec. 16-20G.006 (9)(d).
- 13.)** The Applicant will replace the side door with a door which meets the requirements of Sec. 16-20G.006 (3)(k).
- 14.)** The Applicant will submit specifications for the proposed side door.
- 15.)** The Applicant will submit an updated site plan clearly illustrating all features present on the property including fencing and accessory structures.
- 16.)** Staff shall review, and if appropriate, issue final approval of the 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
Director, Office of Design

MEMORANDUM

TO: Atlanta Urban Design Commission
FROM: Matt Adams, Executive Director
ADDRESS: 1112 Austin Avenue NE
APPLICATION: CA3-23-281
MEETING DATE: September 13, 2023

FINDINGS OF FACT:

Historic Zoning: Inman Park Historic District, Subarea 1 **Other Zoning:** R-5/ Beltline

Date of Construction: 1922

Property Location: North side of Austin Avenue NE.

Contributing (Y/N)?: Yes

Building Type / Architectural form/style: Colonial Revival

Project Components Subject to Review by the Commission: Variance to allow a material (poured, stamped concrete) where it otherwise would be prohibited (hexagonal pavers required)

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

Relevant Code Sections: Sec. 16-20L

Deferred Application (Y/N)?: No

Previous Applications/Known Issues: n/a

SUMMARY CONCLUSION / RECOMMENDATION: Approval

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

Variance CA3-23-281

The requested variance is to utilize a material (stamped poured concrete) for a sidewalk, where it otherwise would 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 configuration of the lot (which was previously subdivided and is being re-consolidated requiring the repaving of the sidewalk, presence of mature trees with critical root zones, which would be impacted by the proposed sidewalk installation, and the predominance of poured concrete sidewalks on neighboring properties.

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 that installation of the required sidewalk material (hexagonal pavers) would require digging to a depth that would adversely impact and likely kill, the existing mature oak tree.

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

The Applicant cites the presence of protected mature trees.

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 relief, if granted would increase public safety through creation of a sidewalk in good repair as well as maintaining the mature trees present on the site.

IN general, Staff finds that the Applicant's request meets the criteria for granting a variance. Staff is satisfied by the responses given in which an unnecessary hardship was created by the impact to the root zone of mature trees. Staff finds that the application of the sidewalk material requirements for the Inman Park Historic District would create an unnecessary hardship and as such, Staff supports the requested variance.

STAFF RECOMMENDATION: Approval

cc: Applicant
Neighborhood
File



CITY OF ATLANTA

ANDRE DICKENS
MAYOR

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

Jayne Prince
Commissioner

Doug Young
Director
OFFICE OF DESIGN

MEMORANDUM

TO: Atlanta Urban Design Commission
FROM: Matt Adams, Executive Director
ADDRESS: Ponce de Leon- Springdale Park
APPLICATION: RC-23-282
MEETING DATE: September 13, 2023

FINDINGS OF FACT:

Historic Zoning: N/A **Other Zoning:**

Date of Construction: N/A

Property Location: Corner of Ponce de Leon and Royce Rance Ave.

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

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

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

Relevant Code Sections: N/A

Deferred Application (Y/N)? No

Previous Applications/Known Issues: N/A

SUMMARY CONCLUSION / RECOMMENDATION: Confirm the delivery of comments at the meeting.

CONCLUSIONS: The following conclusions pertinent to this request are in accordance the Atlanta Land Development Code as amended.

STAFF RECOMMENDATION: Staff recommends the Commission confirm and send a letter with comments.

ALTERATIONS and SITE WORK

The Applicant proposes to replace the existing exercise equipment with new equipment and replace the rubberize ground. The provided photos show the equipment to be a material that will weather nicely. There is a varying age-appropriate equipment that should make the various areas engaging for all age groups. Staff likes the added musical equipment that creates a creative and interesting park.

In addition to the listed alterations, the Applicant is proposing several site changes to enhance the park. There is a proposal for a 50 long sitting wall; allowing others to relax while watching kids. Most importantly, the Applicant is proposing site changes that will mitigate water issues such as regrading the path for proper drainage and a proposal for a rain garden to do the same.

Staff support all the proposed efforts listed. Staff also would like the Applicant to identify the maintenance plans for the site and if there are further safety enhancements such as more lighting.

cc: Applicant
Neighborhood
File