



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: 1129 Arlington Avenue SW
APPLICATION: CA2-24-091
MEETING DATE: April 24, 2024

FINDINGS OF FACT:

Historic Zoning: Oakland City Historic District/Beltline

Other Zoning: R-4A

Date of Construction: 1920

Property Location: East side of Arlington Avenue SW.

Contributing (Y/N)?: Yes

Building Type / Architectural form/style: Bungalow

Project Components Subject to Review by the Commission: Alterations & Site work subject to a stop-work order

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

Relevant Code Sections: Sec. 16-20M

Deferred Application (Y/N)?: No

Previous Applications/Known Issues: Yes, 24CAP-00000269

SUMMARY CONCLUSION / RECOMMENDATION: Approval with Conditions

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

The Applicant received a stop-work order on February 20, 2024, for erection of an unpermitted fence. The Applicant has applied for a certificate of appropriateness for the fence and additional exterior alterations. Staff has significant concerns regarding the scope of work as described and depicted on the plans. The elevations do not show all four elevations, but it appears that siding is being replaced. The elevations that were submitted do not accurately depict the structure. For example, tapered piers are shown, which do not exist on the house. Balustrades are depicted where none exist on the cheek walls. The elevations must be updated to accurately depict all features present and all elevations where work is proposed. The Applicant shall supply updated elevations depicting all elevations and features accurately.

The scope of work is also far too vague. The application suggests that the porch flooring, railings, and porch supports will be “repaired” no evidence for the need for repairs or description of the extent of the proposed repairs have been submitted. The Applicant shall provide existing photographs of all features proposed for repair. The Applicant shall supply a detailed explanation of the scope of proposed work to all porch features. The Applicant shall supply material specifications for all materials proposed to be used for repairs.

Further, siding replacement is proposed, but the existing siding is not accurately described nor depicted. The existing siding appears to be aluminum. The Applicant is proposing that it be replaced with shiplap siding, with no evidence that this existed historically on the structure. There has been no evidence submitting clarifying if historic siding is present under the non-historic aluminum siding, nor if its condition warrant replacement. The Applicant shall clarify the scope of work regarding the proposed siding replacement.

Fence & Site Work

The submitted site plan is not acceptable. It is not to scale, nor does it accurately depict the conditions on the lot or calculate lot coverage. In addition, it is not clear what the scope of work in the rear is, the only notation being “existing rear deck wood.” The Applicant shall clarify the scope of work regarding the rear elevation. The Applicant shall submit a site plan showing all four corners of the property and all features present, with impervious lot coverage calculated.

STAFF RECOMMENDATION: Approval with the following conditions:

- 1.) The Applicant shall supply updated elevations depicting all elevations and features accurately.
- 2.) The Applicant shall provide existing photographs of all features proposed for repair.
- 3.) The Applicant shall supply a detailed explanation of the scope of proposed work to all porch features.
- 4.) The Applicant shall supply material specifications for all materials proposed to be used for repairs.
- 5.) The Applicant shall clarify the scope of work regarding the proposed siding replacement.
- 6.) The Applicant shall clarify the scope of work regarding the rear elevation.
- 7.) The Applicant shall submit a site plan showing all four corners of the property and all features present, with impervious lot coverage calculated.
- 8.) Staff shall review, and if appropriate, issue final approval of the plans.

cc: Applicant
Neighborhood
File



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Jahnee Prince
Commissioner

DOUG YOUNG
Director, Office of Design

MEMORANDUM

TO: Atlanta Urban Design Commission
FROM: Matthew Adams, Executive Director
ADDRESS: 1129 Selwin Avenue
APPLICATION: CA2-24-095
MEETING DATE: April 24, 2024

FINDINGS OF FACT:

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

Date of Construction: 1920

Property Location: Corner of Wilmington Ave. and Selwin Ave.

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

Project Components Subject to Review by the Commission: Alterations

Project Components NOT Subject to Review by the Commission: Interiors

Relevant Code Sections: Sec.16-20M

Deferred Application (Y/N)? No,

Previous Applications/Known Issues: Stop Work Order placed on property with the following narrative: "Work done without a permit, windows do not meet historic regulations, brick painted against historic regulations; porch flooring is incorrect; porch railings are incorrect and too high; porch rafters have been removed; walkway installed; property must go through Urban Design Commission prior to obtaining new building permit.

SUMMARY CONCLUSIONS / RECOMMENDATIONS:

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

Staff relied on the Code Enforcement's photos to make assessment on what the Applicant is now proposing.

ALTERATIONS

Porch Railings

Photos provided by Code Enforcement show the porch railings are too high. On the proposed elevation, the Applicant has proposed to correct the railings by following the historic regulations, which are railings shall be no higher the bottom ridge of the front window with a two-part construction. Any need to comply with code, should be done with a plain extension. The Applicant has shown this on the elevation, Staff recommend the Applicant note this on the elevation as well.

The Applicant proposes to install the same railing on the back deck. Staff are not concerned with this proposal.

Porch flooring

The Applicant has indicated constructing the porch flooring in a manner that is compliant. Staff recommend the porch flooring be tongue and groove and perpendicular in orientation. Staff also recommend the Applicant clearly note this the proposed elevation, so it is not missed.

Porch Ceiling

The porch ceiling is not installed correctly, the porch ceiling shall be beadboard. Staff recommend the Applicant to comply and note this on the elevation so that it will not be missed.

Roof Rafters

Where the photos do not show any roof rafters, the elevation does, and the Applicant has note this is the proposal. Staff are not concerned with the proposal.

Windows

The Applicant has set for a variance to keep the vinyl windows instead of requiring the window to be wood windows. Staff recommendation is in that variance report. District regulations do not call out material for windows but does state, "replacement windows units shall maintain the size and shape of the original window opening." From photos provided it appears some windows sizes have been changed. This is not acceptable. Staff recommend that the Applicant comply in installing and bring back the windows back to all windows original size and shape and note this on the elevation and through a window schedule.

Paint

Photos show the chimney painted. Our records show the chimney was painted prior. While unpainted masonry is not permitted, since the chimney was painted before designation, it can be repainted. Staff are not concerned with the painted Chimney.

SITE WORK

Walkway

The Applicant proposes on the site plan the walkway on the Wilmington Avenue to have hexagon outdoor pavers. Staff are not concerned with this proposal.

Fence

The Applicant proposes a 6ft high fence on the side yard on the Wilmington Avenue. Being that this house sit on a corner the 6ft high proposal is not permitted. The highest fence can be is 4ft. Staff recommend the Applicant comply and only install a 4ft fence which can be brick, stone, ornamental iron, or wood.

Driveway

The proposed driveway on the site plan is too wide. Driveways are only permitted to be 10 ft wide with a maximum curb cut of 10 feet exclusive of the flair. Staff recommend the Applicant install the driveway to comply to 10ft.

STAFF RECOMMENDATION: Approval with Conditions.

1. Railings shall be no higher the bottom ridge of the front window with a two-part construction, any need to comply with code, should be done with a plain extension and noted on the elevation per, Sec. 16-20M.013(2);
2. Porch flooring shall be tongue and groove, perpendicular and be noted on the elevation, per Sec.16-20M.013(2);
3. The porch ceiling shall be beadboard and noted on the elevation, per Sec.16-20M.013(2);
4. The Applicant shall comply by reinstalling the windows that were changed back to their original size and shape and provide a window schedule, per Sec.16-20M.013(2)(o)(1);
5. The fence on the half depth can only be 4ft wide, per Sec.16-20M.013(2)(l);
6. Driveways are only permitted to be 10 ft wide with a maximum curb cut of 10 feet exclusive of the flair per, Sec.16-20M.012(4)(c) and
7. Staff shall review and if appropriate, approve the final plans and documentation.

Cc: Applicant
Neighborhood
File



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Jahnee Prince
Commissioner

DOUG YOUNG
Director, Office of Design

MEMORANDUM

TO: Atlanta Urban Design Commission
FROM: Matthew Adams, Executive Director
ADDRESS: 2885 Dale Creek
APPLICATION: CA2-24-223
MEETING DATE: April 24, 2024

FINDINGS OF FACT:

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

Date of Construction: 1957

Property Location: South of Baker Ridge Drive

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

Project Components Subject to Review by the Commission: Exterior renovation

Project Components NOT Subject to Review by the Commission: Interior

Relevant Code Sections: Sec.16-20Q

Deferred Application (Y/N)? No

Previous Applications/Known Issues: Stop Work Posted 10/23 for painted brick.

SUMMARY CONCLUSIONS / RECOMMENDATIONS: Approval with Conditions

SCOPE OF WORK

In addition to painting unpainted brick, the Applicant also changed all the metal windows on the house.

WINDOWS

District regulation states,

“Original or historic windows and exterior doors shall be retained. Replacement of windows or exterior doors shall be permitted only when the original or historic windows and exterior doors cannot be rehabilitated. If original or historic windows or exterior doors cannot be rehabilitated, replacement windows and doors shall match the original or historic in light design, function, materials, shape, and size.

Replacement windows and doors for non-original or non-historic windows and doors shall be compatible with the architectural style of the structure or shall be subject to the compatibility rule.

On existing principal structures, new doors and windows in new openings, when permitted, shall be compatible in scale, size, proportion, placement and style to existing windows and doors.”

Many of the windows were changed from two or three windows to one. Relying on the regulation above, which states, *“If original or historic windows or exterior doors cannot be rehabilitated, replacement windows and doors shall match the original or historic in light design, function, materials, shape, and size.”* Staff reason the Applicant is not in compliance with the window regulations set forth. The proposed windows match the original light design, function shape possible material and overall size, however the windows that have been changed from two, three to one do not match in size. For those windows, Staff recommend the windows be changed back to the original sizes, which essentially will change them back to their original count.

Staff are not concerned with the material of the window if the windows are aluminum. If the material is vinyl, that will be problematic. If they are vinyl, Staff recommend they be returned to some form of metal window. A metal window would have been the prevailing material during that time.

Staff are concerned with the removal of windows or interior work. As stated, *“all original or historic windows...shall be retained”* This would include openings. Staff recommend the windows not be removed and if they have been removed, they will need to be restored to comply with District regulations.

PAINTED BRICK

The house has been painted. Painted brick is not permitted in the historic District. The Applicant proposes to remove the paint through a method that is not known for damaging the brick. Staff are not concerned with this proposal.

CA2-24-113 for 2885 Dale Creet
April 24, 2024
Page 3 of 3

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

STAFF RECOMMENDATION: Approval with Conditions

1. The windows shall not be removed and if they have been removed, they shall be restored to the original shape and size to comply with the District regulations, per Sec.16-20Q.006(2)(c)
2. Staff shall review and if appropriate, approve the final plans and documentation.

Cc: Applicant
Neighborhood
File



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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: 192 Hurt Street NE

APPLICATION: CA3-24-022 & CA3-24-088

MEETING DATE: April 24, 2024

FINDINGS OF FACT:

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

Date of Construction: 1905-1908

Property Location: Southwestern corner of the intersection of Hurt & Euclid Avenue NE.

Contributing (Y/N)?: Yes

Building Type / Architectural form/style: Queen Anne

Project Components Subject to Review by the Commission: (CA3-24-022) Alterations and Re-framing of portions of the roof in relation to a stop-work order, (CA3-24-088) Variance to allow a roofing material (faux slate) that would otherwise be prohibited.

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

Relevant Code Sections: Sec. 16-20L

Deferred Application (Y/N)?: No

Previous Applications/Known Issues: Yes, 23CAP-00001787, CA3-24-022

SUMMARY CONCLUSION / RECOMMENDATION: Approval with Condition (CA3-24-022), Denial (CA3-24-088)

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

CA3-24-022 Re-Roofing

The Applicant received a stop-work order on December 15, 2023, for unpermitted replacement of the existing roof, including a reframing that appears to increase the size of the existing dormer on the roof, removal of windows, chimneys, decorative elements, and alterations, including replacement of siding, the porch ceiling, and trim.

Further, the proposed roofing materials submitted by the Applicant do not meet the requirements of the code. Sec. 16-20L.005 (1)(b)(ix) requires, “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.” The historic roof of the structure was slate, and constitutes a key, character-defining feature of the structure. The Applicant has noted that portions of the roof were not clad in slate. Staff has determined that the only portions of the roof that were not original to the house were porte cochere (added in approximately 1980) and the rear dormer, which was reframed (added in approximately 1989). All other roof planes are original to the house, based on the 1911 Sanborn Fire Insurance map (produced less than ten years after the house’s construction). The Applicant has stated that they desire to file a variance application to allow the use of a roofing material (fiberglass asphalt faux slate) which would otherwise be prohibited.

STAFF RECOMMENDATION: Approval with the Following Conditions

- 1.) The Applicant will submit proposed roofing specifications which meet the requirements of Sec. 16-20L.006 (1)(q)(vi).
- 2.) The Applicant shall submit all revised materials to Staff no later than eight (8) days prior to the

Variance CA3-24-088

The Applicant requests to allow the use of faux slate roofing, which would be prohibited under Sec. 16-20L.006 (1)(q)(vi).

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 age of the structure (constructed in 1907), stating that the required slate roofing would place undue stress on the existing roof framing.

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

The Applicant states that use of the required roofing material may impact other structural components of the house and the surrounding area.

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

The Applicant cites the age of the house and the impact of the gravity load of a slate 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 project will not negatively impact the public good or impair the purposes or intent of the zoning ordinance, as the roof would be repaired with compatible materials.

IN general, Staff finds that the Applicant's request does not meet the criteria for granting a variance. Staff finds that the Applicant's answers are vague and do not establish that granting a variance is the only or best potential solution to the situation. The major concern that Staff has is that there appears to be extensive deterioration that has occurred over time, which needs remediation, and that a lighter roofing material is being used as an alternative for necessary repairs. The Applicant sites that there is existing water damage that has undermined the structural integrity of the roof. No alternative reframing or additional support for the stated existing water damage has been proposed. It appears to Staff that the argument for alternative roofing materials is being used as an alternative to addressing this damage and existing structural deficiency. While the engineering letters do clearly show that settling and load deflection have caused structural issues, one issued by Koblasz & Kennison also states that the assessment is being given "ignoring any rot and water damage." The submitted letter from Law Engineering Consultants specifically states that they, "do not recommend adding a slate roof to the structure in its present condition." This is a clear indication that there are structural deficiencies, some of which are inherent to the age of the structure (the difference in the strengths of framing materials are noted in the letter) but others which are caused by water damage and must be addressed, to ensure structural integrity, and substitution of materials cannot replace this needed work. Their answers frequently reference that the use of slate would impact the "surrounding area", which Staff does not find relevant to the issue of the structural integrity of the structure. The Applicant has also included photos of surrounding houses from a book published about Inman Park in 2008, which show houses that formerly had slate roofing, which have been altered to asphalt shingles. These photos, now 15 years out of date, cannot accurately communicate when these alterations were made relative to the listing of the historic district. Staff finds that these comparisons are not relevant to the variance argument.. The provided supplemental letters establish that there is exiting structural deficiencies, but do not provide compelling evidence for the use of alternative roofing materials. As such, Staff recommends denial of the proposed variance.

STAFF RECOMMENDATION: Denial

cc: Applicant
Neighborhood
File



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DOUG YOUNG
Director, Office of Design

MEMORANDUM

TO: Atlanta Urban Design Commission

FROM: Matt Adams, Executive Director

ADDRESS: 539 Hopkins Street SW

APPLICATION: CA3-24-053

MEETING DATE: April 10, 2024

FINDINGS OF FACT:

Historic Zoning: West End Historic District

Other Zoning: R-4A, Beltline

Date of Construction: n/a

Property Location: Southwest corner of the intersection of Hopkins and Oak Street SW.

Contributing (Y/N)?: n/a

Building Type / Architectural form/style: New Construction

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)?: Yes, deferred March 27 & April 10, 2024.

Previous Applications/Known Issues: No

SUMMARY CONCLUSION / RECOMMENDATION: Deferral until the May 8, 2024, hearing of the Urban Design Commission

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 new construction of a single-family home at 539 Hopkins Street SW. The home would have a hip-on-gable roof, and the exterior would have CMU foundation and be clad in wooden siding.

Site Plan

Staff has several concerns with the site plan as proposed. The driveway, located on the Oak Street SW side of the property is proposed as 14 feet in width. Per. Sec. 16-20G.006 (12) (c), “New driveways shall not exceed a width of ten feet not including the flare at the street.” The Applicant will reduce the width of the driveway to no more than 10 feet, exclusive of the flair. It is not clear if there is any existing sidewalk, or if installation of side walk is proposed. There is existing chain link fencing and a low brick wall present on the property. It is not clear if these are proposed to remain or be removed based on the site plan. The site plan shows overall lot coverage; however, given the change in driveway square footage that needs to occur, the lot coverage will be recalculated, and enumerated based on feature. The Applicant will submit an updated site plan with the lot coverage enumerated. The Applicant will clarify the scope of work in relation to the existing features on the lot. The Applicant will clarify the scope of work in relation to sidewalks. **The Applicant has addressed all issues and updated the site plan accordingly.**

Height & Massing

The overall height of the structure must be reduced. The compatibility data submitted by the Applicant shows that the tallest contributing structure on the blockface is 24.5 feet in height. The proposed structure would be 28.5 feet. The Applicant will reduce the proposed overall height to meet the compatibility rule. The Applicant also shows a full width porch. None of the contributing structures on the block face has a full width porch. In terms of the massing the predominant form is gable-on-hip, but this is achieved with an L-shaped gable projection, rather than presenting as a front gable as proposed. The massing must be reconfigured to more closely match the historic housing stock, with a partial width porch and appropriate massing. The Applicant will revise the design to utilize a partial width porch. The Applicant will revise the massing of the structure to meet the compatibility rule. The Applicant has also proposed that a dormer be added on the right elevation facing Oak Street SW. The Applicant will revise the dormer to be located on the left elevation, where least visible. **The Applicant has updated the design to address the partial width porch and the moved the dormer to the left elevation. While the Applicant has not elevated to utilize the L-shaped front gable projection, the revised design is more compatible with the existing historic housing stock and Staff is not concerned with the revised design. Staff does note in the updated design that the fenestration patterning on the left elevation does include significantly less windows than are on the right elevation. For consistency Staff recommends the addition of at least two windows to ensure compatibility with the existing housing stock. As the portion of the elevation which is without fenestration is two bedrooms, the addition of windows is not a**

challenge. The Applicant will add additional windows to the left elevation to meet the requirements of Sec. 16-20G.006 (3)(h).

Further, no material specifications have been provided for any of the materials to be used. The Applicant will submit material specification for all exterior features so Staff may determine if the proposal meets the requirements of the zoning code. The Applicant has submitted material specifications for all materials to be used and Staff finds they meet the requirements of the zoning code. The two materials with which Staff remains concerned are the porch features. The Applicant will install balustrades of two-part, butt-joint construction, no taller than the bottom of the window sills, a plane extension may be added to meet code. The Applicant will utilize tongue-in-groove porch flooring, installed perpendicular to the facade.

No New Materials Have been Submitted Regarding this Application, Staff Recommends further Deferral.

STAFF RECOMMENDATION: Deferral until May 8, 2024.

- 1.) The Applicant will add additional windows to the left elevation to meet the requirements of Sec. 16-20G.006 (3)(h).
- 2.) The Applicant will install balustrades of two-part, butt-joint construction, no taller than the bottom of the window sills, a plane extension may be added to meet code.
- 3.) The Applicant will utilize tongue-in-groove porch flooring, installed perpendicular to the facade.
- 4.) Staff shall review, and if appropriate, issue final approval of the plans.

cc: Applicant
Neighborhood
File



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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: 500 Hopkins
APPLICATION: CA3-24-061
MEETING DATE: April 24, 2024, deferred since March 27, 2024

FINDINGS OF FACT:

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

Date of Construction: 1912

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

Project Components Subject to Review by the Commission: Addition and Alterations

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: The property was approved for an addition and alterations in 2023 from a pre-approval in 2021. In the process of renovation, the Applicant removed the entire front and the house collapsed. This is now considered a new build.

SUMMARY CONCLUSION / RECOMMENDATION: Defer to May 8th UDC Meeting

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

EDITS IN RED for April 24th

BACKGROUND INFORMATION

This house was reviewed and approved in 2021 and 2023. Essentially, this is a new build to what was approved in 2021 and 2023.

PLANS

While the setbacks are shown, the lot coverage and FAR are not spelled out. This is especially important to see if the covered parking pad will comply. Staff recommend the Applicant spell out and show FAR and Lot Coverage preferably on the final site plan.

The Applicant has provided a different set of plans. It was advised the Applicant produced a new set of plans so that the new build can be specific to this work. The Applicant has not produced a new set of plans, but instead used the existing plans from 2021 and 2023; keeping language as “existing house to remain” Being that this is a new build, the language such as existing doesn’t need to remain As problematic is some the descriptives relies on what was stated on the prior 2021/2023 approvals such as “the railings will match with old railings.” Wording as this is confusing, this why a new set of plans was requested. There are of this throughout plans. Staff recommend the Applicant produced new plans and clearly identify what is proposed and remove any language that is not pertaining to what will happen on this work.

Additionally, the Applicant has shown the lot coverage and spelled it out and has shown FAR but has not spelled it out. As before, Staff recommend on the final site plan, the Applicant break out FAR especially since there is added space.

Lastly, the Applicant only need to provide the proposed set of elevation not the existing, because it is a new build.

ADDITION

The Applicant had proposed an additional 986 sqft of livable space in the basement in 2021 and 2023. This is still the Applicant intentions. As before, Staff are not concerned with this proposal if lot coverage and FAR are met.

The new set of plans indicates the proposed addition has been reduced to 145s.f. Staff is not concerned with the reduction. However, the FAR is still need to account for the addition. Additionally, since this is a new build, the addition is no longer the new addition, but just a part of the house. It still must be account for in the lot coverage and FAR

Roof

The original roof line on the house was a double gable front and ending gable in the rear with 8/12 pitch. The ridge of the addition tucks under the existing roofline 6 inches. It appears the Applicant plans to implement the same roof form. Staff are not concerned with this proposal as it was approved prior.

On the original side elevations, the roof rafters were exposed. The Applicant has also shown this on the plans. Staff are not concerned with this proposal.

The siding material in the gables is shake or some form of shake. The Applicant is indicting shake shingle for the new build. Staff are not concerned with this proposal.

There were two brick masonry chimneys on the house. The Applicant has indicated the two chimneys will be retained. Staff are not concerned with the proposal. However, recommends, the notation on the new plans read, “new masonry chimneys are proposed” and those new chimneys must be in the location of the previous chimneys. Since the existing chimneys have been removed it will be essential that the contractors understand new chimneys are to be constructed. The notation should help eliminate any confusion in the field.

Roof Brackets and exposed rafters

In the gables, wood brackets are shown, and the exposed rafters are shown on the plans. This is not problematic for Staff; the brackets were approved in the 2021-2123 plans.

Dormers

The Applicant still proposes three dormers with a pitch of 3:12: two on the left elevation and one on the right elevation. The dormers engage the roofline in a meaningful way by not being too large or having an imposing massing. The surrounding siding material is shake. The same dormers were approved in 2021 and 2023. Staff are not concerned with the proposal.

Siding

The original siding on the house was wood. The Applicant indicates the siding will be replaced with wood to match with the same reveal. Staff are not concerned with this proposal.

The demarcation to separate the existing house from the addition is still recommended however, may be a moot point, since this now considered a new build.

Front Porch

The Applicant proposes porch orientation approved in 2021 and 2023 with the brick columns shall be installed. The porch railings with the two-part construction, no higher than the lower sill of the front window also shall be installed; and what appears to be concrete porch flooring and steps. Staff are not concerned with this proposal.

Windows

The Applicant proposes retaining the original windows openings as indicated in 2021 and 2023. All windows shall be wood and have the same windows patterns as seen in the April 2012 photo. This is inclusive of the windows on all the gables. Staff are not concerned.

Front door

As before the original front door configuration had side lights. The Applicant is showing the door with side lights. Additionally, the Applicant shows the door has a rectangular light configuration and has a written note indicating a new wood door. Staff are not concerned about this proposal.

SITE WORK

Deck

The Applicant proposes a 315-sf deck in the rear of the house. Staff are not concerned with this proposal.

STAFF RECOMMENDATION Defer to the May 8th UDC meeting.

1. On the final site plan, the FAR and lot coverage shall be listed per Sec.16-20.009
2. The note shall be added to elevations that states, “new masonry chimneys are proposed” and those new chimneys must be in the location of the previous chimneys”, per Sec.16-20.009
3. 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: Matthew Adams, Executive Director
ADDRESS: 566 Hamilton E. Holmes
APPLICATION: CA3-24-082
MEETING DATE: April 24, 2024

FINDINGS OF FACT:

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

Date of Construction: New Construction

Property Location: Northeast of Baker Ridge Drive

Contributing (Y/N)? NO, **Building Type / Architectural form/style:** New Construction

Project Components Subject to Review by the Commission: New Construction

Project Components NOT Subject to Review by the Commission: Interior

Relevant Code Sections: Sec.16-20Q

Deferred Application (Y/N)? No

Previous Applications/Known Issues: Demolition was granted for the existing house due to extensive damage. The house was built in 1941.

SUMMARY CONCLUSIONS / RECOMMENDATIONS: Approval with Conditions

COMPATIBILITY RULE

In general, the intent of the regulations and guidelines is to ensure that alterations to existing structures and new construction are compatible with the design, proportions, scale, massing, and general character of the contributing buildings in the immediately adjacent environment of the block face, the entire block, or the district as a whole. To permit flexibility, many regulations are made subject to the compatibility rule, which states: "The element in question (i.e. roof form, architectural trim, façade material, window type and material, etc.) shall match that which predominates on the contributing buildings of the same architectural style and like use on that block face or, where quantifiable (i.e., buildings height, setbacks, lot dimensions, etc.), no smaller than the smallest or larger than the largest such dimension of the contributing buildings of the same architectural style and like use on that block face."

For the purposes of the compatibility rule, height and width shall be measured at the front façade.

Those elements to which the rule applies are noted in the regulations by reference to the "compatibility rule."

When no structure exists on a block face that would qualify as a comparable structure under the compatibility rule, the comparisons shall be made to a qualifying structure(s) on the block, and if no such structure exists on the block, the comparison shall be made to a qualifying structure(s) on an adjacent block face or block, and if no such structure exists on an adjacent block face or block, the comparison shall be made to a qualifying structure(s) located in the district."

COMPATIBILITY COMPARISONS

The Compatibility comparison sent is not correct. Comparable houses shall be gathered from the blockface that runs between Oldknow Road and Baker Ridge. This will be a total of 5 properties. The ones shown in red will be omitted from the review.

602 Hamilton
596 Hamilton
592 Hamilton
588 Hamilton
582 Hamilton
576 Hamilton
595 Hamilton
601 Hamilton
566 Hamilton

PLANS

On the site plan, the Applicant has provided the lot coverage and setback has not provided FAR. The setbacks and lot coverage complies. FAR is still needed. Staff recommend the FAR be provided.

On the site plan, the "proposed front porch" needs to be labelled "proposed stoop" so not to confuse anyone in the field.

NEW CONSTRUCTION

The Applicant proposes to construct an 828 sqft house on a crawl space and stoop, this will be like the demolished house that was there prior.

Setbacks

The Applicant proposes to use the same setbacks as the prior house: 35 feet at the front setback, both sides at 7 feet and the rear at 15 feet. Staff are not concerned with this proposal.

Height

The proposed height is 15 ft for the new construction. Staff are not concerned with this proposal, the predominate height on the blockface is 15ft.

Roof Type and Pitch

While the Applicant has used the compatibility analysis for the new construction, the Applicant is building the roof and pitch back to original house, which was a side gable with a small gable over the stoop and 8/12 pitch and a non-original addition with a side gable roof with an 8/12 pitch. Staff are not concerned with this proposal.

Windows

The proposed windows will be 2-over-2 with no specification of material. The compatibility analysis indicates the predominate windows are to have a 6 lites pattern and wood. Staff recommend the Applicant install windows that adhere to the compatibility which will be wood and have a 6 lites pattern.

Siding

The Applicant proposes to install cementitious siding. Siding material is governed by the compatibility standard. The predominate siding on the block face is vinyl siding. Staff recommend the siding be vinyl to comply. However, Staff would not be opposed to smooth-faced cementitious siding with a reveal between 4-to 6 inches.

Door

The Applicant proposes as door with a four panel lites. No material is specified. District regulations state, "doors shall be compatible with the architectural style of the house or be subject to the compatibility rule" Staff recommend the Applicant select a door that would be reflective of the period of the development which would have been 50's and 60's.

Foundation:

The proposed foundation will be concrete with a stucco finish. Staff are not concerned with this proposal.

SITE WORK

Fence

The Applicant has proposed a fence in the rear and side yard. However, has not provided any specifications. Fences shall not exceed six feet in height and can be made of metal chain link, metal picket, or wood picket. By no means can a fence be built between the principal structure and street.

Walkway

The proposed walkway is not problematic to Staff.

Deck

The 241 sqft deck will be in the rear of the property and will not extend beyond the house. Staff are not concerned with this proposal.

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

STAFF RECOMMENDATION: Approval with Conditions

1. FAR shall be provided on the final site plan, per Sec.16-06A.008(5)(b)(2);
2. On the site plan, the “proposed front porch” shall be labelled “proposed stoop” so not to confuse anyone in the field per Sec.16-20Q.006;
3. The windows shall be wood with 6 lites pattern, per Sec.16-20Q.006(2)(c);
4. The siding shall be vinyl to comply. However, Staff would not be opposed to smooth-faced cementitious siding with a reveal between 4-to 6 inches, per Sec.16-20Q.006(1)(h);
5. Applicant shall select a door that would be reflective of the period of the development which would have been 50’s and 60’s.per,Sec.16-20Q.006(2)(d);
6. Fences shall not exceed six feet in height and can be made of metal chain link, metal picket, or wood picket. By no means can a fence be built between the principal structure and street, per Sec.16-20Q.006(16)(a)(b) and
7. 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

DOUG YOUNG
Director, Office of Design

MEMORANDUM

TO: Atlanta Urban Design Commission

FROM: Matt Adams, Executive Director

ADDRESS: 1002 Dimmock Street SW

APPLICATION: CA3-24-083 & 112

MEETING DATE: April 24, 2024

FINDINGS OF FACT:

Historic Zoning: Oakland City Historic District/Beltline

Other Zoning: R-4A

Date of Construction: 1920

Property Location: South side of Dimmock Street SW.

Contributing (Y/N)?: n/a

Building Type / Architectural form/style: New Construction

Project Components Subject to Review by the Commission: Variance to allow use of the south block face of Lawton Street SW, between Lee and Peoples Streets SW) where the south block face of Dimmock Street SW, between Lee and Peoples Streets SW would be required (CA3-24-086) and New Construction (CA3-24-085)

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

Relevant Code Sections: Sec. 16-20M

Deferred Application (Y/N)?: No

Previous Applications/Known Issues: n/a

SUMMARY CONCLUSION / RECOMMENDATION: Approval (CA3-24-112, Variance),
Deferral until May 8, 2024 (CA3-24-083, New Construction)

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

The Applicant proposes new construction of a single family residence on the empty lot at 1002 Dimmock Street SW. The proposed new construction would be a Victorian cottage, with a gable-on-hip roof, CMU foundation coated in a parge coat of stucco, cementitious lap siding, and a partial width porch.

Staff would note that two items on the list need particular notes. The first, the data for side yard setbacks, per Sec. 16-20M.012 (2), “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.” While no compatibility data has been provided, the Applicant has opted to use the underlying zoning setbacks of 7 feet, which meet the requirements of the code, and no data needs to be submitted.

The latter, paving materials, should be exempted from the proposed variance, as noted in the analysis for CA3-24-086. The requirements of the zoning code, in regards to sidewalks as enumerated in Sec. 16-20M.013 (2) (c) “The sidewalk shall be the same width as the sidewalk on abutting properties or it shall be the width otherwise required by city ordinance, whichever is greater. If no sidewalk exists in the block, the new sidewalk shall not be less than six-feet wide. The compatibility rule shall apply to sidewalks paving materials. If no sidewalk paving material predominates in the block, the sidewalk shall be constructed of the historically accurate material for that block, either hexagonal pavers, concrete inlaid with hexagonal imprint, or brick.” The sidewalk materials on Dimmock Street SW differ greatly from those utilized on Lawton Street SW. In this case a poured concrete sidewalk would match the existing sidewalks, whereas the hexagonal pavers (which predominate on Lawton Street SW) would not meet the requirements of the code. The proposed driveway, walkway, and sidewalk meet the requirements of the zoning code, and should be excluded from the proposed variance.

Of the compatibility data, Staff finds that one element does not meet the compatibility rule. On the southern block face of Lawton Avenue, the predominant foundation material is brick. On this block face, only three houses have CMU foundations, the remaining 13 have brick. The proposed design must be revised to utilize a brick foundation. Further it appears that there is a grade change from the front of the structure to the rear. It is unclear to Staff if this is due to the existing grade, or is proposed. The Applicant shall clarify the scope of work in terms of grading. The Applicant shall revise the proposed foundation design to be brick veneer to meet the requirements of Sec. 16-20M.013 (2)(r)(10).

Staff would further note that no materials have been submitted regarding materials for the proposed doors. The Applicant shall provide specifications for the proposed doors to be utilized.

In terms of fenestration, Staff would further note that Sec. 16-20M.013 (2)(a) states, “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.” As the Applicant is also applying for new construction at 984 Dimmock Street SW, with an identical variance request to utilize the south block face for Latwon Avenue SW between Lee and Peoples Streets, Staff recommends use of a different window style to further differentiate between the proposed new construction. The proposals differentiate between the structures using massing, and shifting of the porch and gable, as well as differentiation of the shape of the porch supports (984 utilizing tapered supports on piers, and 1002 utilizing box columns on piers). The compatibility data on window style shows that one-over-one, double-hung windows do predominate on the south block face of Lawton Avenue SW, with five structures having this window style. One of these houses, it appears has had the windows updated in the non-historic period so it is not clear if this was the original window style. Four houses on the block face have six-over-six double-hung windows, making it an equally common window style. Staff recommends that the window style of 1002 Dimmock Street SW be revised to six-over-six double-hung windows to further differentiate and satisfy Sec. 16-20M.013 (2)(a). The Applicant shall revise the proposed window style to utilize six-over-six, double-hung windows with mullions permanently affixed to the exterior of the glass to satisfy Sec. 16-20M.013 (2)(a).

STAFF RECOMMENDATION: Approval with the following conditions:

- 1.) The Applicant shall clarify the scope of work in terms of grading.
- 2.) The Applicant shall revise the proposed foundation design to be brick veneer to meet the requirements of Sec. 16-20M.013 (2)(r)(10).
- 3.) The Applicant shall provide specifications for the proposed doors to be utilized.
- 4.) The Applicant shall revise the proposed window style to utilize six-over-six, double-hung windows with mullions permanently affixed to the exterior of the glass to satisfy Sec. 16-20M.013 (2)(a).
- 5.) Staff shall review, and if appropriate, issue final approval of the plans.

Variance CA3-24-112

The Applicant requests a variance to allow use of the south block face of Lawton Street SW, between Lee and Peoples Streets SW) where the south block face of Dimmock Street SW, between Lee and Peoples Streets SW would be required for their compatibility analysis of building materials.

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 lack of any existing contributing structures of like use and retaining original materials. Only one contributing structure (966 Dimmock Street SW) remains, and due to non-historic alterations, cannot accurately provide data regarding historic materials.

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 application of the required block face for compatibility would cause them to be in direct violation of Sec. 16-20M.013 (2) and relief would allow for a historically compatible structure to be constructed.

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

The Applicant cites the lack of contributing structures of like use which retain their historic materials on the block face, which is an exceptional condition in a historic district.

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, as the proposed use of the south block face of Lawton street would allow for the construction of a building which more closely matches the historic character of the neighborhood in terms of materials. While the one contributing structure of like use that remains can be used for certain quantitative measurements, none of the historic building materials remain for compatibility use purposes.

IN general, Staff finds that the Applicant's request meets the criteria for granting a variance. Staff finds that the unusual lack of contributing structures of like use does create a hardship for the Applicant in terms of meeting the requirements of the zoning code in terms of compliance with compatible materials. Further, the adjacent block faces, being extremely short, would also offer no or very limited contributing structures to be utilized for compatibility purposes. The south block face of Lawton Street SW is between the same cross streets (Lee and Peeples) and contained a comparable number of properties of like use, with the significant exception of the fact that the Lawton street block face retains a significant percentage of the contributing historic properties. Staff does note that Sec. 16-20M.013 (2) (c) should be exempt from the proposed variance. Paving materials, as applied to driveways, walkways, and sidewalks are subject to the compatibility rule. Staff notes that the paving materials for both drives and sidewalks on the south block face of Lawton Street SW would directly conflict with the requirements of Sec. 16-20M.013 (2) (c) as it requires sidewalks to match the contiguous properties. The sidewalk material which predominates on Lawton Street SW is hexagonal pavers, on Dimmock Street is it poured concrete. To meet the requirements of the code sidewalk materials should be exempted from the proposed variance. The Applicant shall utilize the south block face of Dimmock Street SW for compatibility purposes in sidewalk and driveway paving materials. All other materials provide a far clearer interpretation of the existing historic housing stock of the Oakland City Historic District. As such, Staff recommends approval of the proposed variance.

STAFF RECOMMENDATION: Approval with the following conditions:

- 1.) The Applicant shall utilize the south block face of Dimmock Street SW for compatibility purposes in sidewalk and driveway paving materials.

cc: Applicant
Neighborhood
File

CA3-24-083 & 112 1002 Dimmock Street SW
April 24, 2024
Page 5 of 5



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: 984 Dimmock Street SW

APPLICATION: CA3-24-085 & 086

MEETING DATE: April 24, 2024

FINDINGS OF FACT:

Historic Zoning: Oakland City Historic District/Beltline

Other Zoning: R-4A

Date of Construction: n/a

Property Location: South side of Dimmock Street SW.

Contributing (Y/N)?: n/a

Building Type / Architectural form/style: New Construction

Project Components Subject to Review by the Commission: Variance to allow use of the south block face of Lawton Street SW, between Lee and Peoples Streets SW) where the south block face of Dimmock Street SW, between Lee and Peoples Streets SW would be required (CA3-24-086) and New Construction (CA3-24-085)

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

Relevant Code Sections: Sec. 16-20M

Deferred Application (Y/N)?: No

Previous Applications/Known Issues: n/a

SUMMARY CONCLUSION / RECOMMENDATION: Approval with Conditions (CA3-24-086, Variance), Approval with Conditions (CA3-24-085, New Construction)

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

The Applicant proposes new construction of a single family residence on the empty lot at 984 Dimmock Street SW. The proposed new construction would be a Victorian cottage, with a gable-on-hip roof, CMU foundation coated in a parge coat of stucco, cementitious lap siding, and a partial width porch.

Staff would note that two items on the list need particular notes. The first, the data for side yard setbacks, per Sec. 16-20M.012 (2), "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." While no compatibility data has been provided, the Applicant has opted to use the underlying zoning setbacks of 7 feet, which meet the requirements of the code, and no data needs to be submitted.

The latter, paving materials, should be exempted from the proposed variance, as noted in the analysis for CA3-24-086. The requirements of the zoning code, in regards to sidewalks as enumerated in Sec. 16-20M.013 (2) (c) "The sidewalk shall be the same width as the sidewalk on abutting properties or it shall be the width otherwise required by city ordinance, whichever is greater. If no sidewalk exists in the block, the new sidewalk shall not be less than six-feet wide. The compatibility rule shall apply to sidewalks paving materials. If no sidewalk paving material predominates in the block, the sidewalk shall be constructed of the historically accurate material for that block, either hexagonal pavers, concrete inlaid with hexagonal imprint, or brick." The sidewalk materials on Dimmock Street SW differ greatly from those utilized on Lawton Street SW. In this case a poured concrete sidewalk would match the existing sidewalks, whereas the hexagonal pavers (which predominate on Lawton Street SW) would not meet the requirements of the code. The proposed driveway, walkway, and sidewalk meet the requirements of the zoning code, and should be excluded from the proposed variance.

Of the compatibility data, Staff finds that one element does not meet the compatibility rule. On the southern block face of Lawton Avenue, the predominant foundation material is brick. On this block face, only three houses have CMU foundations, the remaining 13 have brick. The proposed design must be revised to utilize a brick foundation. Further it appears that there is a grade change from the front of the structure to the rear. It is unclear to Staff if this is due to the existing grade, or is proposed. The Applicant shall clarify the scope of work in terms of grading. The Applicant shall revise the proposed foundation design to be brick veneer to meet the requirements of Sec. 16-20M.013 (2)(r)(10).

Staff would further note that no materials have been submitted regarding materials for the proposed doors. The Applicant shall provide specifications for the proposed doors to be utilized.

STAFF RECOMMENDATION: Approval with the following conditions:

- 1.) The Applicant shall clarify the scope of work in terms of grading.
- 2.) The Applicant shall revise the proposed foundation design to be brick veneer to meet the requirements of Sec. 16-20M.013 (2)(r)(10).
- 3.) The Applicant shall provide specifications for the proposed doors to be utilized.
- 4.) Staff shall review, and if appropriate, issue final approval of the plans.

Variance CA3-24-086

The Applicant requests a variance to allow use of the south block face of Lawton Street SW, between Lee and Peeples Streets SW) where the south block face of Dimmock Street SW, between Lee and Peeples Streets SW would be required for their compatibility analysis of building materials.

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 lack of any existing contributing structures of like use and retaining original materials. Only one contributing structure (966 Dimmock Street SW) remains, and due to non-historic alterations, cannot accurately provide data regarding historic materials.

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 application of the required block face for compatibility would cause them to be in direct violation of Sec. 16-20M.013 (2) and relief would allow for a historically compatible structure to be constructed.

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

The Applicant cites the lack of contributing structures of like use which retain their historic materials on the block face, which is an exceptional condition in a historic district.

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, as the proposed use of the south block face of Lawton street would allow for the construction of a building which more closely matches the historic character of the neighborhood in terms of materials. While the one contributing structure of like use that remains can be used for certain quantitative measurements, none of the historic building materials remain for compatibility use purposes.

IN general, Staff finds that the Applicant's request meets the criteria for granting a variance. Staff finds that the unusual lack of contributing structures of like use does create a hardship for the Applicant in terms of meeting the requirements of the zoning code in terms of compliance with compatible materials. Further, the adjacent block faces, being extremely short, would also offer no or very limited contributing structures to be utilized for compatibility purposes. The south block face of Lawton Street SW is between the same cross streets (Lee and Peeples) and contained a

comparable number of properties of like use, with the significant exception of the fact that the Lawton street block face retains a significant percentage of the contributing historic properties. Staff does note that Sec. 16-20M.013 (2) (c) should be exempt from the proposed variance. Paving materials, as applied to driveways, walkways, and sidewalks are subject to the compatibility rule. Staff notes that the paving materials for both drives and sidewalks on the south block face of Lawton Street SW would directly conflict with the requirements of Sec. 16-20M.013 (2) (c) as it requires sidewalks to match the contiguous properties. The sidewalk material which predominates on Lawton Street SW is hexagonal pavers, on Dimmock Street is it poured concrete. To meet the requirements of the code sidewalk materials should be exempted from the proposed variance. The Applicant shall utilize the south block face of Dimmock Street SW for compatibility purposes in sidewalk and driveway paving materials. All other materials provide a far clearer interpretation of the existing historic housing stock of the Oakland City Historic District. As such, Staff recommends approval of the proposed variance.

STAFF RECOMMENDATION: Approval with the following conditions:

- 1.) The Applicant shall utilize the south block face of Dimmock Street SW for compatibility purposes in sidewalk and driveway paving materials.

cc: Applicant
Neighborhood
File



CITY OF ATLANTA

ANDRE DICKENS
MAYOR

DEPARTMENT OF CITY PLANNING
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Jahnee Prince
Commissioner

DOUG YOUNG
Director, Office of Design

MEMORANDUM

TO: Atlanta Urban Design Commission
FROM: Matthew Adams, Executive Director
ADDRESS: 1177 Lucile Avenue
APPLICATION: CA3-24-093
MEETING DATE: April 10, 2024

FINDINGS OF FACT:

Historic Zoning: Westend Historic District **Other Zoning:** R4-A

Date of Construction: 1966

Property Location: East of Holderness Street and West of Lawton Street

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

Project Components Subject to Review by the Commission: Variance Request

Project Components NOT Subject to Review by the Commission: Interior Alterations.

Relevant Code Sections: Sec.16-20G

Deferred Application (Y/N)? No

Previous Applications/Known Issues: Unauthorized painting of brick foundation, unauthorized signage, unauthorized and non-compliant mailbox; two front decks.

SUMMARY CONCLUSIONS / RECOMMENDATIONS: Denial

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

VARIANCE REQUEST: To allow the paint to remain on brick foundation.

VARIANCE QUESTIONNAIRE:

1. What are the extraordinary and exceptional conditions pertaining to the piece of property?

The Applicant reply, “The exceptional condition is that the building structure is too heavy to compromise the foundation.”

2. Application of the Zoning Ordinance creates an unnecessary hardship?

The Applicant states, “The hardships will be that the foundation will become unable to support the weight if the process of the paint removal is executed.”

3. What peculiar conditions pertain to this property?

The Applicant did not answer.

4. If granted how would this not cause substantial detriment to the public good or the intent of the Zoning Ordinance?

Applicant answers, “The paint is a professional grade and color enhances the building and surrounding view.”

STAFF RESPONSE:

The Applicant has not provided information to support the variance proposal allowing the paint to remain on the foundation. One, the Applicant has not answer one of the questions. This is required to consider the variance.

STAFF RECOMMENDATION: Denial

Cc: Applicant
Neighborhood
File



CITY OF ATLANTA

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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: 229 Walker Street NW

APPLICATION: CA3-24-094

MEETING DATE: April 24, 2024

FINDINGS OF FACT:

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

Date of Construction: 1952, 1989

Property Location: Southwest corner of the intersection of Peters and Fair Streets NW

Contributing (Y/N)?: No

Building Type / Architectural form/style: Commercial Warehouse

Project Components Subject to Review by the Commission: Variance to allow parking where otherwise prohibited between the principal structure and the street

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, CA3-23-206

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.

The Applicant came before the Urban Design Commission with a proposal for alterations to the existing non-contributing structure. The Application was approved with conditions on February 28, 2024. The proposed site plan for this application included parking between the principal structure and both Walker and Fair Streets (as the property is located on the southwestern corner of the intersection). Per Sec. 16-20N.008 (3) (a) “Off-street parking shall not be permitted between the principal building and the public street.”

Variance CA3-24-094

The Applicant requests to allow parking between the principal structure and both Walker and Fair Streets, where parking 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 irregular shape of the lot, placement of the structure on the lot which creates an unusual L-shape for open space. This configuration limits the allowable area for parking to be only in areas which it is prohibited by the code. The Applicant further cites that there is evidence that the property was designed to incorporate this as a parking area, with evidence existing that this was historically parking including photos and striping on the pavement.

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 application of the parking restriction would limit the development rights of the property. To not allow parking in the open area on the lot, where parking is currently prohibited would limit the ability to make the preservation and restoration of the structure viable.

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

The Applicant cites the irregular shape, placement of the principal structure, preexisting configuration of the lot, and lack of alternatives to allow full use for parking.

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, as the proposed parking configuration, while not compliant with the current zoning code, had been in place for years, and the non-contributing principal structure seems to have been constructed in this configuration to allow for parking on this portion of the property. Allowing the continued use of this area for parking would not negatively impact public good or impair the purposes or intent of the zoning ordinance.

IN general, Staff finds that the Applicant's request meets the criteria for granting a variance. Staff finds that the unusual lot shape and placement of the non-contributing principal structure severely limit the potential for full use of the property unless parking is permitted in the area between the principal structure and the street. The lot shape and configuration present unique elements which require accommodation to allow for full use, while also preserving and restoring the principal structure. Parking is not possible in the open L-shaped area, without a variance to the code. As such, Staff recommends approval of the proposed variance.

STAFF RECOMMENDATION: Approval



CITY OF ATLANTA

ANDRE DICKENS
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Jahnee Prince
Commissioner

DOUG YOUNG
Director, Office of Design

MEMORANDUM

TO: Atlanta Urban Design Commission
FROM: Matthew Adams, Executive Director
ADDRESS: 1129 Selwin Avenue
APPLICATION: CA2-24-095
MEETING DATE: April 24, 2024

FINDINGS OF FACT:

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

Date of Construction: 1920

Property Location: Corner of Wilmington Ave. and Selwin Ave.

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

Project Components Subject to Review by the Commission: Alterations

Project Components NOT Subject to Review by the Commission: Interiors

Relevant Code Sections: Sec.16-20M

Deferred Application (Y/N)? No,

Previous Applications/Known Issues: Stop Work Order placed on property with the following narrative: "Work done without a permit, windows do not meet historic regulations, brick painted against historic regulations; porch flooring is incorrect; porch railings are incorrect and too high; porch rafters have been removed; walkway installed; property must go through Urban Design Commission prior to obtaining new building permit.

SUMMARY CONCLUSIONS / RECOMMENDATIONS:

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

Staff relied on the Code Enforcement's photos to make assessment on what the Applicant is now proposing.

ALTERATIONS

Porch Railings

Photos provided by Code Enforcement show the porch railings are too high. On the proposed elevation, the Applicant has proposed to correct the railings by following the historic regulations, which are railings shall be no higher the bottom ridge of the front window with a two-part construction. Any need to comply with code, should be done with a plain extension. The Applicant has shown this on the elevation, Staff recommend the Applicant note this on the elevation as well.

The Applicant proposes to install the same railing on the back deck. Staff are not concerned with this proposal.

Porch flooring

The Applicant has indicated constructing the porch flooring in a manner that is compliant. Staff recommend the porch flooring be tongue and groove and perpendicular in orientation. Staff also recommend the Applicant clearly note this the proposed elevation, so it is not missed.

Porch Ceiling

The porch ceiling is not installed correctly, the porch ceiling shall be beadboard. Staff recommend the Applicant to comply and note this on the elevation so that it will not be missed.

Roof Rafters

Where the photos do not show any roof rafters, the elevation does, and the Applicant has note this is the proposal. Staff are not concerned with the proposal.

Windows

The Applicant has set for a variance to keep the vinyl windows instead of requiring the window to be wood windows. Staff recommendation is in that variance report. District regulations do not call out material for windows but does state, "replacement windows units shall maintain the size and shape of the original window opening." From photos provided it appears some windows sizes have been changed. This is not acceptable. Staff recommend that the Applicant comply in installing and bring back the windows back to all windows original size and shape and note this on the elevation and through a window schedule.

Paint

Photos show the chimney painted. Our records show the chimney was painted prior. While unpainted masonry is not permitted, since the chimney was painted before designation, it can be repainted. Staff are not concerned with the painted Chimney.

SITE WORK

Walkway

The Applicant proposes on the site plan the walkway on the Wilmington Avenue to have hexagon outdoor pavers. Staff are not concerned with this proposal.

Fence

The Applicant proposes a 6ft high fence on the side yard on the Wilmington Avenue. Being that this house sit on a corner the 6ft high proposal is not permitted. The highest fence can be is 4ft. Staff recommend the Applicant comply and only install a 4ft fence which can be brick, stone, ornamental iron, or wood.

Driveway

The proposed driveway on the site plan is too wide. Driveways are only permitted to be 10 ft wide with a maximum curb cut of 10 feet exclusive of the flair. Staff recommend the Applicant install the driveway to comply to 10ft.

STAFF RECOMMENDATION: Approval with Conditions.

1. Railings shall be no higher the bottom ridge of the front window with a two-part construction, any need to comply with code, should be done with a plain extension and noted on the elevation per, Sec. 16-20M.013(2);
2. Porch flooring shall be tongue and groove, perpendicular and be noted on the elevation, per Sec.16-20M.013(2);
3. The porch ceiling shall be beadboard and noted on the elevation, per Sec.16-20M.013(2);
4. The Applicant shall comply by reinstalling the windows that were changed back to their original size and shape and provide a window schedule, per Sec.16-20M.013(2)(o)(1);
5. The fence on the half depth can only be 4ft wide, per Sec.16-20M.013(2)(l);
6. Driveways are only permitted to be 10 ft wide with a maximum curb cut of 10 feet exclusive of the flair per, Sec.16-20M.012(4)(c) and
7. Staff shall review and if appropriate, approve the final plans and documentation.

Cc: Applicant
Neighborhood
File



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ANDRE DICKENS
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Jahnee Prince
Commissioner

DOUG YOUNG
Director, Office of Design

MEMORANDUM

TO: Atlanta Urban Design Commission
FROM: Matthew Adams, Executive Director
ADDRESS: 1129 Selwin Avenue
APPLICATION: CA3-24-097
MEETING DATE: April 24, 2024

FINDINGS OF FACT:

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

Date of Construction: 1920

Property Location: Corner of Wilmington Ave. and Selwin Ave.

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

Project Components Subject to Review by the Commission: Variance request for Vinyl windows instead of wood windows.

Project Components NOT Subject to Review by the Commission:

Relevant Code Sections: Sec.16-20M

Deferred Application (Y/N)? No,

Previous Applications/Known Issues: Stop Work Order placed on the property with the following narrative: "Work done without a permit, windows do not meet historic regulations, brick painted against historic regulations; porch flooring is incorrect; porch railings are incorrect and too high; porch rafters have been removed; walkway installed; property must go through Urban Design Commission prior to obtaining new building permit.

SUMMARY CONCLUSIONS / RECOMMENDATIONS: Approval with Conditions.

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

VARIANCE REQUEST: To allow for vinyl windows instead of wood windows.

VARIANCE QUESTIONNAIRE:

1. What are the extraordinary and exceptional conditions pertaining to the piece of property?

The Applicant reply, “HOME WAS PURCHASED WITH EXISTING VINYL WINDOWS. PREVIOUS HOMEOWNER REPLACED WINDOWS WITHOUT APPROVAL.

2. Application of the Zoning Ordinance creates an unnecessary hardship?

The Applicant states, “THE HARDSHIP FOR THIS PROJECT IS BECAUSE THE OWNER PURCHASED HOME WITH VINYL WINDOWS. IF THIS WERE NOT TO BE APPROVED, THEN THE OWNER WILL LOSE MONEY AND HAVE TO REPLACE THE NEW WINDOWS..”

3. What peculiar conditions pertain to this property?

The Applicant answers, “THE PECULIAR CONDITIONS ARE BECAUSE THIS HOME IS HISTORIC AND THESE HOMES ARE APPROVED FOR WOOD WINDOWS.”

4. If granted how would this not cause substantial detriment to the public good or the intent of the Zoning Ordinance?

Applicant answers, “THIS REQUEST HAS VERY LITTLE TO DO WITH ZONING, AND MORE TO DO WITH DESIGN APPROVAL FROM THE HISTORIC BOARD. THE PUBLIC GOOD IS NOT AFFECTED BY THE USE OF VINYL WINDOWS.”

STAFF ASSESSMENT:

Staff is torn on this because the Applicant does make a good argument that the owner purchased a house with good vinyl window, in any other district they would be fine. And while this is in an historic district, Oakland City regulations do not call out material for windows so it hard to say the Applicant or even the prior Applicant violated the ordinance on material for windows, when there are no regulation requiring that. However, what the Applicant does not say here is many of the windows are not the correct size either and that is a violation of the ordinance. While the Applicant has not asked for the variance to retain all the size, which Staff would not support. Staff would recommend the Applicant to return those windows where the sizes were changed back to their original size to comply.

Also in the past, the Commission has ruled that if it was known the windows were wood, it is expected the windows to be returned to wood. However, that too is not in ordinance. There have been rulings to enforce this and at other times not.

Staff also, agrees with the Applicant the vinyl windows will not affect the ordinance or public especially since the material is not called in the regulations.

STAFF RECOMMENDATION: Approval with Conditions.

CA3-24-097 for 1129 Selwin Avenue

April 24, 2024

Page 3 of 3

1. Return the windows that were changed back to their original sizes to comply to the District regulation, per, Sec. 16-20M.013(2)(o)(1) and

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

Cc: Applicant
Neighborhood
File



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Jahnee Prince
Commissioner

DOUG YOUNG
Director, Office of Design

MEMORANDUM

TO: Atlanta Urban Design Commission
FROM: Matthew Adams, Executive Director
ADDRESS: 495 Hopkins Street
APPLICATION: CA3-24-100
MEETING DATE: April 10, 2024

FINDINGS OF FACT:

Historic Zoning: Westend Historic District **Other Zoning:** R4-A

Date of Construction: 1920

Property Location: Corner of Latham Street and Hopkins Street

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

Project Components Subject to Review by the Commission: Alterations

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: Stop worked placed 12/4/23 for unapproved alterations. Foundation removed on the right side, window removal, shingles in gable was removed, porch railings, columns removed.

SUMMARY CONCLUSIONS / RECOMMENDATIONS: Approval with Conditions

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

SCOPE

The Applicant removed several elements and done some non-compliant work on the house.

All four sides will be evaluated since this is on a corner lot.

ALTERATIONS

Porch

Columns

On the existing porch, the Applicant proposes 10x10 wood columns. Provided photos, show the columns to be 3-part wood column with a tier top with a matching 3 tier bsdr that sits on a brick pedal. Staff believe these columns were removed and a simple column with a block design was installed. On the proposed elevation, the Applicant is showing intricate 3-part wood column. It is hard for Staff to make a decisive recommendation not knowing the original column design. Staff does believe it to be the intricate designs and support what the Applicant shows on the front elevation.

Railings

The railings proposed to be wood railings at 36 inches. Photos show the original railings to be in excellent shape with a two-part head construction. District regulations regarding porch railings state that height of the top rail shall be no more than 33 inches above the finished poor except as required by the City Building Office. Staff recommends the Applicant lessen the railings about 3 inches and apply a 3 inches plan extension to comply with the two-part head construction.

Floor

It appears the porch floor is concrete. The Applicant has not indicated any intentions for the porch floor. Staff are not concerned.

Ceiling

The ceiling is proposed to be beadboard, which is not problematic for Staff.

Windows

The original windows were one-over one wood windows with wood trim and two smaller windows on the left and right elevations. Safety or decorative bars appear on the side windows. Additionally, the rear windows, on the non-original addition appear to be four over one with divides.

It was reported a window was removed. From photos provided, Staff cannot find that evidence.

On the plans, the front and side elevations windows are shown as one-over-one with trim that is reflected on what is shown in the photos of the original house. The single pan smaller windows on the side appear to retain the same shape as the original windows. However, the style has changed. District regulations state, “architecturally significant windows and doors including details, trim

work and framing shall be retained. Staff recommend the Applicant comply and install the single pan windows.

On the rear elevation the proposal shows two-over-1 windows. Staff aren't concerned with the windows on the non-original addition these windows would be considered new windows that are compatible, in scale size and proportion, placement and style.

Staff also recommends if the muntins and/or mullions are used, they be true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.

Material in the Gable Roof

The original wood shingle on the house was removed. On the proposed elevation, the Applicant is proposing cedar shake siding. Staff recommend the Applicant install like kind-wood shingle to comply.

Exposed Roof brackets

The original wood roof brackets on the house were removed. On the plans, the Applicant has proposed to reinstall the wood roof brackets. Staff are not concerned with the proposal.

Siding

The elevations show artisan wood siding on the entire house. Staff does not understand the nomenclature. Photos provided to Staff regarding the evolution of the house, it is apparent the original wood siding was removed. Because of the removal, Staff recommends the original wood siding with the original reveal be installed on the hours. Additionally, Staff recommend the Applicant note this on the final plans and clearly identify the reveal.

Eaves and the Soffits

The original eaves and soffits must be reflected on the house correctly. While it appears the Applicant has not altered either, it will be imperative that on the plans, they remain as such. Staff recommend the Applicant note, neither will be altered.

Painting foundation and Painted Brick

At one point the porch column base and foundation were painted. The Applicant repainted both. Staff can't determine how long the foundation had been painted. Painted masonry is not permitted. However, since both the column base and foundation were painted prior. Staff are not concerned with the painted masonry.

STAFF RECOMMENDATION: Approval with Conditions.

1. The Applicant shall lessen the railings about 3 inches and apply a 3 inches plan extension to comply with the two-part head construction, per Sec.16-20G.006(9)(d);
2. The Applicant shall comply and install the single pan windows, per Sec.16-20G.006(3)(b);

CA3-24-100 for 495 Hopkins

April 24, 2024

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3. If the muntins and/or mullions are used, they shall be true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass, per Sec.16-20G.006(3)(d);
4. On the gable roof, the Applicant shall install like kind-wood shingle to comply, per Sec.16-20G.006(2)(c) ;
5. The original wood siding with the original reveal be installed on the house and notes on the elevation, per Sec.16-20G.006(2)(d);
6. The Applicant shall note on the elevation the soffit and eaves will remain and not be altered, per Sec.16-20G.005;
7. Staff shall review and if appropriate, approve the final plans and documentation.

Cc: Applicant
Neighborhood
File



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Commissioner

ANDRE DICKENS
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DOUG YOUNG
Director, Office of Design

MEMORANDUM

TO: Atlanta Urban Design Commission

FROM: Matt Adams, Executive Director

ADDRESS: 1101 Arlington Avenue SW

APPLICATION: CA3-24-109

MEETING DATE: April 24, 2024

FINDINGS OF FACT:

Historic Zoning: Oakland City Historic District

Other Zoning: R-4A, Beltline

Date of Construction: 1920

Property Location: East side of Arlington Avenue SW

Contributing (Y/N)?: Yes

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

Project Components Subject to Review by the Commission: Retroactive approval of unpermitted alterations including a roof addition

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

Relevant Code Sections: Sec. 16-20M

Deferred Application (Y/N)?: No

Previous Applications/Known Issues: Yes, CA2-22-443, CA3-23-161, 22CAP-00001213, 23CAP-00000394, & 24CAP-00000213

SUMMARY CONCLUSION / RECOMMENDATION: Approval with Conditions

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

The Applicant came before the Urban Design Commission in October of 2022 (CA2-22-443) for retroactive approval of an unpermitted addition (22CAP-00001213). The plans were approved with conditions on November 15, 2022.

Once the Applicant was granted their building permit for the project (BB-202208070) a second stop work order was issued for exceeding the permitted scope of work (23CAP-00000394) in March of 2023. The out of scope items were address in CA2-23-161, which was approved with conditions on July 27, 2023.

The Applicant was issued a third stop-work order (24CAP-00000213) on February 7, 2024, for the following items which were outside the scope of the approved certificate of appropriateness and building permit:

- A parking pad has been installed that was not on the approved site plan and exceeds the allowable width, per district regulations. The driveway is gravel, which would not be permitted per the compatibility rule.
- Windows were removed and not replaced on the front abled projection on all three sides of this feature.
- Transom windows were installed above a window and door on the front elevation (this was found to match the plans and is not considered a violation).
- A fence was installed which was not shown on the original site plan.
- Porch Deck railings, which were required to be replaced with two-part, butt-jointed railings, lower than the bottom of the window sills, have not been replaced.
- Porch Deck flooring, which was required to be replaced with tongue-in-groove flooring installed perpendicular to the façade, has not been replaced.
- The rear roofline of the house had been reframed with a different roof pitch.
- All windows on the house were removed illegally and replaced on a previous application. They have been replaced with windows which are a completely different light pattern (four-over- one Craftsman style) than the original (two-over-two).
- Newly installed window trim does not match the reveal or style of the historic trim which was removed.
- A door was enclosed, and new door not previously approved installed on the rear elevation.
- Changing the orientation and material of the rear stairs.
- Painting of the brick foundation and chimney, while portions of the foundation had to be reconstructed, Staff finds that the foundation and chimney were previously painted.

Staff would further note that this property is a thru-lot between Arlington And Tucker Avenues SW, and as such all four sides of the property are visible from the street.

Windows

In the previous application, all historic windows had been removed, except for those on the front elevation projection. The Applicant was required to retain these windows (on all three sides of the projection) and all remaining windows were required to be replaced in-kind, with two-over-two windows with muntins permanently affixed to the exterior of the glass. The Applicant has removed four windows from the projection, one each on the front and right sides, and two flanking the French doors on the left side (see photos below). All window trim has been removed and not replaced in kind. The Applicant shall replace the four windows removed from the front project, in-kind, with wood-framed casement windows. The Applicant shall replace all windows which were incorrectly replaced with two-over-two horizontal windows with the muntins permanently affixed to the exterior of the glass. The Applicant shall restore all window trim to match the historic trim which was removed. The Applicant shall update the proposed plans to reflect this, as several drawing show incorrect window style.





Porch

The Applicant has not replaced the porch balustrades or porch flooring as was a condition of the previously approved plan. The Applicant shall replace the porch flooring with tongue-in-groove flooring installed perpendicular to the façade. The Applicant shall install a balustrade of two-part, butt-joint construction, no taller than the bottom of the window sill.

Rear Roof Re-framing

The Applicant has stated that a portion of the rear roof, not original to the house, was reframed to allow for improved water drainage. Staff is concerned with this work as it is not clear shown on the submitted plans the extent to which the roof was re-framed and how the slope has changed. The Applicant shall clarify the extent to which the rear roof was re-framed and submit elevations that clearly show the extent to which the roof was altered.

Driveway

There has been a significant T-shaped driveway and parking pad installed at the rear of the property accessed from Tucker Avenue. The driveway exceeds the maximum allowable width of a driveway per Sec. 16-20M.012 (4)(c). The Applicant shall remove the unpermitted gravel parking pad and driveway. The drive is also gravel, per Sec. 16-20M.013 (2)(r)(9) paving is a feature subject to the compatibility rule. All houses on the block face utilize concrete for paving. The Applicant shall revise the proposed drive to be of concrete construction and no more than ten feet in width.

Fence

The Applicant has submitted an updated site plan that shows the location of the unpermitted fence. Staff does not have any concerns as it's placement and height meet the requirements of the zoning code.

Rear Stairs & Door

There was originally a door facing towards the left side of the property on the rear elevation. The door has been enclosed and moved to a different location, where there was previously a window. The door is steel. The stairs accessing the door, which originally descended to the left, have been moved and are not facing out. These steps are wooden and do not have closed risers, and have a deck railing. None of the alterations meet the code. per Sec. 16-20M.013 (2)(r)((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." The Applicant shall restore the door to its original location and shall replace the door with one constructed of wood. The Applicant shall replace the window which was removed in this location. The Applicant shall construct the stairs in the manner originally approved, existing to the left, with closed risers and a balustrade of two-part, butt-joint construction.

STAFF RECOMMENDATION: Approval with the following conditions:

- 1.) The Applicant shall replace all windows which were incorrectly replaced with two-over-two horizontal windows with the muntins permanently affixed to the exterior of the glass.
- 2.) The Applicant shall restore all window trim to match the historic trim which was removed.
- 3.) The Applicant shall update the proposed plans to reflect this, as several drawing show incorrect window style.
- 4.) The Applicant shall replace the porch flooring with tongue-in-groove flooring installed perpendicular to the façade.

- 5.) The Applicant shall install a balustrade of two-part, butt-joint construction, no taller than the bottom of the window sill.
- 6.) The Applicant shall clarify the extent to which the rear roof was re-framed and submit elevations that clearly show the extent to which the roof was altered.
- 7.) The Applicant shall revise the proposed drive to be of concrete construction and no more than ten feet in width.
- 8.) The Applicant shall restore the door to its original location and shall replace the door with one constructed of wood.
- 9.) The Applicant shall replace the window which was removed in this location.
- 10.) The Applicant shall construct the stairs in the manner originally approved, existing to the left, with closed risers and a balustrade of two-part, butt-joint construction.
- 11.) Staff shall review, and if appropriate, issue final approval of the plans.

cc: Applicant
Neighborhood
File



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Jahnee Prince
Commissioner

DOUG YOUNG
Director, Office of Design

MEMORANDUM

TO: Atlanta Urban Design Commission
FROM: Matthew Adams, Executive Director
ADDRESS: 1197 Avon Avenue
APPLICATION: CA3-24-119
MEETING DATE: April 24, 2024

FINDINGS OF FACT:

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

Date of Construction: 1905

Property Location: Corner of Oakland Drive and Avon Avenue

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

Project Components Subject to Review by the Commission: Special Exception for increasing fence /wall height.

Project Components NOT Subject to Review by the Commission:

Relevant Code Sections: Sec.16-20M; Sec.16-28.008(5)(e)

Deferred Application (Y/N)? No

Previous Applications/Known Issues: No

SUMMARY CONCLUSIONS / RECOMMENDATIONS: Denial

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

SPECIAL EXCEPTION REQUEST: The installation of a 6ft wrought iron fence on the right side when only a 4 ft fence or wall is permitted; the installation of a new 4ft wrought iron fence on top of a 2ft stone retaining wall in the front yard, when only a 4ft fence/retaining wall is permitted of the front yard and half depth yard.

SPECIAL EXCEPTION QUESTIONNAIRE

1. Such a wall or fence is justified by reason of security or privacy and will not unduly prevent passage of light and air to adjoining properties and is not incompatible with the character of the neighborhood.
2. Such greater height is justified by requirements for security of persons or property in the area.
3. Such greater height is justified for topographic reasons; or
4. Such greater height, in the yard or yards involved, is not incompatible with the character of the surrounding neighborhood.

Applicant writes:

“The Installation of a new 4’ high wrought iron fence on top of an existing 2’ high stone (retaining) wall in front yard to total 6’ high (finished height) wrought iron fence on left and right elevation. The wrought iron fence and gates will replace the existing 5’ 10” chain-link fence and existing gates in the same location. (Drawing provided) The 6 ft. fence is necessary for the safety and integrity of the property. The wrought iron fence and gates will provide security and also is a part of the overall improvement of the property (functional and aesthetics) to the benefit of the community. It is not opaque and therefore will not duly prevent the passage of light and air to adjoining properties. It is not incompatible with the character of the neighborhood, as several other homes, including one that is adjacent to the property. This property is the Madea House, now named Thee Historic House on Avon, is a circa 1900 Victorian era home that features 13 rooms, 8 original fireplaces, hardwood floors, stained-glass windows, a wrap-around porch and copper-colored turret. The “Madea House” was used for filming iconic movies by Tyler Perry. It is seen as a “landmark” or historic destination by several commercial websites and as a top search response on google. It is also a “stop” on a tour conducted by unrelated third parties. As a result, countless people access the property to try to look inside the windows, sit on the porch and take pictures. It is an additional safety risk as some people knock on the door and have tried to gain access to the house.”

Staff Assessment:

While Staff appreciate the Applicant understanding the value of this house, Staff believe the Applicant has not provided any evidence that there is a safety risk to justify not complying with the District regulations regarding fence construction.

It might be an irritant to have people stop by and take photos, fame can do that, there is no real evidence that anyone has caused bodily harm here or any potential of harm. Also, if the existing fences can’t keep people

CA3-24-119 for 1197 Avon Avenue

April 24, 2024

Page 3 of 3

off the property, there is no evidence to suggest 2 additional fts will do so. Maybe a sign that states this isn't Madea house, but a private home, will stop some of this; or perhaps the tour guide can tell tourists they are not permitted to access the property; locks on the existing fences or the 4ft fence could also stop the foot traffic.

Either way, Staff feel there may be other ways to deter the annoyance, but the Applicant has not proven a security risk is here at present.

Staff would not support the Special Exception.

STAFF RECOMMENDATION: Denial

Cc: Applicant
Neighborhood
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Jahnee Prince
Commissioner

DOUG YOUNG
Director, Office of Design

MEMORANDUM

TO: Atlanta Urban Design Commission
FROM: Matthew Adams, Executive Director
ADDRESS: 1197 Avon Avenue
APPLICATION: CA3-24-119
MEETING DATE: April 24, 2024

FINDINGS OF FACT:

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

Date of Construction: 1905

Property Location: Corner of Oakland Drive and Avon Avenue

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

Project Components Subject to Review by the Commission: Special Exception for increasing fence /wall height.

Project Components NOT Subject to Review by the Commission:

Relevant Code Sections: Sec.16-20M; Sec.16-28.008(5)(e)

Deferred Application (Y/N)? No

Previous Applications/Known Issues: No

SUMMARY CONCLUSIONS / RECOMMENDATIONS: Deferral May 8th 2024 Meeting.

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

SPECIAL EXCEPTION REQUEST: The installation of a 6ft wrought iron fence on the right side when only a 4 ft fence or wall is permitted; the installation of a new 4ft wrought iron fence on top of a 2ft stone retaining wall in the front yard, when only a 4ft fence/retaining wall is permitted of the front yard and half depth yard.

SPECIAL EXCEPTION QUESTIONNAIRE

1. Such a wall or fence is justified by reason of security or privacy and will not unduly prevent passage of light and air to adjoining properties and is not incompatible with the character of the neighborhood.
2. Such greater height is justified by requirements for security of persons or property in the area.
3. Such greater height is justified for topographic reasons; or
4. Such greater height, in the yard or yards involved, is not incompatible with the character of the surrounding neighborhood.

Applicant writes:

“The Installation of a new 4’ high wrought iron fence on top of an existing 2’ high stone (retaining) wall in front yard to total 6’ high (finished height) wrought iron fence on left and right elevation. The wrought iron fence and gates will replace the existing 5’ 10” chain-link fence and existing gates in the same location. (Drawing provided) The 6 ft. fence is necessary for the safety and integrity of the property. The wrought iron fence and gates will provide security and also is a part of the overall improvement of the property (functional and aesthetics) to the benefit of the community. It is not opaque and therefore will not duly prevent the passage of light and air to adjoining properties. It is not incompatible with the character of the neighborhood, as several other homes, including one that is adjacent to the property. This property is the Madea House, now named Thee Historic House on Avon, is a circa 1900 Victorian era home that features 13 rooms, 8 original fireplaces, hardwood floors, stained-glass windows, a wrap-around porch and copper-colored turret. The “Madea House” was used for filming iconic movies by Tyler Perry. It is seen as a “landmark” or historic destination by several commercial websites and as a top search response on google. It is also a “stop” on a tour conducted by unrelated third parties. As a result, countless people access the property to try to look inside the windows, sit on the porch and take pictures. It is an additional safety risk as some people knock on the door and have tried to gain access to the house.”

Staff Assessment:

While Staff appreciate the Applicant understanding the value of this house, Staff believe the Applicant has not provided any evidence that there is a safety risk to justify not complying with the District regulations regarding fence construction.

It might be an irritant to have people stop by and take photos, fame can do that, there is no real evidence that anyone has caused bodily harm here or any potential harm. Also, if the existing fences can’t keep people off

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the property, there is no evidence to suggest 2 additional fts will do so. Maybe a sign that states this isn't Madea house, but a private home, will stop some of this; or perhaps the tour guide can tell tourists they are not permitted to access the property; locks on the existing fences or the 4ft fence could also stop the foot traffic.

Either way, Staff feel there may be other ways to deter the annoyance, but the Applicant has not proven a security risk is here at present.

Staff would not support the Special Exception.

STAFF RECOMMENDATION: Defer to the May 8th UDC Meeting

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: 1050 White Oak Avenue SW

APPLICATION: CA3-24-113

MEETING DATE: April 24, 2024

FINDINGS OF FACT:

Historic Zoning: Oakland City Historic District/Beltline

Other Zoning: R-4A

Date of Construction: 1920

Property Location: West side of White Oak Avenue SW.

Contributing (Y/N)?: Yes

Building Type / Architectural form/style: New South Cottage

Project Components Subject to Review by the Commission: Alteration and Porch Reconstruction subject to a stop-work order

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

Relevant Code Sections: Sec. 16-20M

Deferred Application (Y/N)?: No

Previous Applications/Known Issues: Yes, CA3-22-229, BB-202205121, & 24CAP-00000212

SUMMARY CONCLUSION / RECOMMENDATION: Approval with Conditions

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

The Applicant received a stop-work order (24CAP-00000212) on February 7, 2024, for working outside the scope of work approved for CA3-22-229 and BB-202205121. The Applicant completely removed and reconstructed the existing historic porch. The porch replacement was not reconstructed in-kind and utilized a completely different design, removing the brick foundation, piers, porch supports, and reconstructing the porch as a simple wooden platform with no piers and smaller, undecorated wooden supports. The porch featured decking and deck railings, neither of which are permitted by the code. The deck railings were also constructed taller than would be permitted by code. The Applicant has also removed a historic chimney. The Applicant has also removed a historic door from the street-facing façade and replaced it with a window. The front door has been replaced with materials, which do not meet the code. The Applicant also has removed a historic hexagonal paver walkway, and installed a poured concrete walkway that does not match the historic configuration. A mailbox wall has been erected in the front yard which does not meet district regulations.

Porch

The Applicant proposes reconstruction of the porch to the original specifications, including the brick foundation, concrete steps, brick piers, decorative square supports, two-part, butt-jointed balustrade, and tongue-in-groove flooring installed perpendicular to the façade. Staff does not have any concerns with the proposal.

Doors

The Applicant proposes installation of two wooden doors to replace the unpermitted door and window. The primary door would be a wood door with nine lights, the secondary door would be a solid, six-panel wood door. Staff does not have any concerns with the proposal which meets the requirements of Sec. 16-20M.013 (2)(r)(5).

Chimney

The Applicant proposes reconstruction of the chimney to the original proportions, and has provided materials for the proposed reconstruction. Staff is not concerned with the proposal.

Site Work

The Applicant proposes to restore the walkway to its original configuration, restoring the hexagonal pavers. Materials have been submitted which match those which were removed. The Applicant has further proposed to remove the unpermitted mailbox wall and replace it with a typical post-supported mailbox, which publicly available photography shows was what was present historically. No site plan showing the restoration of the walkway has been submitted. Staff requires one for a complete plan set. The Applicant shall submit a to-scale site plan which shows all four corners of the property, all features, and the proposed site work.

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STAFF RECOMMENDATION: Approval with the following Conditions:

- 1.) The Applicant shall submit a to-scale site plan which shows all four corners of the property, all features, and the proposed site work.
- 2.) Staff shall review, and if appropriate, issue final approval of the proposed project.

cc: Applicant
Neighborhood
File