



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: 995 Sparks
APPLICATION: CA2-24-269
MEETING DATE: July 10, 2024

FINDINGS OF FACT:

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

Date of Construction: New Construction

Property Location: West of Lee Street and East of Peeples Street

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

Project Components Subject to Review by the Commission: New Construction (Exterior)

Project Components NOT Subject to Review by the Commission: Interior

Relevant Code Sections: Sec.16-20M

Deferred Application (Y/N)? No

Previous Applications/Known Issues: In 2023, the Commission approved a new construction for 995 Sparks. Upon completing the work, a SWO was placed on the property for not following the approved plans. This new review will be conducted on AS IS BUILD and use the previously submitted compatibility analysis.

SUMMARY CONCLUSIONS / RECOMMENDATIONS: Deferral

COMPATIBILITY RULE

Compatibility rule which is as follows: Where quantifiable (i.e. building height, setback, etc.), the element or building characteristic in question shall be no less than the smallest such element or building characteristic of buildings or site layouts in that block face that characterizes such like contributing buildings and shall be internally consistent with the historic design of the structure and shall be no greater than the greatest such element or building characteristic of buildings or site layouts in that block face that characterizes such like contributing buildings or site layouts and shall be internally consistent with the historic design of the structure. Where not quantifiable (roof form, architectural trim, etc.), the element or building characteristic in question shall be compatible with that which predominates in such like contributing structures on that block face and shall be internally consistent with the historic design of the structure.

Staff are concerned with comparisons received for review. The information provided was revised such that it is substantially different than what was submitted for the original review and has been amended during the course of Staff's review. Additionally, portions of the compatibility analysis conflict internally. For instance, the height of the structures listed in the massing section conflicts with the information provided under the building height section. Further, the setback information provided is not differentiated between whether the setback was taken from the front porch or to the building façade. As the regulations would require an "apples-to-apples" comparison, this information is crucial to ensuring that the structure conforms to the letter of the District regulations. To ensure that the information provided is accurate and that all required information is provided, Staff recommends that the compatibility study be re-submitted using a form provided by the Office of Design Staff. Staff further recommends that the compatibility comparisons be performed by an architect or engineer licensed by the State of Georgia, and that the resulting measurements bear their stamp as confirmation of the information presented.

Porch

The Applicant is proposing a full porch with 10x10 columns. The District regulation states, "front porches shall contain roofs, balustrades, columns, steps, and other features as determined by the compatibility rule. Front porches may extend up to ten feet into the required front yard. All front porch steps shall have closed risers and ends." The Applicant proposes the house will sit on a 22-inch foundation. The foundation will be covered in brick veneer. Additionally, the Applicant proposes the close risers and ends, with 7-inch threads, railing with two-part head-butt construction.

Doors

The proposed door is a full wood door with lite panels. Staff are not concerned with this proposal.

SITE WORK

Sidewalk

On the site plan the Applicant proposes a 5ft sidewalk. Sidewalks are required for new construction. District regulation states that "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." Staff

recommend the Applicant comply and install at least a 6ft wide sidewalk if there isn't an abutting sidewalk.

The Applicant hasn't indicated what material the sidewalk will be. 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." Staff recommends the Applicant abide by the sidewalk specification laid out in the District's requirement regarding sidewalks.

Walkway

District regulations require a walkway to be established between the sidewalk and the front porch. The Applicant has shown on the site plan a 5ft concrete pad which Staff believe to be the walkway. Staff recommend the Applicant label the pad as a walkway correctly on the site plan.

Driveway

The proposed is for a 10 ft drive that extends 20ft from the front elevation. Staff are not concerned with the proposal.

Retaining Wall

A 24-inch retaining wall is proposed from the left to the stairs. District regulations state, "The compatibility rule shall apply to the design and height of portions of retaining walls located in a front yard or half-depth front yard that are visible from a public street. Such retaining walls shall be faced with stone, brick, or smooth stucco. The compatibility rule notwithstanding, at no point of such retaining wall shall exceed four feet in height." Staff have no concerns regarding the retaining wall.

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.

STAFF RECOMMENDATION: deferral to allow the applicant time to address the following:

1. The compatibility study shall be re-submitted using a form provided by the Office of Design Staff;
2. The compatibility comparisons shall be performed by an architect or engineer licensed by the State of Georgia, and the resulting measurements shall bear their stamp as confirmation of the information presented.
3. The Applicant shall abide by the District regulation governing sidewalks, if the sidewalk didn't have an abutting sidewalk, it must be 6ft wide, and the material must match what is historically accurate for that block, either hexagonal pavers, concrete inlaid with hexagonal imprint, or brick per Sec.16-20M.013(2)(c)
4. The walkway shall be labelled correctly on the site plan, per Sec.16-20M.013 and
5. Staff shall review and if appropriate, approve the final plans and documentation.

CA2-24-269 995 Sparks

July 10, 2024

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Cc: Applicant
Neighborhood).
File



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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: 521 Grant Street SE
APPLICATION: CA3-24-267
MEETING DATE: July 10, 2024

FINDINGS OF FACT:

Historic Zoning: Grant Park Historic District, Subarea 1

Other Zoning: R-5, Beltline

Date of Construction: 1920

Property Location: West side of Grant Street SE

Contributing (Y/N)?: Yes

Building Type / Architectural form/style: Bungalow

Project Components Subject to Review by the Commission: Addition and alterations subject to a stop work order

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

Relevant Code Sections: Sec. 16-20K

Deferred Application (Y/N)?: No

Previous Applications/Known Issues: Yes, 24CAP-00000590

SUMMARY CONCLUSION / RECOMMENDATION: Approval with Conditions

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

The Applicant received a stop work order on April 25, 2024, for an un-permitted rear addition. The Applicant proposes a second addition to the front plane of the house, as well as alterations including full window replacement, siding replacement to the side elevations, and site work.

Rear Addition

The Applicant proposes a rear addition (already partially constructed) which would extend the primary pyramidal roof back from the peak to before the existing screened porch. This addition is outside the purview of the Urban Design Commission. Staff has reviewed the setbacks, floor-area-ratio, and lot coverage of this proposed addition and has no concerns with the proposal which meets the requirements of the zoning code.

Front Addition

The Applicant proposes full removal of the front plane of the roof to create a second story addition. Staff cannot support the proposal. The existing structure is a bungalow with a pyramidal roof, with two non-historic dormers situated behind the historic chimneys. The proposed alteration would completely remove the historic roof and chimneys and create a new hipped roofline which would be both a different form and pitch from the historic roof. Sec. 16-20K.007 (2)(D)(2) requires, “New additions, exterior alterations, or related new construction will not destroy historic materials that characterize the property.” As noted above the rear addition is situated behind the existing non-historic dormers and the ridgeline of the existing roofline. It does not impact the key architectural form or significant historic character defining details of the property. The alteration as proposed would create a completely different house, which retains so little of the historic fabric as to be unrecognizable. The front addition would adversely impact the structural form of the house and destroy historic materials and character. Staff suggests that more massing must be added to the rear to achieve an equal amount of square footage, while not adversely impacting the historic nature, roof form, or character of the street-facing facade. The Applicant shall not construct the proposed front addition as proposed. The Applicant shall retain the historic chimneys. The Applicant shall revise the proposed elevations to remove the front addition.

Siding Replacement

The Applicant has submitted a photograph showing deteriorated siding on the side elevation. This proposed alteration is outside the purview of the Urban Design Commission.

Window Replacement

The Applicant proposes full window replacement based on the window schedule provided. Staff is slightly confused by the proposal, as only 12 window photos have been included in the application; however, the window schedule shows that 30 windows are proposed for replacement (the total on both the ground and upper floors of the house). Staff would note that the regulations for the Grant Park Historic District only provide jurisdiction over the windows on the front plane of the structure (W 6.1, W 6.2, W 7.1 on the ground floor, and W 9.1 on the upper level). Only

photographs of W 6.2 (a fixed window) and 7.1(a one-over-one, double-hung window) have been included in the application. No photos of W 6.1 and W 9.1 have been provided. Staff would note that based on the submitted photographs, all of the windows on the structure, including W 6.2 and W 7.1 appear to be in excellent condition. Staff finds no evidence for the need to replace W 6.2 and 7.1. Photographs showing the condition of W 6.1 and 9.1 must be submitted to staff to determine if replacement is warranted. While Staff has no jurisdiction over the additional windows on the structure, Staff notes that storm windows are currently present, Staff would strongly encourage the Applicant to retain all historic windows as the stated goal is energy efficiency, not function, as storm windows provide an equivalent or similar U-factor rating for energy efficiency versus replacement. Further no specifications for the proposed replacement windows have been provided. The Applicant shall retain the historic windows listed as W 6.2 and W 9.1 on the window schedule. The Applicant shall provide photographs of W 6.1 and W. 91 (as listed on the window schedule) to illustrate the need for replacement. The Applicant shall provide material specifications for any proposed replacement windows.

Site Work

While no specific site work is proposed, Staff notes that there is a discrepancy between the as-built survey submitted by the Applicant and the proposed site plan. There is an existing asphalt patio which is shown on the survey that is not included in the proposed site plan. Given that the current proposal for the site places the Applicant extremely close to the maximum lot coverage, this asphalt patio must be accounted for in overall lot coverage, and impervious surface correctly calculated. The Applicant shall clarify the proposed scope of work in regards to the existing patio as shown on the as-built survey. The Applicant shall update the proposed site plan to show all features present on the lot.

STAFF RECOMMENDATION: Approval with the Following Conditions:

- 1.) The Applicant shall not construct the proposed front addition as proposed.
- 2.) The Applicant shall retain the historic chimneys.
- 3.) The Applicant shall revise the proposed elevations to remove the front addition.
- 4.) The Applicant shall retain the historic windows listed as W 6.2 and W 9.1 on the window schedule.
- 5.) The Applicant shall provide photographs of W 6.1 and W. 91 (as listed on the window schedule) to illustrate the need for replacement.
- 6.) The Applicant shall provide material specifications for any proposed replacement windows.
- 7.) The Applicant shall clarify the proposed scope of work in regards to the existing patio as shown on the as-built survey.
- 8.) The Applicant shall update the proposed site plan to show all features present on the lot.
- 9.) Staff shall review, and if appropriate, issue final approval of the proposed 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: 349 North Highland
APPLICATION: CA3-24-280
MEETING DATE: July 10, 2024

FINDINGS OF FACT:

Historic Zoning: Inman Historic District **Other Zoning:**

Date of Construction: 2002

Property Location: Next to the Freedom Parkway Connector

Contributing (Y/N)? No, **Building Type / Architectural form/style:** Modern/Historically Inspired

Project Components Subject to Review by the Commission: Special Exception for Pool and Fence

Project Components NOT Subject to Review by the Commission: Interior

Relevant Code Sections: Sec.16-20L

Deferred Application (Y/N)? No

Previous Applications/Known Issues: No, None Known

SUMMARY CONCLUSIONS / RECOMMENDATIONS: Deliver Comments at the UDC Meeting

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

SPECIAL EXCEPTION PETITION

Request: Section 16-20L.006.1.1.i to allow a 6' fence in a yard adjacent to a public street and section 16-20L.006.b to allow for active recreation (pool and hot tub) in a yard adjacent to a street.

Required Questions for the fence:

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.

Applicant's answer for Fence: *The fence is necessary to enclose a proposed pool/hot tub. The fence will be 24' from the rear (Atlantis) property line and will therefore not prevent the passage of light and air to adjoining properties located thereon. Numerous 5' and 6' fences exist along Atlantis Avenue, so the proposed fence 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.

Applicant's answer for Fence: *Section 305.2 of the International Swimming Pool and Spa Code requires a barrier around swimming pools and hot tubs to prevent unauthorized access and accidents.*

3. Such greater height is justified for topographic reasons.

Applicant's answer for Fence: *Topographical reasons do not contribute to the request; however, due to the significant slope of the lot and distance to adjacent houses, the fence will provide privacy for both the subject property residents and neighbors.*

or

4. Such greater height, in the yard or yards involved, is not incompatible with the character of the surrounding neighborhood.

Applicant's answer for Fence *As stated in (1) above, numerous 6' privacy fences exist along Atlantis Avenue, so the proposed fence is not incompatible with the character of the neighborhood.*

Required Questions for the Pool:

1. The location will not be objectionable to occupants of neighboring property, or the neighborhood in general, by reason of noise, lights, or concentrations of persons or vehicular traffic.

Applicant's answer for pool: *The proposed pool and hot tub will be approximately 95' from the closest house on the south side of Atlantis Avenue, greatly diminishing any potential disturbance from noise or light, and will be accessed from the existing house facing North Highland Avenue, precluding any disturbance by persons or vehicles. Atlantis Avenue is unimproved for the portion of the right of-way adjacent to the subject property, with the pavement ending in front of 347 Atlantis, two lots to the west.*

2. The area for such activity could not reasonably be located elsewhere on the lot.

Applicant's answer for pool: Because the subject property is a through-lot with frontage on both North Highland and Atlantis Avenues, and because of the locations of the existing house and ADU, there is no other location the pool/hot tub could be located.

Staff Response: The Applicant has answered all the questions, thoroughly and Staff especially agree with the Applicant regarding the placement of the pool and the other amenities, the lot does not allow for any other location. From the photos provided by the Applicant, it doesn't appear there would be much disturbance to the neighborhoods, if any at all. And certainly, the proposed fence is in line with what is represented in the district and the lot coverage has not been superseded. Also, the pool along with other accessory structures is meeting the required cumulative 25% lot coverage. Staff can't see any reason why the pool should not be built.

STAFF RECOMMENDATION: Comments will be delivered at the UDC Meeting.

Cc: Applicant
Neighborhood
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Commissioner

DOUG YOUNG
Director, Office of Design

MEMORANDUM

TO: Atlanta Urban Design Commission
FROM: Matthew Adams, Executive Director
ADDRESS: 922 Oakland
APPLICATION: CA3-24-290
MEETING DATE: July 10, 2024

FINDINGS OF FACT:

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

Date of Construction: 1945

Property Location: Corner of Oakland Drive and Montreat Avenue

Contributing (Y/N)? No **Building Type / Architectural form/style:** Minimal Traditional

Project Components Subject to Review by the Commission: Exterior Renovation

Project Components NOT Subject to Review by the Commission: Interior

Relevant Code Sections: Sec.16-20M

Deferred Application (Y/N)? No

Previous Applications/Known Issues: No, none known.

SUMMARY CONCLUSIONS / RECOMMENDATIONS: Approval with Conditions

SCOPE OF WORK

The scope of work is replacement of siding/trim/fascia, windows, doors, porch columns/rails. Install privacy fence, replace driveway, install a covered concrete patio in rear.

ALTERATIONS

Siding/Trim and Fascia

The Applicant proposes to install vertical wood siding with a reveal matching the existing reveal at roughly 6 5/8 to 6 3/4. Staff are not concerned with the siding proposal.

The following trim measurements are proposed: 1/4 corner trim and 1/6 trim on various sections of the house and repair the fascia. Staff are not concerned with the trim and fascia proposal.

Windows

The Applicant notes, that the windows were removed by the previous owner and three windows remain that are currently vinyl double hung. The Applicant is proposing wood casement window with simulated light for the installation where windows should be to match the style on the house. Staff isn't concerned with the proposal; however, the simulated light must have muntins that are integral to the sash and permanently affixed to the exterior of the face of glass. Staff also recommend the new casement window on the right elevation to match the sizes of the other windows represented on the house.

On the front, the Applicant is proposing an egress window and change the window orientation to a vertical window. While, Staff understand the reasoning, Staff find the proposal problematic because the original window on the front was not vertical. And Staff doesn't know if the front window must be egress. Typically, egress windows are relegated to the bedroom windows. Staff recommends the front window remain the original orientation and replace or repair in-kind.

On the right elevation, the Applicant proposes to remove the vinyl window and replace it with a smaller 2 over 2 wood windows with wood trim and a larger 2 over 2 wood window with wood trim that will match the new casement window. This is problematic to Staff for two reasons. 1) the smaller window isn't represented on the original house, 2) the District regulation requires all original windows to remain the same size, style, and position. Staff support the removal of vinyl window however, the window must remain the same size, style, and position of the original window.

On the left elevation the Applicant proposes to install 2 over 2 wood one new window with wood trim to match what is on the house. Many of the windows were removed but there was space where the windows were supposed to be. The Applicant shows this on the existing elevation. Staff are not concerned with the window proposal on the left elevation.

Porch

The Applicant is proposing a three-quarter porch with 6x6 posts and with wood guard rails with pickets. The Applicant propose to remove the iron railing and install wood railing. Staff are not concerned with the iron removal; however, Staff recommend the railing along with a guard rail and pickets on the steps with a two-part head butt system and not constructed as a deck.

A proposed new light fixture will be on the front porch. Staff are not concerned with this proposal.

Rear Porch/Deck

The Applicant proposes a 230.38 sqft. rear porch that will remove the non-original roof system but will extend the roofing on the main part of the house to cover the porch. The porch will not be enclosed. Staff are not concerned with this proposal.

Doors

The solid proposed front and rear doors meet the District regulation which states, “exterior doors shall be wood panel or fixed glass panel in wood frame.” Staff are not concerned with the proposal.

SITE WORK

Fence

The proposed privacy fence on the side and rear of the house at 6ft. However, it must be noted that the fence must be vertical. Staff recommend the fence orientation will be vertical.

Walkway and Sidewalk

District regulations require a walkway and sidewalk to be established if there are none and repaired and replaced if needed. There is an existing walkway, the Applicant hasn't indicated if the walkway will need repair or replacement. If so, it can be done in-kind.

There is no indication from the Applicant if there is an existing sidewalk. Research shows there is sidewalk. Staff are not concerned with this proposal.

Driveway

The proposed is for a 10 ft drive that extends 20ft from the front elevation. Staff are not concerned with the proposal.

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.

STAFF RECOMMENDATION:

1. Simulated light shall have muntins that are integral to the sash and permanently affixed to the exterior of the face of glass per, Sec.16-20M.013(2)(n)(2);
2. The new casement window on the right elevation shall match the sizes of all the other windows represented on the house, per Sec.16-20M.013(2)(o)(1);
3. The front window shall remain in size to stay true to its' oriental orientation, per Sec.16-20M.013(2)(o)(1);
4. The railing along with a guard rail and pickets on the steps shall have a two-part head butt system and not constructed as a deck, per Sec.16-20M.013 (2)(i);
5. The fence orientation must be vertical, per Sec.16-20M.013(2)(i) and
6. Staff shall review and if appropriate, approve the final plans and documentation.

CA3-24-269 for 922 Oakland
July 10, 2024
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Cc: Applicant
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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: 814 Lullwater
APPLICATION: CA3-24-249
MEETING DATE: July 10, 2024

FINDINGS OF FACT:

Historic Zoning: Druid Hill Landmark District **Other Zoning:**

Date of Construction: 1890

Property Location: South of Lullwater Pkwy

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

Project Components Subject to Review by the Commission: Variance

Project Components NOT Subject to Review by the Commission: Interior

Relevant Code Sections: Sec.16-20B

Deferred Application (Y/N)? No

Previous Applications/Known Issues: No, none known.

SUMMARY CONCLUSIONS / RECOMMENDATIONS: Approval

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

VARIANCE

Complete responses must be provided for **ALL** questions. Incomplete applications will not be accepted. If extra space is needed, please attach information and reference attachments for the appropriate question. Applicant, having received a determination that proposed action is at broad variance with the referenced zoning regulations when seeking a Certificate of Appropriateness, hereby requests that the Atlanta Urban Design Commission grant a variance for (description of variance).

Variance request: To reduce the left yard setback from 25' (required) to 7' (proposed) for the addition of a swimming pool in the rear yard.

Questions:

- (1) What are the extraordinary and exceptional conditions pertaining to the particular piece of property in question (size, shape or topography)?
 - a. Applicant response: The width of the lot at frontage is 99.7' which is less than the 100' required minimum. In addition to the placement of the house on the property, the lot narrows toward the rear yard.
- (2) How would the application of the Zoning Ordinance of the City of Atlanta to this piece of property create an unnecessary hardship?
 - a. Applicant response: Due to the narrow shape and size of the lot, the application of the 25' required side yard setbacks leaves very little buildable area for accessory structures to be constructed behind the principal structure.
- (3) Submit facts to show that relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta
 - a. Applicant response: The property is distinguished by its length and narrowness, almost pie shape. The historic principal structure (circa 1920s) and addition (2006) has always been non-conforming to the newly imposed 25' side yard setback.
- (4) Submit facts to show that relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta
 - a. Applicant response: The home sits substantially to the rear of both neighbor's houses (some 50 ft.) so no adverse impact would be felt of their enjoyment of light and air. The encroachment of the proposed swimming pool into the left side yard is LESS than the encroachment of the 2006 addition to the existing home, for which a variance was granted. The requested setback reduction of 7' includes space to accommodate the new pool equipment, which would be located next to existing utilities so as not to create any significant change or detriment to the neighboring property.

STAFF RECOMMENDATION The applicant presents a good reason for supporting ' the variance request. The lot does narrow as it extends to the rear. As the Applicant states, the lot isn't meeting the required 100ft in width, yet the 25% requirement for accessory structures does not take this into account by

CA3-24-294 for 814 Lullwater
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reducing the requirement for the side yards. Staff agree the variance should be granted. Staff support the variance on the reasoning stated.

Cc: Applicant
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DOUG YOUNG
Director, Office of Design

MEMORANDUM

TO: Atlanta Urban Design Commission
FROM: Matthew Adams, Executive Director
ADDRESS: 814 Lullwater Road
APPLICATION: CA3-24-294
MEETING DATE: July 10, 2024

FINDINGS OF FACT:

Historic Zoning: Druid Hill Landmark District **Other Zoning:**

Date of Construction: 1890

Property Location: South of Lullwater Pkwy

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

Project Components Subject to Review by the Commission: Site work: Pool Construction

Project Components NOT Subject to Review by the Commission: Interior

Relevant Code Sections: Sec.16-20B

Deferred Application (Y/N)? No

Previous Applications/Known Issues: No, none known.

SUMMARY CONCLUSIONS / RECOMMENDATIONS: Approval

CA3-24-294 for 814 Lullwater Road
July 10, 2024
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CONCLUSIONS: The following conclusions pertinent to this request are in accordance with Sec. 16-20B of the Code of Ordinances of the City of Atlanta.

SITE WORK

Pool

The Applicant is proposing to install a pool in the rear of the house. The District requirement states, "Swimming pool and accessory buildings, tennis courts and the like not less than 25 feet from side or rear lot." The current left side is 7 feet. The Applicant has applied for variance to allow for the 7ft instead of the required 25ft. The lot is not the standard lot of 100 fts in width at the front and narrows as it moves to the rear. This makes it extremely hard to meet the 25ft requirement. So, Staff supports the variance. Staff would also, ask the Applicant to try to orient the pool in a manner that possibly could permit the 25 ft or closer than 7 feet.

Staff Recommendation: **Approval**

Cc: Applicant
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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: 2925 Lakewood Ave.
APPLICATION: RC-24-306
MEETING DATE: July 10, 2024

FINDINGS OF FACT:

Historic Zoning: N/A

Other Zoning: R-4

Date of Construction: 1950

Property Location: Northeast corner of Lakewood Ave (aka Perkerson Ave.) and Brewer Blvd.

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

Project Components Subject to Review by the Commission: Demolition

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

Relevant Code Sections: Sec. 6-4043

Deferred Application (Y/N)?: No.

Previous Applications/Known Issues:

SUMMARY CONCLUSION / RECOMMENDATION: Confirm the delivery of comments.

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CONCLUSIONS: The following conclusions pertinent to this request are in accordance with Sec. 6-4043 & Sec. 16-20 of the Zoning Ordinance of the City of Atlanta.

The project involves the demolition of the Jere Willis Fulton County Health Center. This structure is one of several to be built with funding secured from the Federal Government in 1949. Once constructed, the site filled vital public needs such as the rapid distribution of the polio vaccine in the 1960's. Staff finds that a site such as this is worthy of preservation, and would encourage the Applicant to pursue other options for the structure than demolition. However, Staff would note that as the property is owned by Fulton County, the City of Atlanta and the Atlanta Urban Design Commission do not have the authority to compel the structure to be preserved and reused for another purpose. As such, Staff would suggest that if the structure is demolished the Applicant document the history of the site through archival photography, signage or markers, or some other format that interprets the history of the site and its importance to Atlanta's public health.

STAFF RECOMMENDATION: Confirm the delivery of comments at the meeting.

Cc: 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: 653 Peoples Street SW
APPLICATION: CA3-24-286
MEETING DATE: July 10, 2024

FINDINGS OF FACT:

Historic Zoning: West End Historic District/Beltline

Other Zoning: R-4A

Date of Construction: 1920

Property Location:

Contributing (Y/N)?: Yes

Building Type / Architectural form/style: New South Cottage

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

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

Relevant Code Sections: Sec. 16-20G

Deferred Application (Y/N)?: No

Previous Applications/Known Issues: CA3-21-165, BB-202200201, 23CAP-00001832

SUMMARY CONCLUSION / RECOMMENDATION: Deferral until the July 24, 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 received a stop-work order (23CAP-00001832) on April 26, 2024, for exceeding the approved scope of work for CA3-21-165 and BB-202200201. The cited violations were construction of a fence, changing the roof form and pitch of the addition, and construction of a non-approved balcony on the right elevation. Staff would note that no updated site plan has been included with the new materials submitted, only what appears to be a plan for the arborist showing impacts to critical root zones. Given that an unpermitted fence is among the violations, and the addition was not constructed as approved, a current site plan is a necessity. The Applicant shall submit an updated site plan, showing all features present on the lot, any proposed improvements, with lot coverage calculated. The Applicant shall submit specifications for the proposed fencing.

Addition

The rear addition has not been constructed as approved. The alterations to this addition include changing of the roof form in terms of pitch and form. A step down, for the rear portion of the addition was never constructed, completely changing the approved form. The most significant alteration however is the addition of a balcony on the right elevation. Originally approved were two dormers, one in the center portion of the addition with a single window (constructed as approved) and a second dormer with three windows. This balcony was not approved, and appears to have replaced the proposed second dormer. A third dormer, never proposed, with a single window was also constructed on the right elevation. The balcony, is a direct violation of the conditions for approval of CA3-21-165 which clearly states that “The dormer on the north (right) side elevation roof plane shall contain a continuous eave line to separate the first and second floor,” the addition of a balcony which falls below the eave line, changing the continuous eave, and roof form completely must be removed. This feature also appears to extend over the setback.

On the left side elevation, a fourth dormer, never on the approved plans has been constructed as a mirror to the unapproved dormer on the right elevation. Staff has significant concerns that the addition of these dormers as well as adding square footage by increasing the size of the stepdown as originally approved may illustrate a significant change in floor-area-ratio (FAR), 281.25 square feet on the upper level, and 56 square feet on the lower. A window has also been removed from the as-built right elevation. This window must be restored to retain consistent fenestration patterning. An examination of the floor plans shows that these alterations have been made to create an additional two bedrooms (though labelled as a study and living room respectively, these rooms include closets and qualify as bedrooms), not originally approved. The alterations to the design have created an entirely different design.

While the as-built plans document these changes, and Staff is not concerned with the two dormers on the right and left elevations which meet the requirements of the zoning code, Staff finds that the balcony and window changes must be addressed to meet the requirements of the approved plans. The Applicant will remove the balcony. The Applicant will restore the continuous eave line on the right elevation. The Applicant will submit a proposal to reconstruct the right elevation

dormer as originally approved, with a continuous, independent eave line and the window configuration restore. The Applicant will install the window, which was removed on the ground floor of the right-side elevation.

STAFF RECOMMENDATION: Deferral until the July 24, 2024, hearing of the Urban Design Commission to allow the Applicant to address the following:

- 1.) The Applicant shall submit an updated site plan, showing all features present on the lot, any proposed improvements, with lot coverage calculated.
- 2.) The Applicant shall submit specifications for the proposed fencing.
- 3.) The Applicant will restore the continuous eave line on the right elevation.
- 4.) The Applicant will submit a proposal to reconstruct the right elevation dormer as originally approved, with a continuous, independent eave line and the window configuration restore.
- 5.) The Applicant will install the window, which was removed on the ground floor of the right-side elevation.
- 6.) The Applicant shall submit revised materials to Staff no later than eight (8) days prior to their next scheduled hearing of the Urban Design Commission.

cc: Applicant
Neighborhood
File



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DOUG YOUNG

Director, Office of Design

MEMORANDUM

TO: Atlanta Urban Design Commission

FROM: Doug Young, Executive Director

ADDRESS: 995 Oakland Drive SW

APPLICATION: CA4PH-24-244

MEETING DATE: July 10, 2024

FINDINGS OF FACT:

Historic Zoning: Oakland City Historic District

Other Zoning: R-4A

Date of Construction: 1935

Property Location: Southwest corner of the intersection of Oakland Drive and Plaza Avenue SW.

Contributing (Y/N)?: Yes

Building Type / Architectural form/style: Minimal Traditional

Project Components Subject to Review by the Commission: Demolition due to a threat to public health and safety

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

Relevant Code Sections: Sec. 16-20M

Deferred Application (Y/N)?: Yes, deferred June 26, 2024

Previous Applications/Known Issues: n/a

SUMMARY CONCLUSION / RECOMMENDATION: Denial

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

Type IV and In-Rem Process

Generally, if an Applicant is applying for a demolition based on a threat to public health and safety, the Applicant is required to provide information and documentation for all the questions in the Application. In this case, the property has gone through the In-Rem process and the Applicant is the City of Atlanta's Office of Code Compliance. Notices were sent via registered mail to the owner (s) on record June 30, 2023, regarding the public hearing that was held on July 27, 2023. At the July 27, 2023, hearing, the In-Rem board approved the demolition of the property 6-0. The property owner did appear at the hearing. Since that time, the property owner, Rolf Barker, has applied for a certificate of appropriateness, CA2-23-343, for retroactive approval of window replacement. This application was approved with conditions on October 25, 2023. Staff issued final approval of the plans on October 30, 2023. It does not appear that the Applicant ever proceeded with obtaining a building permit for the window replacement; however, Staff would note that attempts were made to secure and improve the property, even after the approval of the demolition by the In-Rem Board in July.

The Applicant is not the owner of the property, and the In-Rem process does not allow for the City or a third-party, to repair, renovate, or sell the property. Staff finds that the questions regarding cost, taxes, alternative uses, and property values do not apply in In-Rem cases where the City is the Applicant but can be useful for informational purposes. Staff finds that the most relevant questions in In-Rem cases are as follows:

- **Demonstrate through independent analysis and supporting information that a major and imminent threat to public safety exists;** and, While the Applicant did not specifically answer this question, they have provided documentation regarding their analysis of the property. The inspection of the property noted that the cost to repair the structure would be \$59,767 and the value of the home based on Tax records was \$51,600.

- **Present all reasonable alternatives for rectifying the threat and analysis of all such alternatives.** The Applicant has not directly addressed this question in their application. The Applicant has illustrated that the owner was present at the In-Rem demolition hearing. Further, as Staff noted above, the Applicant has since applied for a certificate of appropriateness to remedy and close the property. While this does not constitute a full undertaking to rectify the deterioration, as a building permit was not obtained, the approval was retroactive, and attempts have been made by the property owner to secure the house.

Photographs and Documentation

Photographs of the property indicate an advanced state of deterioration on the interior, including collapse of some interior flooring into the crawl space due to water damage from roof leaks. These photos also show a high level of overgrowth surrounding the structure. The Applicant has also submitted a great deal of documentation regarding the presence of building materials which

contain asbestos, and the need for remediation, which Staff does not find relevant to the proposed demolition. Though deterioration of interior features is extensive, overall Staff finds that the house is not open to the elements except in the case of a few broken panes of glass and possible water damage due to failing roofing. The openings can be secured without full demolition.

Staff Findings

Staff finds that the evidence presented is not sufficient to support a demolition due to a threat to public health and safety. Demolishing a historic house should be the absolute last course of action; however, the deterioration on the interior does warrant securing the property against the elements to prevent further deterioration. Further, the overgrowth on the property is likely promoting further moisture retention and other damage. Given that the property owner has applied for a certificate of appropriateness since the time the demolition was approved by the In-Rem board last summer, this illustrates attempts to improve conditions and bring the structure into a state of good repair. Given the property owner's attempts, even though not fully completed. Staff feels that there is a compelling argument to retain the structure and allow the owner to complete repairs as proposed. As such, Staff finds that the house does not pose a significant threat to public health and safety and recommends denial of the proposal to demolish, to allow the property owner the opportunity to continue with repairs and securing of the structure.

STAFF RECOMMENDATION: Denial

cc: Applicant
Neighborhood
File