



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: *August 28, 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 Peoples 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)? Yes, deferred July 10, July 24, & August 14.

- Text for July 10 & 24 – Times New Roman
- *Updated text for August 14 – Italics*
- ***Updated text for August 28 – Bolded Italics***

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: *Approval with conditions.*

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

Revision to previous approval

The Applicant is proposing several changes to the original approval. Since that time, Staff has noted several inconsistencies in the Compatibility information provided by the Applicant. The Applicant has two options for how to move forward: The structure may either be built as originally approved, or, the proposed changes will need to meet the District regulations. Staff would note that issues not currently proposed as changes to the plans, such as the porch foundation and step materials, are not subject to a re-review by the Commission as those aspects of the project have already received a review. Staff will only comment on aspects of the project that have changed and indicate whether the change meets the District regulations.

Staff would also note that a courtesy sketch prepared by the HP Studio was provided in advance of the May 24 meeting to illustrate that a compliant structure could be built on the lot using the setbacks provided by the Applicant, which Staff now understands are inaccurate. This was provided after the project was deferred 3 times without coming into compliance with the District regulations or the Commission's comments at the meeting. As such, the sketch shows a front yard setback of 12 feet, as an example of what could have been designed by the Applicant and potentially accepted by the Commission at that time. However, as Staff has made clear in conversations with the Applicant the Commission is the final authority on the approval of projects for new construction. As such, the final design submitted for review by the Commission, along with any specific conditions placed on the project by the Commission, represents the final design approved by the Commission. This sketch was provided to the Commission as part of Staff's analysis, and the setback shown by Staff was not adopted by the Commission at that time. As such, the setback shown on this sketch bears no legal authority and does not permit the changing of the project by-right.

Photographs from the inspections on the site have been provided to assist the Commission in their review of the project.

Compatibility Comparisons

The Staff is 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 a an architect or engineer licensed by the State of Georgia, and that the resulting measurements bear their stamp as confirmation of the information presented.

The compatibility study has been resubmitted using the forms provided by the Office of Design Staff and has been stamped by a licensed engineer with a date of 08/16/2024. Staff finds that these conditions have been met.

The Applicant has provided a compatibility study, that has been stamped by an engineer with a date of July 29, 2024, with a notation that the measurements were taken on July 28, 2024. However, the information provided matches both the measurements and format of the compatibility study provided for the May 10, 2023 Public Hearing. This compatibility study does not include required measurements on the sample study supplied by Staff, and only contains three (3) of the five (5) contributing/comparable properties on the block face. Further, the report contains the same three (3) properties non-contributing, and therefore non-comparable, properties shown on the study supplied for the May 10, 2024, hearing with the inclusion of two (2) new non-comparable properties.

The information provided would not be concerning were it not for the internal inconsistencies and the inability of Staff to replicate the proportional measurements such as roof pitch. Regarding the inconsistencies, the heights shown in the Massing section, where the Applicant should detail the height and # of stories, the Applicant has instead provided the height of the structure, which does not match the height shown in the Building Height section. For instance, the height of 1013 Sparks is shown as 18.5 feet in the building height section but is shown as 23 feet in the massing section. The height of 1005 Sparks St is shown as 20 feet in the Building Height Section but is shown as 23 feet in the Massing Section. The height of 1003 Sparks St is shown as 18 feet in the Building Height section but is shown as 22 feet in the Massing section.

Regarding the proportional measurements that Staff are unable to replicate, the study shows the pitch of the houses at 1005 and 1003 Sparks Street as 4:12. This number has been consistent in all previous studies provided by the Applicant. Staff attempted to replicate this measurement, as a 4:12 roof pitch would be abnormally shallow for a Queen-Anne-inspired Folk-Victorian home such as those at 1005 and 1003 Sparks St. As roof pitches are proportional, meaning that the pitch would be approximately the same at any scale, Staff finds that this feature is a good candidate for a replication attempt to verify the information provided

Staff started by scaling a picture of the properties using a known measurement: the height of the front porch steps. Given that front porch steps can be generally assumed to be approximately 7", Staff scaled the photograph thusly and used this measurement to approximate the rise, run, and rafter length of the gables. Again, Staff finds that the exact field measurement of the rise, run, and rafter length would have only a negligible effect on the proportion of the feature using this method. For both 1005 and 1003 Sparks St, Staff found the approximate roof pitch was between 11:12 and 12:12. This is consistent with the generally accepted characteristics of Queen Anne structures, as noted by Virginia Savage-McAlester in A Field Guide to American Homes: "Over half of all Queen Anne houses have a steeply hipped roof with one or more lower cross gables."

Based on this analysis, Staff finds that the proposal again lacks sufficient information for a review of the proposed (but completed) changes from the Commission's original approval. As such, Staff recommends denial of the application to either require the structure to be reconstructed to the

specifications approved by the Commission or that accurate and updated information can be provided for review in a future application submission.

While the updated study still shows what Staff considers to be an incorrect roof pitch calculation for 1005 and 1003 Sparks St., Staff would note that there is currently no proposed changes from the roof pitch originally approved by the Commission. As such, Staff will limit commentary on the compatibility measurements to only those dimensions which are proposed to change from the Commission's original approval.

However, Staff will detail the changes from the original approval as noted below for the benefit of the Commission and the Applicant:

The Applicant has provided updated plans for the August 28, 2024, public hearing. These plans and documents have been stamped as received by the Office of Design Staff as of August 20, 2024.

Front yard setback (as measured to the front façade)

Commission approved: 16'

Proposed: 14.05' as measured from the curb to the front porch.

Allowable range: minimum of 13' maximum of 20' from the curb to the front porch.

Staff finds that the proposed front setback as measured from the curb to the porch meets the District regulations.

Rear yard setback

Commission approved: 15'

Proposed: 7'

Right side yard setback

Commission approved: 16.5'

Proposed: 12.25'

Left side yard setback

Commission approved: 21'

Proposed: 33.5'

Regarding the side yard setbacks, Staff would note that the rather large discrepancies between the approved plans and the proposed plans appear to be due to the plans that were submitted for final approval and permitting not being internally consistent in regard to the width of the home shown on the site plan versus the elevations. The site plan shows a home that is approximately 34.5' wide and the elevations show a home that is approximately 28.5' wide.

Roof form

Approved by the Commission: Nested Gable

Proposed: Front Gable (Does not meet the District regulations)

Staff finds that the front elevations, side elevations, and roof plan would need to be re-drawn to show a nested gable roof form as approved by the Commission under the previous approvals.

The updated plans more accurately reflect the project approved by the condition as it relates to the roof form. However, several inconsistencies would still need to be addressed in order to ensure that the project is built as was approved by the Commission.

Staff recommends that the front porch nested gable be increased from 3'3" to 8' wide to conform with the Commission's original approval. Staff further recommends that the ridge of the proposed nested gable as shown on the side façade elevations be revised to be no more than 12" shorter than the main ridge of the structure to conform with the Commission's original approval. Staff further recommends that the rear bump-out roof form be redrawn to accurately reflect the as-built and proposed conditions as it relates to the right side façade to conform with the Commission's original approval.

Window Sizes & Styles

Commission approved (as shown on approved elevations):

- *Single 31" x 66" one over one double-hung windows*
- *Double grouped 35" x 66" one over one double-hung windows (one set on front façade only)*

Proposed (as shown on as-built elevations) (Does not meet the District regulations)

- *Double grouped 70" x 66" Casement window*
- *Single 31" x 51" one-over-one double-hung windows (entire left side façade)*
- *Single 31" x 51" one-over-one double-hung windows (three on the right side façade)*
- *Single 31" x 66" one-over-one double-hung windows (three on the right side façade)*

Staff finds that the windows should either be revised to match the original approval, or, meet the requirements of the District regulations. Staff further finds that any window on the front or side facades of the structure, if not double-hung in function, should have the appearance of being double-hung through the use of simulated horizontal sash dividers a minimum of 3" thick. Staff further finds that the double-grouped double-hung windows on the front façade, if not true double-grouped double-hung windows in function, should have the appearance of being a double-grouped window through the installation of a simulated vertical muntin a minimum of 8" wide and the appearance of being double-hung through the use of simulated horizontal sash dividers a minimum of 3" thick.

The plans show two different window sizes on the right side façade: Three 31" x 66" windows and two 31" x 51" windows. On the right side façade, the windows are shown as 31" x 51" windows. Staff finds that this composition does not meet either the original approval or the district regulations. As such, Staff recommends that the windows on the right and left side façade be revised to either show all 31" x 66" windows or all 36" x 60" windows to match the predominate pattern on the block face as shown in the updated compatibility comparison.

Staff further recommends that any window on the front or side facades of the structure, if not double-hung in function, should have the appearance of being double-hung through the use of simulated horizontal sash dividers a minimum of 3" thick. Staff further recommends that the

double-grouped double-hung windows on the front façade, if not true double-grouped double-hung windows in function, should have the appearance of being a double-grouped window through the installation of a simulated vertical muntin a minimum of 8” wide and the appearance of being double-hung through the use of simulated horizontal sash dividers a minimum of 3” thick.

Sidewalk

Approved by the Commission: 7’ wide inclusive of the planting strip

Proposed: 5’ wide with no planting strip

The District regulations require that the sidewalk be at least 6’ wide if no sidewalk currently exists on the block. From the publicly available street view photographs, sidewalks were installed across the street and south of the property towards Lee Street. However, Staff cannot find evidence of their approval or the issuance of a variance for these sidewalks. Further, Staff finds that the existence of these sidewalks, whether installed without a permit or approved via a variance application, would not negate the need for the structure to comply with the requirements of the District regulations which require a minimum of a 6’ wide sidewalk with a planting strip.

The updated site plan shows the originally approved 6’ wide sidewalk with a 12” planting strip being installed. Staff finds that this recommendation has been complied with. Staff would further recommend that the sidewalk be stamped to mimic hexagonal pavers.

Walkway & Steps

The proposed walkway, which Staff would note has been greatly reduced from the original approval, is shown on the plans. However, Staff finds that the plans do not accurately reflect the final conditions of the property as the porch steps, which are shown on the elevations, have not been installed yet. Factoring in the average step riser length of 8 inches, staff finds that it would take approximately 6 steps to reach the height of the porch level from the front grade. The elevations accurately reflect this condition in the drawing. However, factoring in the minimum tread length of 11” for outdoor steps, Staff finds that 6 steps would require 5.5’ of length. This condition is not shown on the site plan.

The updated plans show the steps on the site plan and accurately reflect the as built conditions. As such, Staff finds this recommendation has been met. As noted earlier, the material of the steps and the foundation has not changed from the Commission’s original approval, and as such, is not subject to a second review at this time.

Retaining Wall

A retaining wall is proposed for installation due to the structure being constructed closer to the street than was approved by the Commission or shown in the permit drawings. Staff noted concerns with the accuracy of the grade shown in the elevation drawings in our previous reviews given that the site slopes up considerably several feet from the property line. However, Staff would note that retaining walls are not subject to a review by the Commission, and will be reviewed at a later date by Staff. The information provided below is to inform the Commission and the Applicant of Staff’s intent.

The District regulations base the height of retaining walls in the front yard on the compatibility rule. While this information has not been provided for review, Staff would note that no retaining walls appear on the subject block face. As such, Staff finds that the District regulations would present a standard that cannot be met. As per the Commission's previous rulings on situations such as this, Staff finds it appropriate to allow for the use of an alternate block face in the immediate vicinity for comparisons without the need for a variance. The closest block face with multiple retaining walls belonging to contributing properties of like use is the eastern block face of White Oak Ave. The allowable range based on this block face is a minimum of 18" (based on 1071 White Oak Ave.) and 30" (Based on 1075 & 1079 White Oak Ave.). As such, Staff has no concerns with the use of a 24" retaining wall. Staff would note, however, that a poured concrete retaining wall as proposed would not meet the District regulations. As such, Staff recommends that the retaining wall should be faced with brick, stone, or smooth stucco as required by the District Regulations.

STAFF RECOMMENDATION: Approval with the following conditions:

- 1. The front porch nested gable shall be increased from 3'3" to 8' wide to conform with the Commission's original approval;**
- 2. The ridge of the proposed nested gable as shown on the side façade elevations shall be revised to be no more than 12" shorter than the main ridge of the structure to conform with the Commission's original approval;**
- 3. The rear bump-out roof form shall be redrawn to accurately reflect the as-built and proposed conditions as it relates to the right side façade to conform with the Commission's original approval;**
- 4. The windows on the right and left side façade shall be revised to either show all 31" x 66" windows or all 36" x 60" windows to match the predominate pattern on the block face as shown in the updated compatibility comparison, per Sec. 16-20M.013(2)(o)(2)(a);**
- 5. Any window on the front or side facades of the structure, if not double-hung in function, shall have the appearance of being double-hung through the use of simulated horizontal sash dividers a minimum of 3" thick, per Sec. 16-20M.013(2)(o)(2)(c);**
- 6. The double-grouped double-hung windows on the front façade, if not true double-grouped double-hung windows in function, shall have the appearance of being a double-grouped window through the installation of a simulated vertical muntin a minimum of 8" wide and the appearance of being double-hung through the use of simulated horizontal sash dividers a minimum of 3" thick, per Sec. 16-20M.013(2)(o)(2)(c);**
- 7. The sidewalk shall be stamped to mimic hexagonal pavers, per Sec. 16-20M.013(2)(c);**
- 8. The retaining wall shall be faced with brick, stone, or smooth stucco as required by the District Regulations, per Sec. 16-20M.013(2)(m); and,**
- 9. Staff shall review and if appropriate, approve the final plans and documentation.**

Cc: Applicant
Neighborhood.
File



CITY OF ATLANTA

JAHNEE PRICE

Commissioner

ANDRE DICKENS

MAYOR

DEPARTMENT OF CITY PLANNING

55 Trinity Avenue, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491

DOUG YOUNG

Director, Office of Design

MEMORANDUM

TO: Atlanta Urban Design Commission

FROM: Matt Adams, Executive Director

ADDRESS: 1010 Spring Street NW (H.M. Patterson & Sons Spring Hill Chapel)

APPLICATION: CA2-24-379

MEETING DATE: August 28, 2024

FINDINGS OF FACT:

Historic Zoning: LBS

Other Zoning: SPI-16, SA-1

Date of Construction: 1928

Property Location: West side of Spring Street NW

Contributing (Y/N)?: Yes

Building Type / Architectural form/style: Neoclassical Revival

Project Components Subject to Review by the Commission: Site Work

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

Relevant Code Sections: Sec. 16-20

Deferred Application (Y/N)?: No

Previous Applications/Known Issues: No

SUMMARY CONCLUSION / RECOMMENDATION: Approval

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

The Applicant proposes changes to a previously approved site plan. The site plan governs the proposed re-development of the open formal gardens adjacent to the historic structure. These gardens, a key element of the property since the time of construction in 1928, were laid out in the formal English style, to compliment the design of the building itself, based on an English manor house. The previously approved plans allowed for extended decorative plantings of boxwood at the eastern side of the open formal lawn. The proposed update would shorten the expanse of decorative plantings to allow a larger lawn space. The original extent to these plantings would be highlighted with flush delineations at ground level. Staff is not concerned with the proposal, which retains the historic spatial relationship, and utilizes elements of landscape design consistent with the historic design of the space. As such, Staff recommends approval of the proposed plan.

STAFF RECOMMENDATION: Approval

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: 1265 Oak Street SW

APPLICATION: CA3-24-211

MEETING DATE: August 28, 2024

FINDINGS OF FACT:

Historic Zoning: West End Historic District/Beltline

Other Zoning: R-4A

Date of Construction: New construction

Property Location: North side of Oak Street SW

Contributing (Y/N)?: n/a

Building Type / Architectural form/style: n/a

Project Components Subject to Review by the Commission: New construction

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

Relevant Code Sections: Sec. 16-20G

Deferred Application (Y/N)?: No

Previous Applications/Known Issues: n/a

SUMMARY CONCLUSION / RECOMMENDATION: Approval with Conditions

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

The Applicant proposes new construction of a single-family residence on the vacant parcel at 1265 Oak Street SW.

Height

The Applicant proposes an overall height of 22 feet, which falls within the range of allowable height based on the submitted compatibility data.

Roof

The Applicant proposes a front-gabled roof with a pitch of 8/12. While the submitted compatibility data shows that the roof forms are equally divided between front gabled and hipped roofs on the block face, none of these roofs have a pitch this steep. The predominant roof pitch on the block face is 6/12 and the proposed structure must be altered to utilize that pitch. Staff would further note, that the massing and form of the structure, specifically overall height, is based on an existing contributing building at 1293 Oak Street SW that has a hipped roof not a gabled roof. In terms of compatibility the proposed structure must revise its overall roof form. Further the porch roof and upper dormer roof are proposed as standing seam metal. Sec. 16-20G.006(1)(c) states, "All building materials, which upon completion are visible from the public right-of-way, are subject to the compatibility rule." Standing seam metal roofing is not present anywhere on the block face. This feature must be removed, and all roofing changed to be consistent and compliant. The Applicant shall revise all roofing materials to be consistent throughout the structure and comply with Sec. 16-20G.006(1)(c). The Applicant shall revise the proposed roof form and pitch to meet the compatibility rule. **The roof form and pitch has been brought into compliance.**

Foundation

Foundation height is subject to the compatibility rule, and no data has been supplied. The zoning code strictly prohibits slab on grade construction, which appears to be what is proposed based on the elevations. Sec. 16-20G.006 (2)(f) states, "Height of the first floor of the front façade above grade shall be subject to the compatibility rule. Notwithstanding the compatibility rule, the first floor of the principal structure shall be on foundations and shall be elevated above grade at the front façade a minimum of two entrance risers each of which shall be not less than seven inches in height. Slab-on-grade construction is not permitted." The Applicant shall submit compatibility data for foundation height and materials. The Applicant shall redesign the structure to utilize a compliant foundation height. **The foundation has been brought into compliance.**

Porch

The Applicant proposes a full width porch, at grade, with no foundation, no balustrade, and square wooden columns. As stated above Sec. 16-20G.006 (2)(f) prohibits slab-on-grade construction, so a porch at grade would be prohibited by the zoning code. As no compatibility data has been submitted, the required height of the porch is unknown. Staff would note; however, that no porch

lacks steps and a balustrade so those would at minimum be required. Further, the predominant porch foundation materials on the block face is brick, and that must be utilized. The proposed square columns would be permitted, though Staff would not that they should at least be capped, as none of the existing columns are as plain as what is proposed, in use with a balustrade of two-part, butt-joint construction. The porch flooring material is not clear based on the submitted elevations, but as the design cannot be slab on grade a concrete floor would not be appropriate. The Applicant will redesign the porch in compliance with Sec. 16-20G.006. **The porch design has been brought into compliance. The Applicant shall utilize balustrades of two-part, butt-joint construction. The Applicant shall utilize wooden tongue-in-groove porch flooring.**

Massing

Staff has significant concerns with the massing of the structure. The proposed two-story form differs significantly from other examples from this historic period, including the two-story example on the block face due to the massing and roof form. While the zoning code does not specifically address building form, the massing of a structure must be compatible with the existing historic housing stock. The complete lack of foundation and altered porch proportions are also of major concern. Given the revisions needed to these two prominent features, the massing of the proposed house will have to also be significantly altered.

Materials

No material specifications have been provided for any features present on the proposed structure. Sec. 16-20G.006(1)(c) states, “All building materials, which upon completion are visible from the public right-of-way, are subject to the compatibility rule.” The Applicant shall submit specifications for all materials proposed to be utilized on the exterior of the structure. **Staff notes that the cementitious siding to be used has a 7” reveal. This is not compatible with what would have been present in terms of historic lap siding. The Applicant shall revise the proposed design to utilize smooth face cementitious siding with a reveal between 4”-6”.**

Fenestration

The proposed fenestration on the street-facing façade does meet the compatibility rule. The window style does not, while Staff noted that there is no predominant window style, the proposed style must be one of those present on the block face. Two-over-one windows do not exist anywhere on the block face. The proposed fenestration on the side elevations is completely unacceptable. Only a single window is proposed on the ground floor of the left elevation and no windows at all are proposed on the right. The Applicant shall revised the proposed window style to match one of the styles present on the block face. The Applicant shall revise the proposed fenestration on the side elevation to increase the number of windows to a minimum of 6 windows per elevation. **The window style and fenestration patterning has been updated. Staff does not that the proposed windows vary in width, with triple narrow windows being proposed on the side. As all building materials visible from the right of way are subject the compatibility rule, the window size must be uniform for consistency of design. The Applicant shall revise the proposed fenestration to**

remove the narrower window size for consistency of design, and have groupings of windows no greater than two.

Setbacks

The proposed setbacks all fall within what is allowable by the zoning code. Staff has no concerns with the proposed setbacks.

Site Work

Sec. 16-20G.006 (12)(c) states, “New driveways shall not exceed a width of ten feet not including the flare at the street.” Further Sec. 16-20G.006 (13)(a) states, “Off-street parking shall not be permitted in the front yard or half-depth front yard.” The current site plan shows a 10.7 foot wide drive that terminates before the house. The proposed drive must be revised to be no more than 10 feet in width, and extend at least 20 feet past the front façade of the house. Sec. 16-20G.006 (13) (b) states, “The design and material of new paved surfaces areas, other than those specified in subsection (a) above, including driveways, walkways, and patios, or portions thereof, shall be subject to the compatibility rule.” All of the contributing structures on the block face have a walkway extending from the front porch to the sidewalk. A walkway must be added to the proposed site plan. The sidewalk is not clearly depicted on the site plan. The adjoining sidewalk on either side is composed of hexagonal pavers, and the contiguous sidewalk must match in materials and width. The Applicant shall revise the proposed driveway to be in compliance with Sec. 16-20G.006 (12)(c) and (13)(a). The Applicant shall add a walkway from the sidewalk to the front porch to comply with Sec. 16-20G.006 (13) (b). The Applicant shall clearly depict a sidewalk of hexagonal pavers, to match the contiguous sidewalk in width and materials. **The driveway, walkway, and sidewalk have all been brought into compliance.**

STAFF RECOMMENDATION: Approval with the following conditions:

- 1.) **The Applicant shall utilize balustrades of two-part, butt-joint construction.**
- 2.) **The Applicant shall utilize wooden tongue-in-groove porch flooring.**
- 3.) The Applicant shall submit specifications for all materials proposed to be utilized on the exterior of the structure.
- 4.) **The Applicant shall revise the proposed design to utilize smooth face cementitious siding with a reveal between 4”-6”.**
- 5.) **The Applicant shall revise the proposed fenestration to remove the narrower window size for consistency of design, and have groupings of windows no greater than two.**
- 6.) Staff shall review, and if appropriate, issue final approval of the plans.

cc: Applicant
Neighborhood
File



CITY OF ATLANTA

JAHNEE PRICE
Commissioner

ANDRE DICKENS
MAYOR

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

DOUG YOUNG
Director, Office of Design

MEMORANDUM

TO: Atlanta Urban Design Commission

FROM: Matt Adams, Executive Director

ADDRESS: 557 West End Place SW

APPLICATION: CA3-24-260

MEETING DATE: August 28, 2024

FINDINGS OF FACT:

Historic Zoning: West End Historic District/Beltline

Other Zoning: R-4A

Date of Construction: 1920

Property Location: Northwestern corner of the intersection of West End Place and Eggleston Street SW

Contributing (Y/N)?: Yes

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

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

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

Relevant Code Sections: Sec. 16-20G

Deferred Application (Y/N)?: Yes, deferred June 26 and July 24, 2024.

Previous Applications/Known Issues: n/a

SUMMARY CONCLUSION / RECOMMENDATION: Deferral until the September 25, 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 a second story addition to the rear elevation of the house, it would create a full secondary roof plane, hipped, with an 8/12 pitch. The Applicant also proposes moving the location, and replacement of the front door, full window replacement, and extensive window reconfiguration. Staff would not that this property is on a corner lot, and as such all four sides of the property are visible from the public right of way. Staff has significant concerns with the proposal as presented, which are outlined below.

Addition

The proposed addition would be placed above an existing rear shed roof portion of the house. It would completely encompass an existing gabled projection that is a distinctive element of the New South Cottage. The proposed rear hip addition would not only remove this distinctive element, but also create a secondary roofline visible from all directions. Staff finds that the removal of this rear gabled dormer would remove significant and character defining element of the structure. The design of the proposed addition must be modified to retain the rear gable and place it behind the existing roofline to minimize the appearance of a secondary separate roofline. The Applicant has also submitted no materials proposed for use on the addition. The Applicant shall revise the design of the proposed addition to retain the distinctive rear gable and sit behind the existing roofline. The Applicant shall submit specifications for all materials proposed to be used on the rear addition. **The dormer on the addition has been changed from a hipped roof to a shed roof, but the plans still show the rear gable being removed. The design does not retain the key defining element of the elevation clearly visible from the Eggleston Street elevation. The dormer must be revised to retain this element. In addition no material specifications for any exterior elements have been provided.**

Door Placement & Replacement

The Applicant proposes moving the location of the front door. No reason is given for the need for this modification, but the code is clear, Sec. 16-20G.006 (3) (b), states, “Original window and door openings shall not be blocked or enclosed, in whole or in part.” The Applicant shall keep the front door in the existing location. The Applicant further proposes replacement of the front door, while no further details have been outlined in the application, Staff notes from publicly available photography of the house that the door is not original and is not concerned with its replacement. Sec. 16-20G.006 (3)(c) requires, “Replacement doors shall match the original in style, materials, shape and size, with no more than a one-inch width or height difference from the original size.” The Applicant shall replace the front door with materials which meet the requirements of Sec. 16-20G.006 (3)(c). **The updated plans show the retention of the door location; however, as with other exterior materials no material specifications have been provided.**

Window Replacement & Reconfiguration

The Applicant propose total window replacement on the structure. No evidence has been submitted for the need for replacement. Sec. 16-20G.006 (3)(a) states, “Architecturally significant windows

and doors, including details, trimwork, and framing, shall be retained.” The Applicant shall submit photos of the interior and exterior of all windows proposed for replacement, keyed to a window schedule establishing the need for replacement. Further, the Applicant shows total reconfiguration of the windows on the left elevation facing Eggleston Place SW. Sec. 16-20G.006 (3)(j) states, “New windows or doors added to existing structures shall be located façades that don't face a public street.” While the reconfiguration of windows on side elevations is permitted to accommodate bathrooms and kitchens, that is not the intent of this reconfiguration. The Applicant shall retain the existing window configuration on the left elevation. **This issue has not been addressed and the proposed plan still shows three windows being added, and reconfiguration of the existing windows, neither of which is permitted by the code.**

Site Plan

The submitted site plans are also of significant concern. The scale (1 in = 10 ft) makes the dimensions of the lot 37 Ft in width x 67 feet in length, for a total of 2,479 square feet. The city's records list the property as having a width of 55 feet x 100 feet in depth. The lot coverage is listed on both the existing and proposed site plans as 3,046 square feet, which both makes the lot coverage greater than the total lot size (as shown) and further shows no change is show in coverage, even though presumably the driveway will be removed (based on the proposed plan). Further, not all features are shown on the plan, for example a shed is visible on the property and included in the lot coverage, but not shown on the plan. There are numerous issues with the existing and proposed site plan. The Applicant will submit an updated site plan, to scale, with all features present or proposed on the lot shown and lot coverage calculated. **The Applicant has submitted an updated existing and proposed site plan with lot coverage calculated.**

STAFF RECOMMENDATION: Deferral until the September 25, 2024, hearing of the Urban Design Commission to allow the Applicant to address the following:

- 1.) The Applicant shall revise the design of the proposed addition to retain the distinctive rear gable and sit behind the existing roofline. **Not addressed**
- 2.) The Applicant shall submit specifications for all materials proposed to be used on the rear addition. **Not addressed**
- 3.) The Applicant shall replace the front door with materials which meet the requirements of Sec. 16-20G.006 (3)(c). **Not addressed**
- 4.) The Applicant shall retain the existing window configuration on the left elevation. **Not addressed**
- 5.) 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



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: August 28, 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)?: Yes, Deferred July 10 and July 24, 2024

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

SUMMARY CONCLUSION / RECOMMENDATION: Approval with Conditions

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

The Applicant 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. **The site plan must add lot coverage, given the scale of the addition Staff needs to confirm that the changes do not exceed allowable lot coverage. The fence, which was measured by code enforcement to be 8 feet tall has also not been addressed.**

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. **The Applicant has corrected the dormer, removing the unpermitted balcony; however the window has not been restored to the lower level.**

STAFF RECOMMENDATION: Approval with the following conditions:

- 1.) The Applicant shall submit an updated site plan, showing all features present on the lot, any proposed improvements, with lot coverage calculated. **An updated site plan has been submitted; however, lot coverage still has not been calculated**
- 2.) The Applicant shall submit specifications for the proposed fencing. **No specifications have been submitted. The fence is 8 feet tall based on code enforcement's data, this does not meet the requirements of the zoning code and must be brought into compliance.**
- 3.) The Applicant will install the window, which was removed on the ground floor of the right-side elevation. **This is not shown on the proposed elevations.**
- 4.) 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



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: 214 Estoria Street SE
APPLICATION: CA3-24-362 (New Construction) & 363 (Variance)
MEETING DATE: August 28, 2024

FINDINGS OF FACT:

Historic Zoning: HC-20A, SA3

Other Zoning: Beltline

Date of Construction: n/a

Property Location: East side of Estoria Street SE

Contributing (Y/N)?: n/a

Building Type / Architectural form/style: n/a

Project Components Subject to Review by the Commission: New Construction, Variance to allow placement of an accessory structure where it otherwise would be prohibited

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

Relevant Code Sections: Sec. 16-20A

Deferred Application (Y/N)?: No

Previous Applications/Known Issues: n/a

SUMMARY CONCLUSION / RECOMMENDATION: CA3-24-362 (New Construction):
Deferral until the September 25, 2024, hearing of the Urban Design Commission
CA3-24-363 (Variance): Denial

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

CA3-24-362 (New Construction)

The Applicant proposes new construction of a single family home, a swimming pool, and an accessory structure on the vacant lot. The proposed house would be a side-gabled, Gothic Revival cottage with a brick foundation, a partial width porch, and clapboard siding of unknown materiality. Staff has significant concerns with the proposed design. Overall, the massing and roof form are unlike any contributing structure on the block face. Per the code this subarea permits cottage and shotgun form housing. While the proposed design does exhibit some of the characteristics of cottage housing, its lack of adherence to the compatibility rule on the majority of features governed by the rule, means it does not comply. Staff strongly recommends looking to the contributing structures at 186 and 182 Estoria for guidance on massing and roof forms as this is what predominates on the block face. Further, Staff has concerns that the proposed design is a random amalgamation of incongruous historical elements including decorative trim, design features, window styles, and other elements which have not relation to the architectural forms and styles present on the block face, are not appropriate to the character or historical period of the district, and do not create a cohesive or appropriate design. The Cabbagetown Landmark District was a collection of worker housing, exhibiting strict economical house forms and minimum architectural styling for efficiency and the high style elements proposed in this design are completely incongruous with the character of the district. No material specifications have been provided for any exterior materials. The Applicant shall revise the proposed design to utilize a form and massing compatible with the contributing structure on the block face. The Applicant shall revise the proposed design to remove incongruous design elements. The Applicant shall submit material specifications for all exterior materials to be utilized on the structure.

Setbacks

All setbacks in the Cabbagetown Landmark District are subject to the compatibility rule. The proposed side yard setbacks fall within the allowable range. The Front and rear do not. The proposed rear yard setback is 0 feet, based on the contributing structure at 218 Estoria Street SE. This 0-foot rear yard setback was only achieved there through a variance to allow expansion for the existing accessory structure, it did not exist historically. Based on the compatibility data submitted, the rear yard setback cannot be less than three feet. As a result, the proposed cannot be used for compatibility purposes because this setback did not exist historically. The proposed front yard setback also does not fall within the allowable range based on the compatibility data. Further, per Sec. 16-20A.009 (6) “ In addition to the setback requirements in section 16-20A.006(9), in no case shall any portion of a building be closer to a public sidewalk than any portion of any contributing building of like use on the block face. The proposed 21.89-foot front yard setback is closer than any contributing structure, and with the front porch places the structure only 14 feet from the front property line. The minimum permissible front yard setback is 24’. The Applicant shall revise the proposed front yard setback to meet the requirements of Sec. 16-20A.006(9) and Sec. 16-20A.009 (6). The Applicant shall revise the proposed rear yard setback to meet the requirements of Sec. 16-20A.006(9).

Foundation Height and Overall Height

The height of the first floor above street level shall meet the compatibility rule. The proposed foundation height is 3'. Per the compatibility study submitted by the Applicant no contributing structure on the block face has a foundation height less than 3'2". The Applicant shall raise the proposed foundation height to meet the compatibility rule.

Overall height is also subject to the compatibility rule. The compatibility data shows the heights of the contributing structure on the block face to be 22', 22', 25', and 27.5'. Staff has concerned with the listed height of 218 Estoria Street, based on a physical examination of the structure, and requires additional documentation of how this height measurement was obtained to ensure it is consistent and does not include grading of the land from street level. Further, Sec. 16-20A.006 (6)(c) requires, "In any instance where one contributing building of the same architectural style and like use on a block face is higher or wider by more than ten percent than any other contributing building of like use on a block face, such structure shall be eliminated in the application of the compatibility rule." This item, if accurately measured falls at 10%, so accuracy is necessary to determine if it is even an allowable data point. A difference of almost three feet in height would require substantial redesign of the proposed structure. The Applicant shall supply documentation of how the height measurements were obtained. The Applicant shall revise the proposed height to meet the compatibility rule within the parameters of Sec. 16-20A.006 (6)(c).

Roof Form and Pitch

Per Sec. 16-20A.006(13)(c)(1) "The shape and pitch of roofs, as well as ridge, dormer, overhang, and soffit construction shall meet the compatibility rule." The proposed roof does not comply. All contributing structures on the block face have pyramidal roofs with a gabled front porch. The proposed house is side gabled with front and rear dormers. Further the pitch data given for the roofs appears to focus on the front porch gabled portions rather than the primary roof form. This design is completely incompatible with the existing contributing structures and must be completely revised. This coupled with Staff's concerns over overall height, massing, and façade organization will likely require extensive redesign. The proposed chimney does meet the requirements of the zoning code.

Further, the proposed structure would have dormers on the front and rear, which are also subject to the compatibility rule. One contributing structure on the block face does have a dormer. However, Sec. 16-20A.009 (10) requires, "(b)Dormers shall not be permitted on the front façade of cottage housing unless original to the structure." And (c)A "single dormer may be permitted on one secondary elevation of cottage housing if it is placed to minimize its visibility from the public rights-of-way." The proposed dormer configuration would not be permitted by the code. The Applicant shall revise the proposed roof design and pitch to meet the requirements of Sec. 16-20A.006(13)(c)(1). The Applicant shall revise the proposed dormer configuration to meet the requirements of Sec. 16-20A.009 (10).

Fenestration

The code requires that “windows shall be predominantly vertical in proportion, shall not be constructed in combination of more than two units, and shall be double-hung wood sash with true divided lights. Window organization and fenestration patterns shall meet the compatibility rule.” Staff has significant concerns with the proposed fenestration. The proposal is for a random assortment of window styles, sizes, and shapes. On the front façade a grouping of three windows is proposed, which is in direct violation of this code section. Based on the existing housing stock the predominant window style is a wood-framed, double-hung, one-over-one sash. The oriel, fanlight, and other forms of windows are all completely inappropriate and do not meet the requirements of the zoning code. The fenestration patterning on the side elevations has to be completely revised and simplified to match the existing fenestration patterning present on the block face. The Applicant shall revise the proposed design to only utilize one-over-one, double-hung windows on the structure. The Applicant shall remove any window groupings larger than two units to meet the requirements of the code. The Applicant shall revise the proposed fenestration to more accurately reflect the historic fenestration patterning present on existing contributing structures.

Porch

Porch design is subject to the compatibility rule. Staff notes that the proposed partial width does comply with the this requirements, however, the integrated roof does not. As noted above the style which predominates is a gable on hip, with an independent porch roof. The proposed columns are too highly decorative, as are the intricate balustrades. The design should be revised to utilize simple turned porch supports which meet the compatibility rule, a balustrade of two-part, butt-joint construction, and tongue-in-groove flooring. The materiality of the porch steps is also not noted on the plans. The Applicant shall revise the proposed porch supports to meet the compatibility rule. The Applicant shall revise the proposed balustrade design to utilize only a simple, two-part, butt-joint construction balustrade. The Applicant shall note the materiality of the porch steps on the elevations. The Applicant shall utilize tongue-in-groove wooden flooring for the porch.

Site Work, Accessory Structure, & Swimming Pool

No clarity on what alterations to existing sidewalk, steps, and retaining walls will be made. No walkway has been provided, which is required by the code. The Applicant will clarify the scope of work in relation to existing hardscape features. The Applicant will add a walkway connecting the front porch and the sidewalk.

The Applicant proposes a free-standing garage. The proposed structure would be 19 feet in height, which does meet the requirements of the code for an accessory structure. The placement of the structure does not. Sec. 16-20A.006 (16) (a) requires, “Carriage houses, tool and garden sheds, greenhouses, private garages and similar structures shall be unattached, located to the rear of the

principal building within the buildable area of the lot, and shall not project beyond the front of the principal building. In addition, they shall be located in the least visible location within permissible areas. The commission may require screening with appropriate plant or fence materials if said structure is visible from the public right-of-way.” The placement of this structure is addressed in Variance CA3-24-363. Staff would note that the allowable structure is highly based on the proposed principal structure. Given the degree of changes required to the present design the accessory structure may necessitate a revised design as well.

The Applicant also proposes a swimming pool at the rear of the property. Sec. 16-20A.009 (4)(a) requires, “In-ground swimming pools and similar active recreation facilities subject to the following limitations. Such active recreation facilities in any yard, required or other, adjacent to a street shall require a special exception from the commission, which special exception shall be granted only upon finding that: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, and the applicant shall contact the adjoining neighbors about the special exception and provide written letters to the commission from the adjoining neighbors regarding the propriety of the special exception.2.The area for such activity could not reasonably be located elsewhere on the lot.3.The commission may condition any special exception for such facilities based on concerns regarding visibility from public right-of-way, fencing, screening, or other buffering, existence and/or location of lighting, hours of use, and such other matters as are reasonably required to ameliorate any potential negative impacts of the proposed facility on adjoining property owners.: No special exception application has been filed for this swimming pool. As such, Staff cannot approve the proposal without adherence to the requirements of the code to file a separate application for a special exception. The Applicant shall file a special exception application to allow for active recreation use.

STAFF RECOMMENDATION: Deferral until the September 25, 2024, hearing of the Ruban Design Commission to allow the Applicant to Address the Following:

- 1.) The Applicant shall revise the proposed design to utilize a form and massing compatible with the contributing structure on the block face.
- 2.) The Applicant shall revise the proposed design to remove incongruous design elements.
- 3.) The Applicant shall submit material specifications for all exterior materials to be utilized on the structure.
- 4.) The Applicant shall revise the proposed front yard setback to meet the requirements of Sec. 16-20A.006(9) and Sec. 16-20A.009 (6).
- 5.) The Applicant shall revise the proposed rear yard setback to meet the requirements of Sec. 16-20A.006(9).
- 6.) The Applicant shall raise the proposed foundation height to meet the compatibility rule.
- 7.) The Applicant shall supply documentation of how the height measurements were obtained.
- 8.) The Applicant shall revise the proposed height to meet the compatibility rule within the parameters of Sec. 16-20A.006 (6)(c).
- 9.) The Applicant shall revise the proposed roof design and pitch to meet the requirements of Sec. 16-20A.006(13)(c)(1).

- 10.) The Applicant shall revise the proposed dormer configuration to meet the requirements of Sec. 16-20A.009 (10).
- 11.) The Applicant shall revise the proposed design to only utilize one-over-one, double-hung windows on the structure.
- 12.) The Applicant shall remove any window groupings larger than two units to meet the requirements of the code.
- 13.) The Applicant shall revise the proposed fenestration to more accurately reflect the historic fenestration patterning present on existing contributing structures.
- 14.) The Applicant shall revise the proposed porch supports to meet the compatibility rule.
- 15.) The Applicant shall revise the proposed balustrade design to utilize only a simple, two-part, butt-joint construction balustrade.
- 16.) The Applicant shall note the materiality of the porch steps on the elevations.
- 17.) The Applicant shall utilize tongue-in-groove wooden flooring for the porch.
- 18.) The Applicant will clarify the scope of work in relation to existing hardscape features.
- 19.) The Applicant will add a walkway connecting the front porch and the sidewalk.
- 20.) The Applicant shall file a special exception application to allow for active recreation use.
- 21.) The Applicant shall submit all revised materials to Staff no later than eight (8) days prior to the next scheduled hearing of the Urban Design Commission where the item is on the agenda.

cc: Applicant
Neighborhood
File

Variance CA3-24-263

The Applicant requests a variance to allow the placement of an accessory structure in a location where it otherwise would be prohibited.

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

The Applicant cites that the property depth and required setbacks make the construction of an accessory structure (garage) in addition to a principal structure difficult.

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 required setbacks as an unnecessary hardship.

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

The Applicant cites the required setbacks (24 feet: front yard, 3 feet: left yard, 8 feet: right yard, and 3 feet: rear yard).

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 allowing an accessory structure (garage) to be built will be safer for the homeowners offering off street parking and maintain consistency of the streetscape.

IN general, Staff finds that the Applicant's request does not meet the criteria for granting a variance. Given the proposed design for the principal structure does not meet the requirements of the zoning code, and no accessory structure can be built until a compliant principal structure is constructed, Staff cannot support the proposed variance. The overall design does not use the allowable setbacks, and a design which does not comply with the setbacks, before a variance is even considered, should not be granted further relief. Staff does not find that the Applicant has established the existence of a hardship that is particular to the size, shape, and topography of the lot. The lot is no shallower than the adjacent lots, measuring 50 feet in width, and between 104 and 108 feet in depth. No element of non-conformity of the lot has been established and Staff does not find that an argument has been made for hardship. Further placement of the accessory structure is based largely on a desire for a swimming pool in the rear yard, which requires a special exception to the code which has neither been applied for, nor granted. The wide range of issues with the proposed design further complicate the variance, as in addition to not meeting the criteria as outlined above, the design will likely have to change substantially for the other proposed elements to meet the requirements of the zoning code. As such, Staff does not support the proposed variance.

STAFF RECOMMENDATION: Denial

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: 994 Carmel Avenue NE

APPLICATION: CA3-24-369

MEETING DATE: August 28, 2024

FINDINGS OF FACT:

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

Date of Construction: 2001

Property Location: East side of Carmel Avenue NE.

Contributing (Y/N)?: No

Building Type / Architectural form/style: n/a

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

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

Relevant Code Sections: Sec. 16-20L

Deferred Application (Y/N)?: No

Previous Applications/Known Issues: n/a

SUMMARY CONCLUSION / RECOMMENDATION: Approval

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

The Applicant proposes a second story enclosure of an existing porch/balcony on the street-facing elevation and removal and enclosure of two windows on the right elevation. The balcony enclosure would create an additional 44 square feet of livable interior space. The portion of the elevation would have a single central window installed in approximately the same location as the existing door. The proposed window and siding would match the existing on the exterior. Staff has no concerns with the proposed enclosure. The Applicant also proposes removal of the triple window unit on the upper story of the right side elevation. This would be replaced with a single window of matching style to accommodate installation of a closet. Given the non-contributing status of the structure, and the consistency of design to match the existing materials Staff is not concerned with the proposed alteration of the window configuration. As such, Staff recommends approval of the proposed application.

STAFF RECOMMENDATION: Approval

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: 716 Oakland Avenue SE
APPLICATION: CA3-24-372
MEETING DATE: August 28, 2024

FINDINGS OF FACT:

Historic Zoning: Grant Park Historic District, Subarea 1

Other Zoning: R-5, Beltline

Date of Construction: 1920

Property Location: Northeast corner of Oakland Avenue and Bass Street SE

Contributing (Y/N)?: Yes

Building Type / Architectural form/style: Georgian Cottage

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

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

Relevant Code Sections: Sec. 16-20K

Deferred Application (Y/N)?: No

Previous Applications/Known Issues: n/a

SUMMARY CONCLUSION / RECOMMENDATION: Denial

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 proposes a second addition to the front and right sides of the house (the property is located on a corner lot). Staff has significant concerns with the proposal. The proposal completely removes the existing side gabled roof in favor of adding three gables. While Staff acknowledges that there are existing gables on the rear of the house and this would continue them through, it completely alters the existing roof form and house type to the point it would be unrecognizable. The proposal must be completely restructured to retain the existing roofline on the front plane of the house, which is a character defining feature of the Georgian Cottage house type. Staff notes that the Applicant appears to be utilizing the underlying rear yard setback, versus the allowable rear yard setback of 7 feet as permitted by the zoning code for the Grant Park Historic District. Pushing the massing of the rear addition further back onto the property would allow the desired square footage without completely removing the roofline and altering the house beyond recognition.

Sec. 16-20K.007 (2)(15)(D) of the zoning code requires, “Alterations and additions shall be consistent with and reinforce the historic architectural character of the entire existing contributing structure and shall comply with the applicable regulations for new construction set forth in subsection 16-20K.007(2)(B) above;” And, “2.New additions, exterior alterations, or related new construction will not destroy historic materials that characterize the property. The new work may differentiate from the old. To protect the historic integrity of the property and its environment, any new work will be compatible with the massing, size, scale and architectural features of the property and environment.” Staff finds that the proposed addition does not meet the requirements of Sec. 16-20K.007 (2)(15)(D), and to design a compliant addition would require a complete re-design of the project, therefore Staff recommends denial of the application.

STAFF RECOMMENDATION: Denial

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: 242 Elizabeth St.
APPLICATION: CA3-24-389
MEETING DATE: August 28, 2024

FINDINGS OF FACT:

Historic Zoning: Inman Park Historic District (Subarea 1) **Other Zoning:** R-5

Date of Construction: 1908

Property Location: East block face of Jonesboro RRd, between the intersections of Hutchens Rd and i-285.

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

Project Components Subject to Review by the Commission: Variances & Special Exception

Project Components NOT Subject to Review by the Commission: Accessory Structure Design

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

Deferred Application (Y/N)?: No.

Previous Applications/Known Issues:

SUMMARY CONCLUSION / RECOMMENDATION: Approval with conditions:

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

Variances

The Applicant has requested variances from the Inman Park Historic District regulations to allow parking between the principal structure and Lake Ave. where otherwise prohibited and to allow an accessory structure between the principal structure and Lake Ave. where otherwise prohibited. In granting a variance, the Commission is required to find that the request meets the four following criteria:

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 topography of the site, the double frontage nature of the corner lot, and the existence of a 4-foot-high retaining wall along the property line adjacent to the driveway.

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 the application of the zoning ordinance would prevent the installation of new accessory structures in the rear yard, and the use of the Lake Ave. frontage for vehicular access.

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

The Applicant cites the limited number of double-frontage properties in the District. While Staff finds that double frontage properties are not rare, Staff would note that the mixture of topographical changes and double frontage configuration do create a unique or “peculiar” condition for the subject property.

Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta.

The Applicant states that the requested relief would not be necessary if it were not for the double frontage lot condition and the topographical changes. The Applicant also cites the location of “historic” accessory structures on the site and the development pattern along lake Avenue where several properties use their secondary frontage for vehicular access.

Staff finds that the variance request meets the criteria for granting a variance. While unrelated to the Commission’s purview or the authority of the Office of Design, Staff would note that the Atlanta Department of Transportation (ATL DOT) may not permit two curb cuts for a single property. Staff would encourage the Applicant to reach out to ATL DOT to discuss the project and whether they would approve the additional curb cut proposed by the Applicant.

Special Exceptions

The Applicant is requesting two Special Exceptions from the Inman Park Historic District regulations to allow active recreation (Swimming Pool) directly adjacent to the public right of way and to allow a 6-foot tall privacy fence/wall in the Lake Ave. front yard where otherwise a 4-foot tall fence is permitted. Given that the applicable regulations specify different requirements for the two special exception requests, Staff will analyze each request independently.

For special exceptions for the height of fences in the front or half-depth front yards, the Commission is required to find that the request meets one of the 4 criteria specified in Sec. 16-28.008(5)(e). Staff finds that the proposal could qualify under any of the criteria, but finds the most compelling argument to be criteria 1: “The

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.”

Staff agrees with the Applicant that the proposed privacy fence and retaining wall in the Lake Ave front yard would provide necessary security for the site as required by the International Swimming Pool and Spa Code, though Staff would note that the interpretation of that code is under the purview of the Office of Buildings. Further, Staff finds that the proposal is not inconsistent with the neighboring properties along the subject block face of Lake Ave., the majority of which (including the subject property) contain privacy walls and retaining walls in the configuration now proposed by the Applicant. Further, Staff finds that the proposal would not prevent the passage of light and air to adjoining properties given the topographic changes in the Lake Ave. front yard and the position of the fence in relation to the neighboring properties. As such, Staff supports this request.

Regarding the accessory structure (swimming pool) providing active recreation adjacent to the public right of way, the District regulations match the general requirements found in Sec. 16-28.008 and specify that the Commission must find the following:

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, and

The Applicant has stated that the location of the proposed swimming pool will be 12 feet higher than the Lake Ave. right of way due to the topographic changes, which will prevent visual and noise impacts to neighboring properties. The applicant also specifies the plans to only have the pool open to the owner and their guests, which is not a requirement of the Zoning Ordinance. However, Staff finds that this may speak to the prevention of concentrations of persons or vehicular traffic.

Staff has not received confirmation that the occupants of neighboring properties or the neighborhood in general have no objections to the proposal. Staff would note that per the standard interpretations and practice of the Department of City Planning, this requirement provides two options for verifying any objections: confirmation by the occupants of neighboring properties, or, objections from the neighborhood in general. As such, Staff recommends the Applicant provide confirmation that the occupants of neighboring properties, or the neighborhood in general, have no objections concerning the proposal by reason of noise, lights, or concentrations of persons or vehicular traffic.

The area for which could not be reasonably located elsewhere on the lot.

The Applicant states that the double frontage nature of the lot would prevent the location of the accessory structure (swimming pool) elsewhere on the property. Staff finds this criterion has been met.

STAFF RECOMMENDATION: Approval with the following conditions:

1. The Applicant shall provide confirmation that the occupants of neighboring properties, or the neighborhood in general, have no objections concerning the proposal by reason of noise, lights, or concentrations of persons or vehicular traffic, per Sec. 16-20L.006(6)(b)(i)(1); and,
2. Staff shall review and if appropriate, approve the final plans and documentation.

Cc: Applicant
Neighborhood
File

CA3-24-389 for 242 Elizabeth St.

August 28, 2024

Page 4 of 4



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: 201 Huntington Road
APPLICATION: RC-24-352
MEETING DATE: August 28, 2024

FINDINGS OF FACT:

Historic Zoning: Brookwood Conservation District
Property Location: Southeast from Wakefield and East o Peachtree Street, NE
Contributing (Y/N)? N/A **Building Type / Architectural form/style:** New Construction
Project Components Subject to Review by the Commission: Opinion on the New Construction
Project Components NOT Subject to Review by the Commission: N/A
Relevant Code Sections: N/A
Deferred Application (Y/N)? No
Previous Applications/Known Issues: N/A

SUMMARY CONCLUSIONS / RECOMMENDATIONS: Commission adopt the recommendations and deliver the comments at the UDC meeting.

Proposed Work

The proposal is for a multi-level new construction house which will encompass a basement. The proposed house is modern in design which employes flat and gable rooflines. The house is proposed at 40 ft and 4 ½ inches from grade. Staff are not certain if this will be a problem with the City and would suggest the Applicant check with Zoning for verification being that the height max is 35 ft. This house could be higher than the other houses. The siding is proposed as board and batten in certain sections and vertical in other sections, with brick accents that reaches the grade. As with

RC-24-352 for 201 Huntington Road
August 28, 2024
Page 2 of 2

many new modern constructions, there are many glass wall windows, many having divides. The Applicant proposes balconies on second level. These balconies will have shed roofs for cover. The railings are modern in design with plain extension for safety.

The purview of the Staff is to provide comments on the house and how it presents for the community. While the design of the house is a great representation of a sophisticated modern house, it could be the only new construction in this community that is modern construction. Staff reason this is not necessarily a bad thing and in fact permits the community to evolve like many other older communities throughout the city.

While the proposed house isn't traditional in design as many of the houses in the community, as mentioned it does borrow such elements as gable rooflines, balconies and brick accents that does tie to the community in a minimalist way.

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

STAFF RECOMMENDATION: Commission adopt the recommendations and deliver the comments at the UDC meeting.

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: 3460 Jonesboro Road (Hank Aaron Academic Academy)
APPLICATION: RC-24-364
MEETING DATE: August 28, 2024

FINDINGS OF FACT:

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

Date of Construction: N/A

Property Location: South of Macedonia Road and near Highway 54.

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

Project Components Subject to Review by the Commission: Park improvement to an Academy

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

Relevant Code Sections: N/A

Deferred Application (Y/N)? No

Previous Applications/Known Issues: N/A

SUMMARY CONCLUSIONS / RECOMMENDATIONS: Commission adopt the recommendations and deliver the comments at the UDC meeting.

RC-24-364for 3460 Jonesboro Road
August 28, 2024
Page 2 of 2

Proposed Work

The City of Atlanta Park and Recreation proposes improvements to the Hank Aaron Academic Academy. The site improvements include installation of turf ballfields, lockers, restrooms, concession stands, pitching and batting cages, landscaping, and increased ADA accessibility.

The existing main parking lot will remain, however improvements to circulation, including provisions for accessible design, are proposed. The project includes erosion control, stormwater management, and utility design required to support the proposed development.

Staff supports the proposal.

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

STAFF RECOMMENDATION:

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: 55 McDonough (Carver High School)
APPLICATION: RC-24-371
MEETING DATE: August 28, 2024

FINDINGS OF FACT:

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

Date of Construction: N/A

Property Location: Off McDonough Boulevard in the High School compound.

Contributing (Y/N)? N/A **Building Type / Architectural form/style:** City of Atlanta Public High School System.

Project Components Subject to Review by the Commission: High School Park renovation.

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

Relevant Code Sections: N/A

Deferred Application (Y/N)? No

Previous Applications/Known Issues: N/A

SUMMARY CONCLUSIONS / RECOMMENDATIONS: Commission adopt the recommendations and deliver the comments at the UDC meeting.

RC-24-371 for 55 McDonough
August 28, 2024
Page 2 of 2

Proposed Work

The City of Atlanta Public Schools with support from the Atlanta Braves Foundation propose improvements to the high school by removing the existing batting cage and installing a new cover batting cages, installation of bull pen with rolling backstop screens and outfield windscreens.

Staff supports the applaud and support the proposal.

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

STAFF RECOMMENDATION:

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: 3099 Panther Trail (Therrell High School)
APPLICATION: RC-24-374
MEETING DATE: August 28, 2024

FINDINGS OF FACT:

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

Date of Construction: N/A

Property Location: Right off Childress Drive, SW

Contributing (Y/N)? N/A **Building Type / Architectural form/style:** City of Atlanta Public High School System.

Project Components Subject to Review by the Commission: High School Park renovation.

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

Relevant Code Sections: N/A

Deferred Application (Y/N)? No

Previous Applications/Known Issues: N/A

SUMMARY CONCLUSIONS / RECOMMENDATIONS: Commission adopt the recommendations and deliver the comments at the UDC meeting.

RC-24-374for 3099 Panther Trail
August 28, 2024
Page 2 of 2

Proposed Work

The City of Atlanta Public Schools with support from the Atlanta Braves Foundation propose improvements to the high school by removing the existing batting cage and installing a new cover batting cages, installation of bull pen with rolling backstop screens and outfield windscreens.

Staff supports the applaud and support the proposal.

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

STAFF RECOMMENDATION:

Cc: Applicant
Neighborhood
File