

SUBJECT: Appeal of Decision of the Historic Preservation Commission
Concerning Property Located at 1215 North Decatur Road by Cassandra
Corbett

ATTACHMENTS (PAGES)

1.Attachment list (page 1)

2.Appeal (pages 2-4)

3.Denial Form and Decision Form (pages 4-7)

**Documents below this line were provided to the preservation commission for their
consideration in making their decision.**

4.Staff report (page 8)

5.Application and supporting material (pages 9-17)

Application to Appeal a Decision of the DeKalb County Historic Preservation Commission

All appeals must comply with the procedures set forth herein.

An application to appeal a decision of the Historic Preservation Commission on a certificate of appropriateness application must be filed within fifteen (15) calendar days after the issuance or denial of the certificate of appropriateness.

To be completed by County:
Date Received:

To be completed by appellant:

Name: Cassandra Corbett

Address of appellant: 1215 N Decatur Road

Address of Property: 1215 N Decatur Road

This appeal is a review of the record of the proceedings before the preservation commission by the governing authority of DeKalb County, Georgia. The governing authority is looking for an abuse of discretion as revealed by the record. An abuse of discretion exists where the record presented to the governing authority shows that the preservation commission: (a) exceeded the limits of its authority; (b) that the preservation commission's decision was not based on factors set forth in the section 13.5-8(3) or the guidelines adopted by the preservation commission pursuant to section 13.5-6 or; (c) that the preservation commission's decision was otherwise arbitrary and capricious.

If the governing authority finds no abuse of discretion, then it may affirm the decision of the preservation commission. If the governing authority finds that the preservation commission abused its discretion in reaching a decision, then it may; (a) reverse the preservation commission's decision, or; (b) it may reverse the preservation commission's decision and remand the application to the preservation commission with direction.

Date(s) of hearing, if any: _____

Date of Historic Preservation Commission decision: 5-20-22

DEPARTMENT OF PLANNING & SUSTAINABILITY

Historic Preservation Commission
Appeal Form
Page 2 of 3

In the space provided below the Appellant must describe how the preservation commission's decision constitutes an abuse of discretion. Specifically, the appellant must, citing to the preservation commission's written decision, show at least one of the following: that the preservation commission exceeded the limits of its authority, or that the preservation commission's decision was not based on factors set forth in the section 13.5-8(3) of the DeKalb County Code or on the guidelines adopted by the preservation commission pursuant to section 13.5-6 of said code or that the preservation commission's decision was otherwise arbitrary and capricious.

Grounds for appeal: I purchased this house just over a year ago and have been trying my best to save it while honoring the history. I knew as soon as I got my taxes back this year I had to immediately get new windows. I got three quotes from big name window companies that had a \$14k range from min to max for what appeared to me to be the same vinyl window. I made sure they knew I'm in the historic district and asked that the grid patterns remain the same. I was shocked by the price of windows and it was suggested by the salesmen to do some of them at a time. I asked if they could choose which ones could wait. They could not because the windows are in desperate need of replacement for various reasons. Some of them are not original (some are vinyl and some are poor quality wood. I assume this was unpermitted by the many previous owner/investors). Some of those replacement windows are already in disrepair and need replacing. There are three vinyl windows that appear to be less than 20 years old and in good shape. I planned to keep those and make all the windows match them and all the trim match. Per section 5.0 of the dekalb county historic preservation guidelines consideration has to be taken when making material changes to a structure that is in view from the right of way. I would argue, and an architect I have consulted with agrees, it would be extremely difficult to tell from the right of way if the grid mutton bars were on the inside or outside of the windows and what material the windows and trim are. As you can see from the pictures which were taken from the yard not the sidewalk at the bottom of the hill a lot of the trim is rotten or missing (even around the updated windows). Clean uniformity would be better than anything that is there now and be the most visible change. However, this is not just a cosmetic and energy saving improvement this is a necessary repair to keep the house from further deteriorating. Wood windows would not only be cost prohibitive for me to replace but costly in the future with continued repair and maintenance. Per Dekalb County code section 13.5-11 exceptions can be made to these strict applications due to undue hardship. This hardship, consideration for the improvement this would make to the home, and support from my immediate neighbor John Huss at 1209 N Decatur were not taken into consideration during the hearing.

The appellant may submit a written supplementary explanation in support of the appeal. The supplementary explanation shall be submitted with the appeal. The supplementary explanation may not exceed three pages and must be typewritten and double-spaced using a twelve-point font with a one-inch margin on all four sides. The governing authority will not consider text in excess of the page limit set forth herein.

DEPARTMENT OF PLANNING & SUSTAINABILITY

Date: 6-3-22

Signature: Cassandra Corbett

Instructions: The appellant shall also deliver copies of this appeal to the planning department and the county attorney. The appellant and any person who has filed a statement in opposition to, or in support of the appeal may attend the meeting at which the appeal is considered and may be called upon by any member of the governing authority to provide information or answer questions. There shall be no other public participation in the appeal.

10/24/2017

May 20, 2022

NOTICE OF DENIAL

SITE ADDRESS: 1215 N DECATUR RD
PARCEL ID: 18 055 05 005

APPLICANT: Cassandra Corbett
MAILING ADDRESS: 1215 N Decatur Rd
Atlanta, GA 30306

THIS IS TO ADVISE YOU THAT THE DEKALB COUNTY HISTORIC PRESERVATION COMMISSION, AT ITS PUBLIC MEETING ON May 16, 2022 REACHED THE FOLLOWING DECISION ON THIS APPLICATION:

ACTION: DENIAL

The commission determined that the proposed replacement of wood windows with vinyl windows does not comply with Guideline 6.1.4 and approval would have an adverse effect on the historic house. And district This decision is in accord with the sections of the DeKalb County Code and the Druid Hills Design Manual listed below.

Sec. 13.5-8(1) Application for Certificate of appropriateness. Owners of historic property or of property in a historic district, or their duly authorized agents, must make application for a certificate of appropriateness on forms and according to procedures promulgated by the preservation commission for such purpose. All applications for certificates of appropriateness shall be accompanied by drawings, photographs, plans and documentation as required by the preservation commission. Notarized authorization of the property owner shall be required if the applicant is not the owner of record.

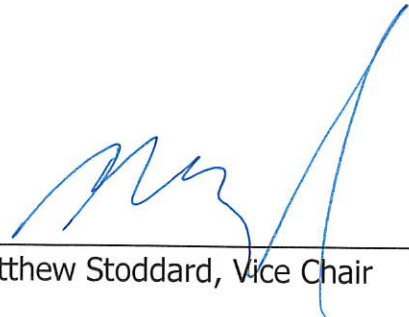
Sec. 13.5-8(3) Review of Applications When reviewing applications for certificates of appropriateness, the preservation commission shall consider, in addition to any other pertinent factors, the historical and architectural value and significance; architectural style; scale, height, setback, landscaping; general design; arrangement, texture and

DEPARTMENT OF PLANNING & SUSTAINABILITY

materials of the architectural features involved and the relationship thereof to the exterior architectural style and pertinent features of other properties in the immediate neighborhood. When considering applications for existing buildings, the Secretary of the Interior's *Standards for Historic Preservation Projects*, including the *Standards for Rehabilitation* shall be used as a guideline.

The Design Manual for the Druid Hills Local Historic District

6.1.4 updated Guideline- Existing historic windows, including sashes, lights, lintels, sills, frames, molding, shutters, and all hardware may be repaired or replaced. If repaired or replaced, alterations should be made with in-kind material and in the same design. Historic windows that have separate panes of glass should be replaced with simulated or true divided lights. Non-historic windows should be replaced with in-kind material and design or wood or wood-composite material in the same design. Material exceptions may be made for preexisting aluminum or steel framed windows. Should it be necessary to replace an entire window, the replacement should be sized to the original opening and should duplicate all proportions and configurations of the original window.


Matthew Stoddard, Vice Chair


Date

Decision of the DeKalb County Historic Preservation Commission

Name of Applicant: _____ Cassandra Corbett _____

Address of Property: _____ 1215 N Decatur Rd _____

Date(s) of hearing if any: _____ June 21, 2022 _____

Case Number: _____ 1245752 _____

Approved Denied Deferred

Approval: The Historic Preservation Commission, having considered the submissions made on behalf of the applicant and all other matters presented to the Preservation Commission finds that the proposed change(s) will not have a substantial adverse effect on the aesthetic, historic, or architectural significance and value of the historic district and hereby approves the issuance of a certificate of appropriateness.

Any conditions or modifications are shown below.

Pursuant to Code of DeKalb County, § 13.5-8(3), the Preservation Commission has considered the historical and architectural value and significance; architectural style; scale; height; setback; landscaping; general design; arrangement; texture and materials of the architectural features involved and the relationship of such texture and materials to the exterior architectural style; pertinent features of other properties in the immediate neighborhood, as prescribed generally by county code and specifically by the district design guidelines.

This application relates to an existing building, pursuant to the authority granted to the Preservation Commission by Code of DeKalb County, § 13.5-8(3), the Preservation Commission has also used the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guideline for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings therein as guidelines. The Preservation Commission finds that all relevant guidelines have been met.

Additional pertinent factors:

Application is approved with conditions or modifications /without conditions or modifications

Conditions or modifications (if applicable):

Denial: The Preservation Commission has determined that the proposed material changes in appearance would have a substantial adverse effect on the aesthetic, historic or architectural significance and value of the historic property or the historic district / or, the applicant has not provided sufficient information for the Preservation Commission to approve the application . Specifically, the Preservation Commission finds as follows:

The commission determined that the proposal to replace wood windows with vinyl windows does not comply with Guideline 6.1.4, wood windows should be replaced with wood windows in the same design. _____

Deferral: The Preservation Commission has deferred action on this application for the following reasons:

The application will be re-heard by the Historic Preservation Commission at its meeting on _____.

Date: 5-20-2022

Signature: _____
**Vice Chair, DeKalb County
Historic Preservation Commission**

DeKalb County Historic Preservation Commission

Monday May 16, 2022- 6:00 P.M.

Staff Report

Regular Agenda

H. 1215 North Decatur Road, Cassandra Corbett. Replace windows and window trim. 1245752

Built 1927. (18 055 05 005)

This property is not in a National Register Historic District or a designated Character Area.

Summary

Applicant proposes to replace historic wood windows with vinyl windows.

Recommendation

Deny. Application Fails to meet 6.1.4, wood windows should be replaced with wood windows in the same design.

Relevant Guidelines

5.0 *Design Review Objective* (p45) - When making a material change to a structure that is in view from a public right-of-way, a higher standard is required to ensure that design changes are compatible with the architectural style of the structure and retain character-defining features. When a proposed material change to a structure is not in view from the public-right-way, the Preservation Commission may review the project with a less strict standard so as to allow the owner more flexibility. Such changes, however, shall not have a substantial adverse effect on the overall architectural character of the structure.

6.1.4 **updated** Guideline- Existing historic windows, including sashes, lights, lintels, sills, frames, molding, shutters, and all hardware may be repaired or replaced. If repaired or replaced, alterations should be made with in-kind material and in the same design. Historic windows that have separate panes of glass should be replaced with simulated or true divided lights. Non-historic windows should be replaced with in-kind material and design or wood or wood-composite material in the same design. Material exceptions may be made for preexisting aluminum or steel framed windows. Should it be necessary to replace an entire window, the replacement should be sized to the original opening and should duplicate all proportions and configurations of the original window.



DeKalb County
GEORGIA

404.371.2155 (o)

404.371.4551 (f)

DeKalbCountyGa.gov

Clark Harrison Building
330 W. Ponce de Leon Ave
Decatur, GA 30030

RECEIVED

By Rachel Bragg at 9:05 am, Apr 18, 2022

Chief Executive Officer
Michael Thurmond

Director
Andrew A. Baker, AICP

Application for Certificate of Appropriateness

Date Received: _____ Application No.: _____

Address of Subject Property: 1215 N Decatur Rd

Applicant: Cassandra Corbett E-Mail: Cassiecorbett80@gmail.com

Applicant Mailing Address: 1215 N Decatur Rd. Atlanta, GA 30306

Applicant Phone(s): 404-889-3855 Fax: _____

Applicant's relationship to the owner: Owner Architect: Contractor/Builder Other

Owner(s): See above E-Mail: See above

_____ E-Mail: _____

Owner(s) Mailing Address: see above

Owner(s) Telephone Number: See above

Approximate age or date of construction of the primary structure on the property and any secondary structures affected by this project: 1927

Nature of work (check all that apply):

- New construction Demolition Addition Moving a building Other building changes
- New accessory building Landscaping Fence/Wall Other environmental changes
- Sign installation or replacement Other

Description of Work:

Replacement windows and trim. All except three windows (that seem to be less than 20 years old) will be replaced. The trim on the three newer windows that are not being replaced will be updated.

This form must be completed in its entirety and be accompanied by supporting documents, such as plans, list of materials, color samples, photographs, etc. All documents should be in PDF format, except for photographs, which may be in JPEG format. Email the application and supporting material to plansustain@dekalbcountyga.gov An incomplete application will not be accepted.

Cassie Corbett 4-14-22
Signature of Applicant/Date

Windows

- a. Consistent with original as well as the area of influence;
area of influence consistent with original
- b. Size and proportion similar to original;
yes size consistent with original
- c. Pane orientation and size similar to original;
pane orientation and size consistent with original
- d. Type (e.g. double hung, casement);
type double hungs (front facing) sides and back have had replacements with double hungs and casements in past with grids between glass.
- e. Fenestration on walls visible from right-of-way;
yes
- f. Simulated divided light (SDL) or true divided light (TDL): location of muntins between the glass, behind the glass or permanently affixed on exterior;
grids are consistent with same pattern on front facing windows with grids between the glass.
- g. Material of window and any cladding;
vinyl windows - previous owners already have replaced with vinyl windows in other openings
- h. Width of muntins compared to original (show dimensions on drawings);
width of muntins (grids) consistent with what is there. 7/8 wide grid with same pattern
- i. Shutters or canopies
none
- j. Dimensions of windows and doors.
exact dimensions will be custom made to fit the existing openings once we have the site inspection to determine the measurements of the windows.

From: [Curtis Cook](#)
To: [Curtis Cook](#)
Cc: [Boris Pichler](#)
Subject: Re: COA for replacement windows?
Date: Friday, April 15, 2022 2:28:18 PM

David,

Is this email confirmation of my application submittal or is there an official receipt?

Here are additional pictures of the vinyl windows that I'm keeping.





Cassie

Sent from my iPhone

On Apr 15, 2022, at 11:06 AM, Cullison, David <dcullis@dekalbcountyga.gov> wrote:

The application will be on the Historic Preservation Commission agenda on May 16 at 6:00pm via Zoom. We'll be back in touch before then with any questions, information on how to pick up your sign and a link to the meeting.

Please let us know if you have any questions.

David Cullison
Senior Planner
DeKalb County Department of Planning & Sustainability
470/542-3023

From: Cullison, David
Sent: Friday, April 15, 2022 10:18 AM
To: Cassie Corbett <cassiecorbett80@gmail.com>
Cc: Bragg, Rachel L. <RLBragg@dekalbcountyga.gov>
Subject: RE: COA for replacement windows?

They cannot make you change the other windows. The meeting is on Zoom and I recommend you attend. We will provide the Zoom address later in the process.

David Cullison
Senior Planner
DeKalb County Department of Planning & Sustainability
470/542-3023

From: Cassie Corbett <cassiecorbett80@gmail.com>
Sent: Friday, April 15, 2022 8:53 AM
To: Cullison, David <dcullis@dekalbcountyga.gov>
Cc: Bragg, Rachel L. <RLBragg@dekalbcountyga.gov>
Subject: Re: COA for replacement windows?

David,

Thank you for the feedback. I'll send more pictures. Is there a chance they would make me change the vinyl windows that were in place when I bought the house? Would it be more impactful if I'm present at the meeting?

Cassie

Sent from my iPhone

On Apr 15, 2022, at 8:41 AM, Cullison, David <dcullis@dekalbcountyga.gov> wrote:

Good morning.

Rachel isn't in today so I'll answer your questions.

I don't see anything missing from your application, but I suggest you add closer shots of the existing vinyl windows. Even though those windows are already in place the commission might not approve vinyl and grids between the glass for the other windows, so you might address that as well. We will accept your application as submitted and you can provide other items as a supplement.

David Cullison
Senior Planner
DeKalb County Department of Planning & Sustainability
470/542-3023

From: Cassie Corbett <cassiecorbett80@gmail.com>
Sent: Thursday, April 14, 2022 5:24 PM
To: Bragg, Rachel L. <RLBragg@dekalbcountyga.gov>
Cc: Cullison, David <dcullis@dekalbcountyga.gov>
Subject: Re: COA for replacement windows?

Rachel,

If you could please review the documents and let me know if anything needs to be changed before the submittal deadline. I have included the COA application page. I could not see where to fill in the questions regarding the windows on the design checklist so I copied them to a document and entered the answers under each question. I have also included pictures of all sides of the house and marked out the three windows that will not be replaced. I have the signed contract that I can send if needed. I have postponed the measurement appointment as that will trigger the order of the windows. I want to

make sure I have approval before placing the order as I cannot afford to have to change them after the fact. I purchased this house last spring and have been waiting to get my tax return so I could replace the windows. As you can see they are in really bad shape. Thank you for your help!

Cassie Corbett

On Mon, Apr 11, 2022 at 11:50 AM Cassie Corbett <cassiecorbett80@gmail.com> wrote:
Rachel,

Thanks for the quick response. That makes me feel much better.

Cassie

Sent from my iPhone

On Apr 11, 2022, at 11:45 AM, Bragg, Rachel L. <rlbragg@dekalbcountyga.gov> wrote:

Hi Cassie,

Today is the beginning of our 10-day application submittal window so you have from now until April 22 to submit your application which will be heard on May 16. You can email me a completed application and I will confirm receipt.

For windows, we need to know about the current materials/design (grid pattern) and what you propose to replace them with. Photos are helpful.

Here is the guideline staff and the HPC use to evaluate Window replacements:

6.1.4 **updated** Guideline- Existing historic windows, including sashes, lights, lintels, sills, frames, molding, shutters, and all hardware may be repaired or replaced. If repaired or replaced, alterations should be made with in-kind material and in the same design. Historic windows that have separate panes of glass should be replaced with simulated or true divided lights. Non-historic windows should be replaced with in-kind material and design or wood or wood-composite material in the same design. Material exceptions may be made for preexisting aluminum or steel framed windows. Should it be necessary to replace an entire window, the replacement should be sized to the original opening and should duplicate all proportions and configurations of the original window.

Let me know if you have any other questions.

Rachel L. Bragg, MHP
Senior Planner
rlbragg@dekalbcountyga.gov
Cell Phone: 470-371-1494

From: Cassie Corbett <cassiecorbett80@gmail.com>
Sent: Monday, April 11, 2022 11:34 AM
To: Bragg, Rachel L. <rlbragg@dekalbcountyga.gov>
Subject: Fwd: COA for replacement windows?

Rachel,

Rob from the Druid Hills association gave me your contact in regards to applying for a COA for my window replacement. I signed the contract for the windows before the end of March but they have not been out to take exact measurements yet. In the document that Rob sent me it looks like the deadline to apply this month is today. I am not planning to change the size and keeping the grid patterns the same for all the front windows. I don't want to do the measurement appointment and place the order until I have the COA but I want to make sure I have all the information so the application can be approved. Any information you can provide to help me through this process would be great.

Thanks,
Cassie Corbett
404-889-3855

Sent from my iPhone

Begin forwarded message:

From: Rob Kincheloe <rkincheloe@metarecs.com>
Date: April 11, 2022 at 9:41:01 AM EDT
To: Cassie Corbett <cassiecorbett80@gmail.com>, dekalbhistoric@druidhills.org
Subject: RE: COA for replacement windows?

Yes, you would need to submit your window replacement selection for approval by the DeKalb Historic Preservation Commission that oversees the Historic District. They meet each month and vote on COA applications for approval or denial (form attached). Here's a link to their website: <https://www.dekalbcountyga.gov/planning-and-sustainability/historic-preservation>

DeKalb HPC administration can answer question related to submittal process and info:
Rachel L. Bragg, MHP
Senior Planner
rlbragg@dekalbcountyga.gov
Cell Phone: 470-371-1494

Thanks, Rob Kincheloe
DWCA Land Use Chair

-----Original Message-----

From: Cassie Corbett <cassiecorbett80@gmail.com>
Sent: Sunday, April 10, 2022 10:31 PM
To: dekalbhistoric@druidhills.org
Subject: COA for replacement windows?

Hello,

I just purchased my home in the neighborhood last year and the windows are in desperate need of replacement. I am reading through the historic preservation guidelines trying to determine if I need a COA. If I am not moving any windows or changing the size and I keep the same grid pattern in the front windows do I still need a COA? Thanks for your help!

Cassie Corbett

Sent from my iPhone







