

**SUBJECT: Appeals of Decision of the Historic Preservation Commission
Concerning Property Located at 971 Oakdale Road by Hamish Caldwell**

ATTACHMENTS (PAGES)

- 1. Attachment list (page 1)*
- 2. Appeal (pages 2-5)*
- 3. Certificate of Appropriateness and Decision Form (pages 6 -8)*
- 4. Photograph of Mail Notification Received by Appellant (page 9)*

(All information below this line was provided to the preservation commission for their consideration in making their decision.)

- 5. Staff report (page 10)*
- 6. Application and supporting documents (pages 11-24)*

Link to the recording of the November 18, 2024, Historic Preservation Commission meeting:

https://dekalbcountyga.zoom.us/rec/share/hz-_Leue7o2nuKL0NKU43blxOxUc89k4jJMum87cASFeqBYsUa8fF-QNTiARKgAF.8j9NI7sRkILKTeXr?startTime=1731970227000

Passcode: 1%23C=FF

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: Hamish Caldwell

Address of appellant: 1366 The By Way NE, Atlanta, GA 30306

Address of Property: 971 Oakdale Rd NE, Atlanta, GA 30307

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: 11/18/24

Date of Historic Preservation Commission decision: Decision 11/21/24

DEPARTMENT OF PLANNING & SUSTAINABILITY

Historic Preservation Commission
Appeal Form
Page 2 of 2

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:

The written decision by DHPC constitutes an abuse of discretion in multiple ways. Contrary to § 13.5-8 (2): (1) DHPC did NOT mail written notice of the public hearing “not less than ten (10)... days prior to the date set for hearing of the application”; (2) the mailed notification erroneously stated the time of the hearing; (3) DHPC failed to comply with their own published schedule for the date of posting signs announcing the hearing and so failed to “take such action as may reasonably be required to inform the owners of any property likely to be affected materially by the application”. By not hearing and considering the multiple concerns of impacted, abutting “owners”, the DHPC decision was arbitrary and capricious. The decision must be reversed and the application remanded to the preservation commission with direction to reconsider the application with prior public notice that conforms to § 13.5-8 (2).

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.

Date: 11/26/24

Signature: 

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

APPELLANT’S SUPPLEMENT TO APPEAL

APPEAL OF)	Historic Preservation Commission
HAMISH CALDWELL)	Property 971 Oakdale Rd
)	Decision Dated 21 Nov, 2024

Introduction: The Dekalb Historic Preservation Commission (“DHPC”) decision to approve a Certificate of Appropriateness (“COA”) is an abuse of discretion. Contrary to the Public Notice requirements of § 13.5-8 (2) DHPC did NOT provide (1) “Written notice....mailed...to all abutting property owners...not less than ten (10) nor more than twenty (20) days prior to the date set for hearing of the application”. In addition, (2) the postcard notice that was mailed, albeit late, also published an incorrect time for the hearing; (3) DHPC failed to comply with their own published schedule for the date of posting signs on-site announcing the upcoming hearing and so misled the public and failed to “take such action as may reasonably be required to inform the owners of any property likely to be affected materially by the application” as required by § 13.5-8 (2). Since my property at 1366 The By Way is abutting and one of the four lots including the subject property that make up the Oakdale Commons Subdivision I will most definitely be “affected materially by the application”. As a result of these multiple improper notifications, DHCP did not give abutting and directly impacted “owners an opportunity to be heard” as required by § 13.5-8 (2). Furthermore, I have multiple concerns about significant impacts the proposed fence design will have on my property and the Druid Hills neighborhood. As a result, by not hearing and considering those concerns the DHPC decision was arbitrary and capricious.

Item 1: As evidenced by the photographs provided via email to Ms. Paige Jennings and Ms. Rachel Bragg of DHPC Staff on 11/21/24 of the front and back of the Notification of Public Hearing(s) postcard, the notification was date stamped 11/14/2024 and announced the meeting as

11/18/24. The four-day difference between those two dates confirms the failure by DHPC to provide “not less than ten (10)” days as required by code.

Item 2: As evidenced by the above mentioned photographs, the Notification of Public Hearing(s) postcard mistakenly announced the hearing as scheduled for 1:00PM. The actual scheduled time of the hearing was 6:00PM.

Item 3: Prior to 11/9/24 I had checked the DHPC public calendar for 2024 that is available at: <https://www.dekalbcountyga.gov/sites/default/files/2023-12/2024%20Historic%20Preservation%20Calendar.pdf>

That calendar explicitly states “signs must be posted by 11/8/24” in order for an application to be considered at the 11/18/24 HPC meeting. When I drove out from my home on the morning of Saturday, 11/9/24 no DHPC notification signs were posted. I therefore was led to believe that no application was coming up for consideration on 11/18/24. Upon my return home on 11/20/24 the signs that had been placed sometime after 11/9/24, were highly visible and conspicuous and could not have been missed if they had been there when I had left.

Conclusion: The decision must be reversed and the application remanded to the preservation commission with direction to reconsider the application with prior public notice that conforms to § 13.5-8 (2).



Dekalb County Historic Preservation Commission

330 Ponce De Leon Avenue, Suite 300

Decatur, GA 30030

(404) 371-2155 or (404) 371-2813 (Fax)

Michael L. Thurmond
Chief Executive Officer

CERTIFICATE OF APPROPRIATENESS

November 25, 2024

Site Address: 971 OAKDALE RD
ATLANTA, GA 30307-

Parcel ID: 18-002-06-041

Application Date: November 06, 2024

Applicant: Starsha Parton

Mailing Address: 1009 Maggie Drive
Bethlehem, GA 30306

THIS IS TO ADVISE YOU THAT THE DEKALB COUNTY HISTORIC PRESERVATION COMMISSION, AT ITS REGULARLY SCHEDULED PUBLIC MEETING ON November 18, 2024, REACHED THE FOLLOWING DECISION ON THIS APPLICATION:

ACTION: Approval

Install a wood privacy fence and a flat post residential fence. The fence will be a 6' pine wood fence and will be installed in the backyard, on the rear property line and the side property line. The fence will not extend past the rear corner of the house.

Decision of the DeKalb County Historic Preservation Commission

Name of Applicant: Starsha Parton

Address of Property: 971 Oakdale Road

Date(s) of hearing if any: November 18, 2024

Case Number: 1247311

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:

Install a wood privacy fence and a flat post residential fence. The fence will be a 6' pine wood fence and will be installed in the backyard, on the rear property line and the side property line. The fence will not extend past the rear corner of the house.

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:

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: 11/21/2024

Signature:  _____

**Chair, DeKalb County
Historic Preservation Commission**

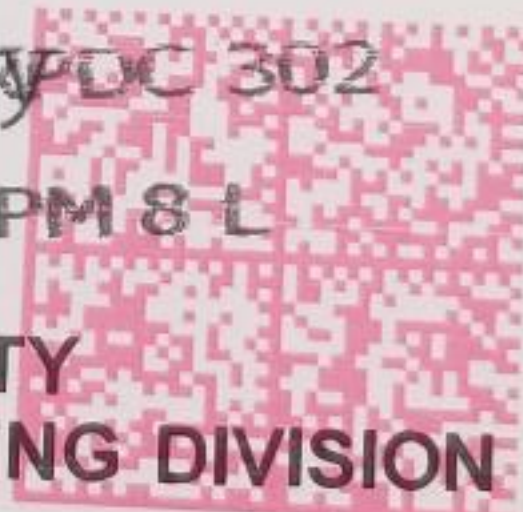


DeKalb County
ATLANTA, GEORGIA

14 NOV 2024 PM 8 L

DEKALB COUNTY
PLANNING & SUSTAINABILITY
CURRENT PLANNING / ZONING DIVISION

178 Sams Street
Decatur, GA 30030



quadrant

FIRST-CLASS MAIL
IMI

\$000.56⁰

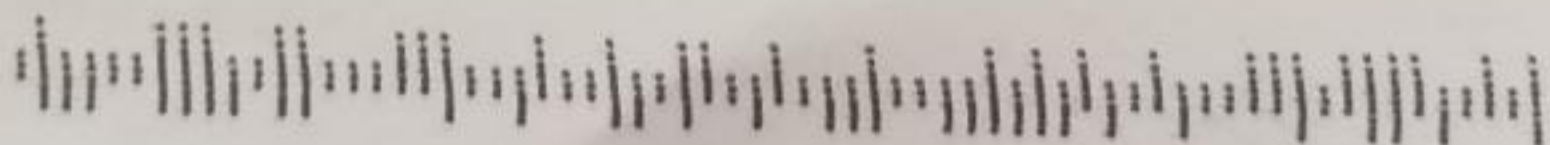
11/14/2024 ZIP 30032
043M32206023

US POSTAGE

I. 1247311
CALDWELL HAMISH
1366 THE BY WAY NE
ATLANTA , GA 30307



Meetings are Held Virtually on Zoom



DeKalb County Historic Preservation Commission

Monday, November 18, 2024- 6:00 P.M.

Staff Report

Regular Agenda

I. 971 Oakdale Road, Starsha Parton. Install fencing. **1247311.**

Built in 1910 (18 002 06 041)

This property is in the Druid Hills Character Area #1 and the Druid Hills National Register Historic District.

- 08-98 971 Oakdale Road, Russell Currey & Amy Durrell. Remove asphalt paving at rear of the house and replace with garden beds, gravel paths and stone patio. **Approved**
- 04-00 971 Oakdale Road (DH), Russell Currey & Amy Durrell. Construct footbridge across stream. **Approved.**
- 10-04 971 Oakdale Road (including 957 Oakdale Road and 1340 The ByWay) (DH), Russell Curry & Amy Durrell. Build 4' high chain link fence along property line in backyard. **Approved.**
- 04-08 971 Oakdale Road (DH), Amy Durrell & Russell Currey. Replace nonhistoric upper deck. 14644. **Approved.**
- 11-08 971 Oakdale Road (DH), Pamela Bullock. Garage modifications. 15258. **Approved.**
- 04-09 971 Oakdale Road (DH), Russell Currey & Amy Durrell. Landscaping. 15757. **Approved as modified**
- 04-14 971 Oakdale Road (DH), Russell Currey. Remove a tree, replace roof with slate, rebuild front porch, and replace basement windows. 19226. **Approved with modification.**
- 01-15 971 Oakdale Road (DH), Russell Currey. Modify front steps. 19687. **Denied.**

Summary

The applicant proposes installing a wood privacy fence and a flat post residential fence. The fence will be a 6' pine wood fence and will be installed in the backyard, on the rear property line and the side property line. The fence will not extend past the rear corner of the house.

Recommendation

Approve. These proposed changes do not appear to have a substantial adverse effect on the district. This application appears to meet the guidelines and the staff recommends approval.

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.
- 9.4 *Enclosures and Walls* (p90) Guideline - Fences and walls should not be built in front yard spaces and are strongly discouraged from corner lot side yard spaces. Retaining walls should only be used in situations where topography requires their use.
- 9.4 *Enclosures and Walls* (p90) Recommendation - Fences are appropriate in rear yard spaces. Rear yard fences should be coordinated with existing county codes. Suggested materials include wood and chain link. Vinyl- covered chain link fencing, typically in bronze, brown, or black, assist in making fences less obtrusive. Vines are suggested to "soften" the appearance of metal chain link fencing. If wood fencing is used, the paint color and design should be compatible with the architecture of the adjacent residence. Fence heights can range from 4' to 6' depending on the reason for the enclosure.

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Interim Director
Cedric Hudson

Application for Certificate of Appropriateness

Date submitted: 10/14/2024 Date Received: 10/14/2024

Address of Subject Property: 971 Oakdale Road Atlanta, GA 30307

Applicant: Starsha Parton E-Mail: starsha@permitforge.com

Applicant Mailing Address: 1009 Maggie Drive Bethlehem, GA 30306

Applicant Phone: 678-510-3032

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

Owner(s): Jaclyn Kinsell Email: jaclyn.kinsell@gmail.com

Owner(s): Kyle Kinsell Email: kyle.kinsell@bain.com

Owner(s) Mailing Address: 971 Oakdale Road Atlanta, GA 30306

Owner(s) Telephone Number: 404-216-9179

Approximate date of construction of the primary structure on the property and any other structures affected by this project: 10/28/24

Nature of work (check all that apply):

New construction	<input type="checkbox"/>	New Accessory Building	<input type="checkbox"/>	Other Building Changes	<input type="checkbox"/>
Demolition	<input type="checkbox"/>	Landscaping	<input type="checkbox"/>	Other Environmental Changes	<input type="checkbox"/>
Addition	<input type="checkbox"/>	Fence/Wall	<input checked="" type="checkbox"/>	Other	<input checked="" type="checkbox"/>
Moving a Building	<input type="checkbox"/>	Sign Installation	<input type="checkbox"/>		

Description of Work:

372' PT pine privacy dog eared with 4x4 flat post residential fence.

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 and pvjennings@dekalbcountyga.gov. An incomplete application will not be accepted.

Signature of Applicant: Starsha Parton

DEPARTMENT OF PLANNING & SUSTAINABILITY

Authorization of a Second Party to Apply for a Certificate of Appropriateness

This form is required if the individual making the request is **not** the owner of the property.

I/ We: Kyle & Jaclyn Kinsell

being owner(s) of the property at: 971 Oakdale Road NE, Atlanta, GA 30307

hereby delegate authority to: Starsha Parton

to file an application for a certificate of appropriateness in my/our behalf.

Signature of Owner(s): Jaclyn Kinsell

Date: Oct 14, 2024

Please review the following information

Approval of this Certificate of Appropriateness does not release the recipient from compliance with all other pertinent county, state, and federal regulations.

Before making any changes to your approved plans, contact the preservation planner (404/371- 2155). Some changes may fall within the scope of the existing approval, but others will require review by the preservation commission. If work is performed which is not in accordance with your certificate, a Stop Work Order may be issued.

If your project requires that the county issue a Certificate of Occupancy at the end of construction, an inspection may be made to verify that the work has been completed in accord with the Certificate of Appropriateness. If the work as completed is not the same as that approved in the Certificate of Appropriateness you will not receive a Certificate of Occupancy. You may also be subject to other penalties including fines and/or required demolition of the non-conforming work.

If you do not commence construction within twelve months of the date of approval, your Certificate of Appropriateness will become void and you will need to apply for a new certificate if you still intend to do the work.

How to Obtain a Certificate of Appropriateness

1. Contact the DeKalb County Department of Planning and Sustainability for an application form. You may make your request by email plansustain@dekalbcountyga.gov AND pvjennings@dekalbcountyga.gov or visit the website at <https://www.dekalbcountyga.gov/planning-and-sustainability/forms>
2. Complete and submit the application. Please provide as much supporting material as possible, (plans, material, color samples, photos, etc.). All documents must be in PDF format except for photographs, which may be in JPEG format. Applications are accepted for a 10-day period each month. See page 3 (HPC Calendar). Email the application and supporting documents to plansustain@dekalbcountyga.gov AND pvjennings@dekalbcountyga.gov. If all documents are not provided the application will not be complete and will not be accepted.
3. Once the application has been received, the Administrative Specialist for the Department of Planning and Sustainability will provide a sign template and instructions on how to post the required signage on the property at least ten days before the preservation commission meeting. If the applicant does not post the required signage and provide evidence of posting within ten days before the preservation commission meeting, their application may be deferred or denied due to improper public notification.
4. The Preservation Planner may visit the property as part of their review. The commission members may view the property from the right-of-way.
5. Applications will be reviewed by the DeKalb County Historic Preservation Commission at its monthly meeting. The Historic Preservation Commission meets on the third Monday at 6 p.m., via Zoom. In unusual circumstances meeting dates and location may be changed.
6. The Historic Preservation Commission may approve, approve with modifications or deny an application. The applicant or any affected person as defined by county code may appeal the decision to the DeKalb County Board of Commissioners. Please contact the Department of Planning and Sustainability if you wish to file an appeal. The Historic Preservation Commission is required to make a decision on an application within 45 days of the date of filing, although this time can be extended if the applicant agrees to a deferral.
7. Although not required, applicants are encouraged to attend the Historic Preservation Commission meetings. Applicants may make a presentation, but presentations are not required. The commissioners may have questions for the applicant.
8. Approval of a Certificate of Appropriateness does not release the recipient from compliance with all other county, state and federal regulations.

DEPARTMENT OF PLANNING & SUSTAINABILITY

Design Checklist for a Certificate of Appropriateness

This checklist was created to help applicants prepare a complete application. Omissions and inaccurate information can lead to deferrals and/or denials of applications. Please review the checklist with the project's architect, designer, or builder. All items will not be applicable to all projects. New construction will involve all categories. One copy of drawings at scale (plus nine reduced sets) should be submitted.

Please address questions regarding applicability to your project to the DeKalb County Preservation Planner at 404-687-3945, e-mail pvjennings@dekalbcountyga.gov and rlbragg@dekalbcountyga.gov.

Applicants are also referred to the DeKalb County website, <http://www.dekalbcountyga.gov/planning-and-sustainability/planning-sustainability>.

I have reviewed the "Design Manual for the Druid Hills Local Historic District".

I have reviewed the DeKalb County Tree Ordinance.

I have reviewed applicable zoning codes regarding lot coverage, garage sizes, stream buffers.

1. General

- a. Label all drawings with the address of the site, owners' name, and contact phone number.
- b. Number all drawings.
- c. Include a graphic scale on reductions.
- d. Date all revisions.
- e. Indicate all unverified numbers with +/- signs
- f. Include photos of the existing condition of the property.

2. Site Plan (existing and proposed) to include:

- a. Topographical plan with significant trees sized and located;
- b. Setback compared to adjacent houses (ask surveyor to show corners of adjacent houses);
- c. Distance between houses;
- d. Façade width to finished face of material;
- e. Grading and elevations across site;
- f. Dirt removal or regrading if more than 18";
- g. Tree protection plan;
- h. Tree removal and replacement plan

3. Driveways and Walkways

- a. Location and relationship to house;
- b. Width;
- c. Material;
- d. Curb cut and apron width

4. Fences & Retaining Walls

- a. Placement on lot;
- b. Height of fence or wall. If retaining wall, height on both sides;
- c. Material;
- d. Railing if necessary

5. Elevations and Floor Plans: <<Indicate all unverified numbers with +/- signs>>

- a. Plans for all floors (drawn to scale, ¼"=1' preferred);
- b. House orientation on site plan;
- c. Scalable elevations for front, rear, left, right;
- d. Height, grade to ridge;
- e. Streetscape comparison showing heights of two flanking houses on each side;
- f. Height from grade to first floor level at all four corners;
- g. Height from grade or finished floor line to eaves at all four corners;
- h. Ceiling heights of each floor, indicating if rough or finished;
- i. Height of space between the ceiling and finished floor above;
- j. Two people of 5'-6" and 6' height shown;
- k. Landscaping plan

6. Additions

- a. Placement shown on elevations and floor plan;
- b. Visibility from rights-of-way and paths;
- c. Photos of all facades;
- d. Design proportioned to main house;
- e. Landscaping plan;
- f. Materials and their combinations

7. Roof Plan

- a. Shape and pitch of roof;
- b. Roofing material;
- c. Overhang;
- d. Louvers and vents;
- e. Chimney height and material

8. Dormers

- a. Construction details provided;
- b. Shape and size of dormer (show dimensions on drawings);
- c. Overhang;
- d. Size of window(s), with nominal size of sash (show dimensions on drawings)

9. Skylights

- a. Profile;
- b. Visibility from right-of-way;
- c. Material (plastic lens or glass);
- d. Shown in plan and elevation to scale

10. Façade

- a. Consistency in style;
- b. Materials and their combinations
 - brick size and color
 - stone type and color
 - fiber-cement (e.g., Hardie-plank) or wood siding
 - shake or shingle
 - other
- c. Height of foundation at corners;
- d. Ceiling heights comparable to area of influence: basement, first floor, second floor;
- e. Detailing: soldier course, brackets, fascia board; water table;
- f. Height from grade to roof ridge;
- g. Dimensions, proportions and placement of windows, doors

11. Entrance

- a. Height and width of door;
- b. Design of door (e.g., 6-panel, craftsman);
- c. Material of door;
- d. Overhang;
- e. Portico height;
- f. Size and height of columns or posts;
- g. Railing

12. Windows

- a. Consistent with original as well as the area of influence;
- b. Size and proportion similar to original;
- c. Pane orientation and size similar to original;
- d. Type (e.g., double hung, casement);
- e. Fenestration on walls visible from right-of-way;
- f. Simulated divided light (SDL) or true divided light (TDL): location of muntins between the glass, behind the glass or permanently affixed on exterior;
- g. Material of window and any cladding;
- h. Width of muntins compared to original (show dimensions on drawings);
- i. Shutters or canopies
- j. Dimensions of windows and doors.

13. Materials

- a. Show all materials and label them on drawings;
- b. Provide samples of brick or stone;
- c. Provide samples if new or unusual materials

DEPARTMENT OF PLANNING & SUSTAINABILITY

14. Garages / Accessory Buildings

- a. Visibility from street;
- b. Placement on site;
- c. Scale, style appropriate for house;
- d. Show dimensions on drawings;
- e. Materials;
- f. Square footage appropriate for lot size;
- g. Garage door size and design
- h. Show height from grade to eaves and to top of roof

15. Demolitions

- a. Provide documentation from engineer concerning feasibility of rehabilitation;
- b. Provide photographs of structure to be demolished;
- c. Provide plan for proposed redevelopment

Application Process Checklist

This checklist is to ensure that applicants understand the Certificate of Appropriateness (COA) application process from beginning to end. Please verify that you have read over the process shown below and understand the procedures and timeline that will be followed for all submitted COA applications.

- Applications may only be submitted during the period specified on the calendar for each month. Once the filing deadline has passed and that period has expired, **no new applications will be accepted** to be heard at that month’s commission meeting. If an application has not been submitted before the filing deadline, it cannot be submitted again until the next period for applications has opened.
- Additional materials submitted after the staff’s report have been finalized and posted to the public will not be taken into consideration for the staff report. Staff reports will not be edited once finalized and published – any new materials may be submitted for the record for the commission but will not affect the staff’s report for the application.
- Any additional materials submitted after the staff’s report has been finalized and posted to the public may be added to the record for the historic preservation commission to review as supplemental materials for the submitted application. Supplemental materials includes:
 - Representative photos
 - Letters of support/opposition
 - Architectural drawings
 - Updated site plans

Supplemental materials **do not** include documents for new work to be added to the already submitted application. Any materials that propose new work that was not included in the original application, will not be added to the record. Any proposed new work that was not included in the original application will need to be included in a new application to be submitted for next month’s commission meeting.

I have reviewed the information above and understand the Certificate of Appropriateness process.

I have reviewed the HPC calendar.



Chamblee Fence Company, Inc.

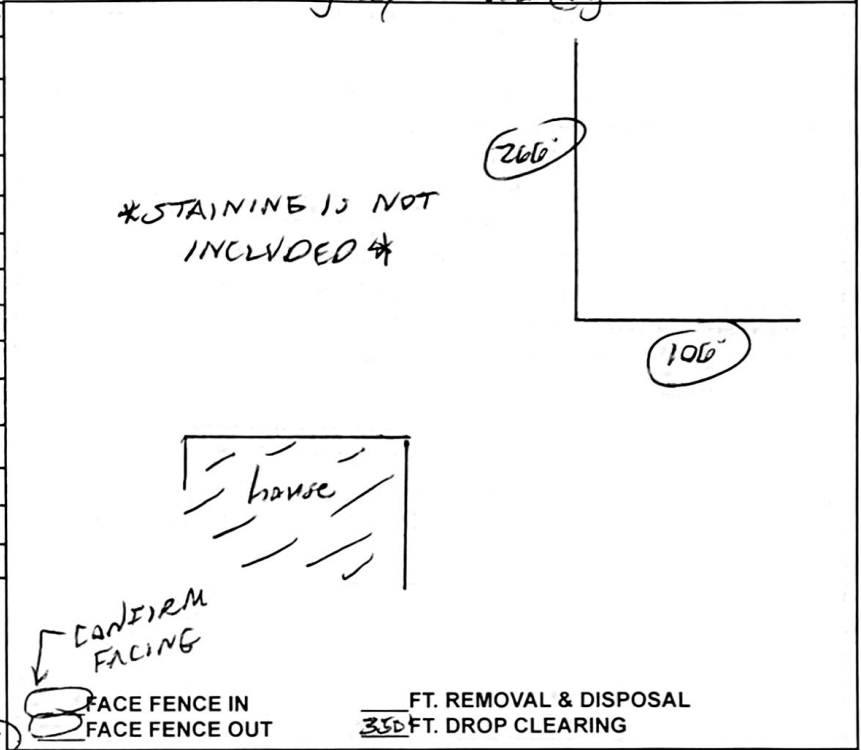
4760 Peachtree Industrial Blvd., Berkeley Lake, GA 30071-1547
(770) 396-4200 | Fax (770) 393-3415

We Accept



Customer: <u>Jaelyn Kinsell</u>	Home #	Date: <u>10/8/24</u>
Address: <u>971 Oakdale Rd.</u>	Work #	Subdivision:
City: <u>Atlanta</u> State: <u>GA</u> Zip: <u>30307</u>	Cell # <u>(404) 216-9179</u>	
Job Address:	Email: <u>jaelyn.kinsell@gmail.com</u>	

FOOTAGE	FENCE TYPE	HEIGHT
<u>372'</u>	<u>PT Pine Privacy Dog-eared with 4x4 Flat Posts</u>	<u>6'</u>
	<u>OK</u>	
<u>372'</u>	<u>PT Pine Privacy Capped with 4x4 Dadoed Posts</u>	<u>6'</u>



Qty.	Size	GATES	Type & Style
<u>0</u>			

WOOD SPECIFICATIONS

1"x 4" Pickets

1"x 6" Boards

Cedar

P.T.Pine

Virginian Gothic Fr.Gothic Dogear

4"x 4" Posts

4"x 6" Posts

6"x 6" Posts

Virginian Dado Fr.Gothic Flat

2"x 4" Runners (2) (3) (4)

Cedar

P.T.Pine

Panel Design

Straight Neg. Scallop Pos. Scallop Other

Construction Design Top of Fence

Face Slope with grade (less space)

Exposed Straight (more space at bottom)

Between Step (large spaces at bottom)

CHAIN LINK SPECIFICATIONS

Fabric/Gauge _____ Gate Posts _____

Top Rail _____ Gate Frame _____

Line Posts _____ Barbed Wire _____

Terminal Posts _____ Tension Wire _____

ORNAMENTAL SPECIFICATIONS

_____ Aluminum _____ Steel

_____ Height _____ Style _____ Picket size

_____ Color _____ Post size

_____ Rings _____ Post Caps

_____ Finials () Plastic () Metal () Triad () Quad Flare

- Purchaser agrees that final price will be determined by final installed footage.
 - Purchaser is responsible for locating property lines, and is solely responsible for fence location.
 - Purchaser accepts terms & conditions page.
 - Chamblee Fence is not responsible for damage to underground systems, except marked utilities.
- Wood fence components, when exposed to the elements are subject to immediate warpage, shrinkage, cracking, etc.
- Price valid for 21 days • Credit card purchases subject to a 3.5% surcharge

COMMENTS / SPECIAL INSTRUCTIONS

<u>DOG-EARED PRIVACY WITH FLAT POSTS</u>	<u>CAPPED PRIVACY WITH DADOED POSTS</u>
<u>10044⁰⁰</u>	<u>12276⁰⁰</u>

Approximate Installation 2-3 weeks from deposit/signed contract

Total Price \$	Revised Price \$
Deposit \$ <u>1/2</u>	Deposit \$
Balance \$	Balance \$

TERMS: 1/2 Deposit • Balance Due upon Completion

SUBJECT TO CONDITIONS ON REVERSE

Accepted by Purchase [Signature] Date _____

Estimator John Humble Date 10/8/24

Accepted by Chamblee Fence Company, Inc. Date _____

STATEMENT OF CONDITIONS

Chamblee Fence Company, Inc. hereby sells to the Purchaser, or structure described, subject to all terms and conditions on each side of this contract, and the purchaser in consideration thereof, agrees that;

1. **RESPONSIBILITY OF BUYER.** Purchaser agrees to locate and identify the property line, easement and all underground cables and pipes. Purchaser is solely responsible for the fence described in this proposal. Purchaser will defend Chamblee Fence Company, Inc. and will reimburse for all costs in connection with any claim made by anyone about the location of the fence. Purchaser is responsible for any special work described in this proposal.
2. **UNUSUAL CONDITIONS – ADDITIONAL CHARGES.** Purchaser agrees Chamblee Fence Company, Inc. has the right to make additional reasonable charges if unusual ground conditions hinder the installation. Such conditions may be rock formations, hidden foundations, tree roots and other obstacles.
3. **UNDERGROUND SYSTEMS.** Purchaser agrees Chamblee Fence Company, Inc. will not be held responsible for any damages to any underground pipes, drains, wires, cables, foundations, sprinklers, etc, except marked utilities.
4. **LANDSCAPE.** Purchaser agrees Chamblee Fence Company, Inc. will not be responsible for the restoration of any part of the landscape that is disturbed during the fence installation. Chamblee Fence Company, Inc. will not be required to remove or reform soil excavation from post holes during installation.
5. **PAYMENT.** Payment to Chamblee Fence Company, Inc. is due per the terms specified on the face of the contract. "Due upon Completion" means Purchaser will pay installer on the day the project is complete. Purchaser agrees that if payment is made later than agreed terms, a late charge of 1.5% per month will be paid by the Purchaser. Failure to pay as agreed will void all warranties. There will be a \$25.00 charge for a returned check. If any unpaid balance is turned over to an attorney or to a collection organization, the Purchaser will be responsible for all fees associated with the collection of the monies due. In addition, the Purchaser will also be responsible for a \$200.00 fee to reimburse Chamblee Fence Company, Inc. for the cost associated with any liens placed on the property until full payments have been received.
6. **DISPUTES.** Purchaser agrees that any disputes concerning this contract will be adjudicated in the appropriate local jurisdiction in the State of Georgia.
7. **CHANGES/VARIATIONS.** Contract price is for the agreed footage. Final footage may vary. Said variations will be billed on an installed footage basis.
8. **REDO WORK AND EXTRA TRIPS.** Purchaser shall be present when work commences unless alternative arrangements are made in advance to indicate location of fence and gates, and to inform installers of any special conditions. Work accomplished in error due to Purchaser's lack of direction to installers will be corrected at Purchaser's expense.
9. **WARRANTIES.** FENCES ARE WARRANTED FOR A PERIOD OF ONE YEAR AGAINST DEFECTS IN WORKMANSHIP. EXCLUSIONS: Vandalism, extreme weather, vehicular damage, misuse, climbing, unusual impact or pressure and normal wear and tear. Fence materials will change in appearance, dimension and shape due to the process of aging and exposure to the elements. Wood material are subject to warpage and cracking. No warranty is expressed or implied against changes in installed fence materials that occur as a result of these natural processes. Gates will be adjusted at no charge for a period of ninety days (90 days) after contract date, provided abuse is not evident. This Limited Warranty is in lieu of any other expressed or implied warranties, including but not limited to implied warranties of merchantability or fitness for any particular purpose.
10. **ANIMAL AND CHILD CONTAINMENT.** Due to the varied surface of the earth, uneven spaces will exist between the bottom of the fence and the ground. Pets and children will exploit these spaces to escape. Pets and children may also climb over any installed fence. Purchaser agrees that Chamblee Fence Company, Inc. will not be held responsible for the retention of pets or children within installed fence or for damages resulting from escape of pets or children.
11. **ATTACHMENT TO MASONRY.** The attachment of fences and gates to existing masonry structures such as columns, walls, driveways etc. carries a risk of damaging said structures. Purchaser agrees that Chamblee Fence Company, Inc. will not be held liable for damage to masonry structures described herein.
12. **SCHEDULING.** Inclement weather, manpower, and equipment restraints, etc. can delay completion of this contract. Said delays can cause the Purchaser inconvenience and/or expense such as lost time at work, pet boarding fees, etc. Purchaser agrees that under no circumstances will Chamblee Fence Company, Inc. allow a reduction in the contract price, nor reimbursement be made to compensate the Purchaser for said expenses or inconveniences.
13. **FENCE HEIGHT.** Fence height is herein described as the height of the fence at its tallest point from grade plus or minus six (6) inches.
14. **SITE PREPARATION.** Site preparation such as clearing and grading is the responsibility of the Purchaser unless other specific arrangements are made in this contract.
15. **BUILDING PERMITS.** Building permits will be obtained and paid for by the Purchaser.
16. **UNLESS SPECIFIED.** Unless specified on the reverse side of this contract, all matters relating to the completion of this project will be decided by Chamblee Fence Company, Inc. This will include gate replacement, material selection, construction technique etc.
17. **VERBAL REPRESENTATION.** Responsibilities of Chamblee Fence Company, Inc. are limited to that which is described in this contract. Verbal representations by Chamblee Fence Company, Inc. employees will not be honored.
18. **CANCELLATION.** This contract may be cancelled without penalty, if done with three (3) days of date signed by Purchaser. After the three (3) day grace period, cancellation of this contract will result in charges for any work performed and / or materials procured for the contracted work, plus a fee equal to 15% of contract amount.
19. **EMAILED/FAXED COPY.** Both parties agree an EMAILED/FAXED copy to be binding.
20. **SIGNATURE.** The signatory on reverse side, irrespective of any title, hereby personally and individually guarantees payment of this obligation.

From: [Starsha Parton](#)
To: [Paige V. Jennings](#)
Subject: Re: Questions Regarding COA Application - 971 Oakdale Road
Date: Thursday, November 14, 2024 9:39:17 AM
Attachments: [Chamblee Fence Estimate Sheet.pdf](#)

Hi Paige,

The fence will be 372' long, 6' high pine wood fence.

I will have to check to see if there are gates being installed or not.

I will also have to check to see if the homeowner has a site plan but I have attached the fence companies estimate sheet that has a drawing on it if this would work.

Let me know.



Thank you,
Starsha Parton
Permit Expeditor
(678) 510-3032
Starsha@permitforge.com
www.permitforge.com

On Thu, Nov 14, 2024 at 8:15 AM Paige V. Jennings <pvjennings@dekalbcountyga.gov> wrote:

Good Morning,

Hope that this email finds you well!

We are finalizing our staff reviews for the upcoming HPC meeting on Monday, November 18th. Before finalizing our report on the application for 971 Oakdale Road, could you please provide information for the following questions?

1. Can you provide a site plan to show the location of where the fencing will be installed?
2. What is the total height of the proposed fencing?
3. Will the entirety of the fence be wood?
4. Will any gates be installed? If so, what is the proposed height, location, and material

for the gate?

Please provide all information that you can, as soon as possible. Our reports will be finalized no later than Friday afternoon and will be sent out along with the agenda for the meeting to applicants.

Thank You,



Paige



Government Services Center
178 Sams Street
Decatur, GA 30030

Paige V. Jennings

Senior Planner (they/them)
Historic Preservation
Planning & Sustainability Department
Current Planning Division

 pvjennings@dekalbcountyga.gov
 470.829.7341 County Cell



DeKalbCountyGa.gov/planning

LEGEND

BR	DENOTES BUILDING LINE
R/W	DENOTES RIGHT-OF-WAY
CL	DENOTES CENTERLINE
BC	DENOTES BACK OF CURB
G	DENOTES GUTTER
EP	DENOTES EDGE OF PAVING
TW	DENOTES TOP OF WALL
BW	DENOTES BOTTOM OF WALL
X	DENOTES FENCE
RCP	DENOTES REINFORCED CONCRETE PIPE
CMP	DENOTES CORRUGATED METAL PIPE
PP	DENOTES POWER POLE
LP	DENOTES LIGHT POLE
GW	DENOTES GUY WIRE
PL	DENOTES POWER LINE
PM	DENOTES POWER METER
PB	DENOTES POWER BOX
FO	DENOTES FIBER OPTIC
A/C	DENOTES AIR CONDITION
CB	DENOTES CABLE BOX
TB	DENOTES TELEPHONE BOX
GM	DENOTES GAS METER
GV	DENOTES GAS VALVE
GLM	DENOTES GAS LINE MARKER
WM	DENOTES WATER METER
WW	DENOTES WATER VALVE
FH	DENOTES FIRE HYDRANT
MW	DENOTES MONITORING WELL
HW	DENOTES HEADWALL
JB	DENOTES JUNCTION BOX
DI	DENOTES DROP INLET
S	DENOTES SANITARY SEWER LINE
SSMH	DENOTES SANITARY SEWER MANHOLE
CO	DENOTES CLEAN OUT
P.O.B.	DENOTES POINT OF BEGINNING
P.O.C.	DENOTES POINT OF COMMENCEMENT

- REFERENCE MATERIAL**
1. WARRANTY DEED IN FAVOR OF RUSSELL M. CURREY AND AMY S. DURRELL DEED BOOK 9240 PAGE 329 DEKALB COUNTY, GEORGIA RECORDS (#971)
 2. WARRANTY DEED IN FAVOR OF RUSSELL M. CURREY AND AMY S. DURRELL DEED BOOK 9240 PAGE 330 DEKALB COUNTY, GEORGIA RECORDS (#1340)
 3. EASEMENT AGREEMENT BETWEEN THOMAS Y. SHIN AND MARTHA S. SHIN DEED BOOK 8780 PAGE 351-362 DEKALB COUNTY, GEORGIA RECORDS

FLOOD NOTE

THIS PROPERTY IS LOCATED IN A FEDERAL FLOOD AREA AS INDICATED BY F.I.R.M. OFFICIAL FLOOD HAZARD MAPS. COMMUNITY PANEL No. 130980064 K SHADED ZONE X EFFECTIVE DATE: 8-15-19 DEKALB COUNTY, GEORGIA

THE FLOOD INFORMATION ON THIS PLAT HAS BEEN DETERMINED AFTER REVIEW OF MAPS WHICH ONLY APPROXIMATE THE LOCATION OF THE APPLICABLE FLOOD HAZARD AREA. FOR MORE ACCURATE INFORMATION, A SECOND OPINION OF THE APPLICABLE FLOOD HAZARD AREA IS RECOMMENDED. FOR FURTHER INFORMATION CONTACT THE LOCAL DRAINAGE DEPARTMENT, CORPS OF ENGINEERS, AN INSURANCE COMPANY OR APPRAISER.

- SURVEY NOTES**
1. STORM SEWER, SANITARY SEWER AND OTHER BURIED UTILITIES MAY HAVE BEEN PAVED OR COVERED OVER. THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES. UNDERGROUND UTILITIES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES MAY BE ENCOUNTERED. PLEASE CALL ALL LOCAL UTILITY PROVIDERS AND OR 811 FOR FURTHER INFORMATION.
 2. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT A CURRENT TITLE SEARCH MAY DISCLOSE. FOR NEW PERMITS THE LOCAL ISSUING AUTHORITY MAY REQUIRE ADDITIONAL EASEMENTS NOT SHOWN.
 3. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT THE EXPRESS RECERTIFICATION OF THE SURVEYOR NAMING SUCH PERSON, PERSONS OR ENTITY.
 4. THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS GATHERED BY AN OPEN TRAVERSE AND HAS A CALCULATED POSITIONAL TOLERANCE OF 0.03 FEET. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 190,505 FEET. A GEOMAX ZOOM 90 SERIES ROBOTIC TOTAL STATION WITH CARLSON SURVEY 2 DATA COLLECTOR WERE USED IN THE COLLECTION OF FIELD DATA.
 5. BEARINGS SHOWN WERE COMPUTED BASED ON PLAT BOOK 101 PAGE 31.
 6. THIS PROPERTY IS SUBJECT TO CURRENT ZONING REGULATIONS AND RESTRICTIONS.
 7. ALL REBARS SET ARE 1/2" REBARS UNLESS OTHERWISE NOTED.
 8. THE EXISTENCE, SIZE, AND LOCATION OF IMPERVIOUS BUFFERS ARE SUBJECT TO FINAL DETERMINATION BY THE LOCAL ISSUING AUTHORITY, CITY, OR COUNTY.



GEORGIA REGISTERED LAND SURVEYOR
NO. 2646
MICHAEL R. NOLES
Michael R. Noles
Georgia RLS #2646
Member SAMSOG

SURVEYOR'S CERTIFICATE

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated herein. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Regulation for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-8-67.

Michael R. Noles
Michael R. Noles Georgia RLS No. 2646 9-11-24

NO.	REVISIONS	DATE

McClung Surveying
McClung Surveying Services, Inc.
4833 South Cobb Drive Suite 200
Smryna, Georgia 30080 (770) 434-3383
www.mcclungsurveying.com Certificate of Authorization #LSF000752

SURVEY FOR
**KYLE KINSELL
JACLYN LINSSELL**

971 OAKDALE ROAD N.E.
1340 THE BY WAY
ATLANTA, GEORGIA

LOTS 1 AND 2
OAKDALE COMMONS
SUBDIVISION

LAND LOT 2
18TH DISTRICT
DEKALB COUNTY
GEORGIA
PLAT PREPARED: 9-11-2024
FIELD: 9-10-2024 SCALE: 1"=30'
JOB#264629 C&B-IT

Scale: 30' 15' 0' 30' 60'
SCALE IN FEET

From: [Starsha Parton](#)
To: [Paige V. Jennings](#)
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