

**SUBJECT: Appeal of Decision of the Historic Preservation Commission
Concerning Property Located at 1405 Cornell Road by Stephen
Brooks Buffington**

ATTACHMENTS (PAGES)

- 1. Attachment list (page 1)*
- 2. Appeal (pages 2-6)*
- 3. Denial Form and Decision Form (pages 7-10)*

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

- 4. Staff report (pages 11-13)*
- 5. Excerpt from the Secretary of the Interior's Standards for Preservation &
Guidelines for Preserving Historic Buildings (pages 14-23)*
- 6. Application and supporting material (pages 24-29)*

April 20, 2022

NOTICE OF DENIAL

SITE ADDRESS: 1405 CORNELL RD
PARCEL ID: 18 054 09 012

APPLICANT: Stephen Brooks Buffington
MAILING ADDRESS: 1405 Cornell Rd
Atlanta, GA 30306

THIS IS TO ADVISE YOU THAT THE DEKALB COUNTY HISTORIC PRESERVATION COMMISSION, AT ITS PUBLIC MEETING ON April 18, 2022 REACHED THE FOLLOWING DECISION ON THIS APPLICATION:

ACTION: DENIAL

The commission determined that the proposed change does not comply with Guideline 6.1.1 and approval would have an adverse effect on the historic house. 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

6.1.1 Exterior Materials (p50) Guideline - Original masonry should be retained to the greatest extent possible without the application of any surface treatment, including paint. Repointing of mortar joints should only be undertaken when necessary, and the new mortar should duplicate the original material in composition, color, texture, method of application, and joint profile. Repaired joints should not exceed the width of original joints. The use of electric saws and hammers in the removal of old mortar is strongly discouraged as these methods can seriously damage adjacent bricks.



Heather Shuster, Chair



Date

Decision of the DeKalb County Historic Preservation Commission

Name of Applicant: _____ Stephen Brooks Buffington _____

Address of Property: _____ 1405 Cornell Rd _____

Date(s) of hearing if any: _____ April 18, 2022 _____

Case Number: _____ 1245678 _____

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 proposed change does not comply with Guideline 6.1.1 and approval would have a substantial adverse effect on the house and the historic district. _____

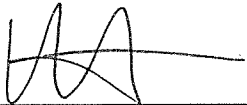
Deferral: The Preservation Commission has deferred action on this application for the following reasons:

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

Date:

4/19/22

Signature:



**Chair, DeKalb County
Historic Preservation Commission**



DeKalb County
GEORGIA

404.371.2155 (o)
404.371.4556 (f)

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Clark Harrison Building

330 W. Ponce de Leon Ave
Decatur, GA 30030

DEPARTMENT OF PLANNING & SUSTAINABILITY

Chief Executive Officer
Michael Thurmond

Director
Andrew A. Baker, AICP

**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: May 6, 2021

To be completed by appellant:

Name: Stephen Brooks Buffington

Address of appellant: 1405 Cornell Road, Atlanta, GA 30306

Address of Property: 1405 Cornell Road, Atlanta, GA 30306

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: 2/22/22, 3/21/22, 4/18/22

Date of Historic Preservation Commission decision: 3/24/22, 4/19/22



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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:

We have been denied the ability to stain our brick home. We believe that the commission has been arbitrary and capricious in their decision and have interpreted the guidelines to their liking. We initially applied to stain our brick home as 1/3 homes on our street and surrounding streets have been stained or painted. We assumed this was allowed. At our first meeting, were deferred on this item as the commission was unsure as to what precedent had been set. At our next meeting we were denied. A process and denial that Senior Planner David Cullison called “unfair”. After the meeting, Mr. Cullison encouraged us to apply again but under a different line of reasoning (one that had been historically approved). We were once again denied. There is clearly no reason or system governing the decision to approve or deny the staining of homes in Druid Hills. Per the guidelines, a stain is not a surface treatment. Furthermore, staining our home would not have a substantial adverse effect on the house or the historic district.

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: 5/6/22

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.

We first applied for staining our home believing that approval would be simple given how many homes in our area are stained or painted. 1/3 of the homes on our street and in the surrounding have been stained or painted. If one was to drive around Historic Druid Hills they would clearly see this. It is a part of the look of the neighborhood.

At our first meeting, we were confused when the commission gave us resistance on the subject. Based on the amount of stained/ painted homes in our area, this clearly would not “have a substantial adverse effect on the historic property or the historic district”. We pointed out that we would not be painting the home, which is not allowed per the guidelines. We instead wanted to apply a silicate mineral stain to the brick. The stain allows the brick to “breathe”, resists water penetration, is resistant to UV and acidic rain exposure, is non-flammable, and is antimicrobial. The stain will serve to further protect the brick of the home for the next 100 years. Contrary to the guideline 6.1.1, this stain is not a surface treatment (like paint). We also pointed out that the precedent had clearly been set based on homes in the neighborhood. Senior Planner, David Cullison suggested deferring the decision until the next meeting so that they could further research our points. Chairwoman Shuster said, “We definitely want you to be treated as fairly as anyone else in the past. I think the recommendation by Mr. Cullison is probably a good one, to ensure that fairness.”

At the next meeting, Mr. Cullison brought research to the meeting of 23 homes that had been painted or stained. This was by no means an exhaustive list, but a sample. Of the 23 homes, 13 were non-historic so they were excluded from the guidelines. Of the

remaining 10 homes, 1 had previously been painted, so it was also excluded. Of the remaining 9 homes, 5 had been approved for painting or staining and 4 had been denied. Clearly there was no system of reasoning here. And if we were being “treated as fairly as anyone else in the past” per Ms. Shuster, we should have been approved based on the data. Still, between this evidence and the fact that we would not be applying a surface treatment, we were denied. When Ms. Shuster asked for a vote, chairperson Matt Stoddard voted to approve our application based on our reasoning. Ms. Shuster asked for a vote of denial and it was seconded. Ms. Shuster followed up by saying, “We understand the complexity of this issue. We really do want to be fair, we are trying to be fair and all of our judgments and we want to give a fair reading to you.”

At the end of the meeting, the commission held a discussion on the issue. The general consensus was that the process was “unfair”. This was stated multiple times by Mr. Cullison. I would recommend listening to that discussion, from the meeting on 3/21/22, beginning around the 2:37 mark. In that discussion, Mr. Cullison said that, “If someone cheats, we are letting them.”, “We can do as we’re doing now, which doesn’t work real well and is not fair.”, “It’s not practical, it’s not fair.”. Until 4/28/22, we still had not received a decision from this meeting. The decision form was never sent to us! Putting the commission well outside the 45 day window they must act within according to County Code. Mr. Cullison disagrees and would not issue a COA as is directed by code.

After the meeting and candor by the members at the ending discussion, I felt that it may just be best to reapply rather than appeal the decision. Mr. Cullison encouraged me to

do so. This was on the basis that they had approved homes for the painting/ staining of brick in situations where “there are problems with the brick that don’t appear to be correctable.” Previously we had applied under aesthetic purposes. The brick on our home is unsightly and damaged. You can see photos in our application for the meeting on 4/18/22. We believed we would be treated fairly this next go around given Ms. Shuster’s comments about fairness and the commission agreeing that it had been unfair to date. To my surprise, staff recommended denial again, after encouraging me to apply! To date neither Mr. Cullison, Ms. Bragg, or any commission members have visited to see what our brick looks like. This is Step 4 within the COA application. How one can issue such a clear directive on something without seeing it first hand is difficult for me to understand. At the next meeting, our only “yes” vote (and only Druid Hills residence) in Mr. Stoddard was not in attendance. The meeting was a foregone conclusion and we were quickly denied again on the previous basis with no further discussion.

We have still not been shown how the stain violates guideline 6.1.1, as it is not a surface treatment. We have seen clearly through data that there has been no set of reasoning to approve or deny these applications of painting/ staining homes. This process is clearly punishing people attempting to go through the proper channels to stain their home. I recently asked Mr. Cullison how the Commission would treat one of these persons who had not obtained approval. He said, “The issue is in flux and I don’t know what the commission would decide.” There is no set system here. It is completely unpredictable. Persons going through the proper process are being arbitrarily denied, while those who ask for forgiveness are given a retroactive COA and walk away freely.

DeKalb County Historic Preservation Commission

Monday April 18, 2022- 6:00 P.M.

Staff Report

Regular Agenda

K. 1405 Cornell Road, Stephen Brooks Buffington. Stain the brick. 1245678

This property is in the Druid Hills National Register Historic District and Druid Hills Character Area 2.

Built 1929. (18 054 09 012)

6-07 1405 Cornell Road (DH), Shozo & Ruth Yokoyama. Rear addition. 13614 **Approved**

2-11 1405 Cornell Road (DH), Ruth Yokoyama. Replace all windows. 16886 **Denied**

9-21 1405 Cornell Road, Claire Smith for DesignSmiths LLC. Replace nonhistoric rear addition with a two-story addition, demolish the nonhistoric garage and build a low retaining wall at the foot of the driveway. 1245197 **Approved**

3-22 1405 Cornell Road, Stephen Brooks Buffington. Stain the brick. 1245463 **Denied**

Summary

This is a new, updated application to stain the red brick of the historic house white. The applicant has included photos and a written narrative showing discoloration and other issues with the brick, as well as justification using the Secretary of Interior Standards (SOI).

The purpose of these standards is to provide guidance alongside other guidelines such as the Druid Hills Design Guidelines, the [Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings](#) and the [Technical Preservation briefs](#) prepared for the SOI and the National Park Services.

The Druid Hills Design Guidelines state in 6.1.1 Original masonry should be retained to the greatest extent possible without the application of any, surface treatment, including paint

[The Guidelines for Rehabilitating Historic Buildings](#) pertain to historic buildings of all sizes, materials, occupancy, and construction types; and apply to interior and exterior work as well as new exterior additions. Those approaches, treatments, and techniques that are consistent with the Secretary of the Interior's "Standards for Rehabilitation" are listed in bold-face type under the "Recommended" section in each topic area; those approaches, treatments, and techniques which could adversely affect a building's historic character are listed in the "Not Recommended" section in each topic area. Please see the attached GUIDELINES FOR PRESERVING HISTORIC BUILDINGS, which includes the section on historic masonry.

The first recommendation is: "Identifying, retaining, and preserving masonry features that are important in defining the overall historic character of the building (such as walls, brackets, railings, cornices, window and door surrounds, steps, and columns) and decorative ornament and other details, such as tooling and bonding patterns, coatings, and color." The color of the red brick is an important feature of the historic character of the building and should be retained and preserved.

Other recommendations include items that the applicant has already addressed and some others that may address some of the applicant's concerns regarding the deterioration of mortar and the existence of small sections of paint on the brick, including:

- Cleaning soiled masonry surfaces with the gentlest method possible, such as using low-pressure water and detergent and natural bristle or other soft-bristle brushes.

- Using biodegradable or environmentally-safe cleaning or paint removal products.
- Removing damaged or deteriorated paint only to the next sound layer using the gentlest method possible
- Repairing masonry walls and other masonry features by repointing the mortar joints where there is evidence of deterioration, such as disintegrating mortar, cracks in mortar joints, loose bricks, or damaged plaster on the interior

There are also several items they do "Not Recommend" that apply to this scope of work:

- Applying paint or other coatings (such as stucco) to masonry that has been historically unpainted or uncoated.
- Applying waterproof, water-repellent, or non-original historical coatings (such as stucco) to masonry as a substitute for repointing and masonry repairs.

[Technical Preservation Brief 1](#): Assessing Cleaning and Water-Repellent Treatments for Historic Masonry Buildings was also consulted regarding this application. This brief includes good information on the different options available to clean brick safely, including paint and vegetation stain removal. Although this brief does not specifically address the application of a mineral stain, it does once again emphasize the importance of the historic character of the building:

Consider the Historic Appearance of the Building

If the proposed cleaning is to remove paint, it is important in each case to learn whether or not unpainted masonry is historically appropriate. And, it is necessary to consider why the building was painted. Was it to cover bad repointing or unmatched repairs? Was the building painted to protect soft brick or to conceal deteriorating stone? Or, was painted masonry simply a fashionable treatment in a particular historic period? Many buildings were painted at the time of construction or shortly thereafter; retention of the paint, therefore, may be more appropriate historically than removing it. And, if the building appears to have been painted for a long time, it is also important to think about whether the paint is part of the character of the historic building and if it has acquired significance over time.

Recommendation

1. **Deny**, original masonry should be retained without the application of any surface treatment, including paint (6.1.1). In addition, the GUIDELINES FOR PRESERVING HISTORIC BUILDINGS, specifically "Do Not Recommend" painting historically unpainted masonry and the relevant technical brief states the historic appearance of the building should be maintained. The proposed changes appear to have a substantial adverse effect on the property and the district.

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.

6.1.1 Exterior Materials (p50) Guideline - Original masonry should be retained to the greatest extent possible without the application of any surface treatment, including paint. Repointing of mortar joints should only be undertaken when necessary, and the new mortar should duplicate the original material in composition, color, texture, method of application, and joint profile. Repaired joints should not exceed the width of original joints. The use of electric saws and hammers in the removal of old mortar is strongly discouraged as these methods can seriously damage adjacent bricks.

6.1.1 *Exterior Materials* (p51) Guideline - The application of artificial or nonhistoric exterior siding materials such as brick veneers; asphalt shingle siding; and cementitious, aluminum, or vinyl siding is discouraged. These materials are not successful in mimicking details of original wood siding (the most common material over which they are applied); subsequently, their use greatly compromises the historic integrity of buildings. Application often results in the loss or distortion of architectural details, and improper installation can result in damage of historic materials.

Use of compatible and high quality "look-a-like" synthetic building materials may be allowable, especially in order to reduce costs, provided (1) the substitute material can be installed without irreversibly damaging or obscuring the historic material and architectural features and trim of the building and (2) the substitute material can match the historic material in size, profile, and finish so that there is no change in the historic character of the building.

STANDARDS FOR PRESERVATION & GUIDELINES FOR PRESERVING HISTORIC BUILDINGS

Preservation

Preservation is defined as the act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. New exterior additions are not within the scope of this treatment; however, the limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a preservation project.



Standards for Preservation

1. A property will be used as it was historically, or be given a new use that maximizes the retention of distinctive materials, features, spaces and spatial relationships. Where a treatment and use have not been identified, a property will be protected and, if necessary, stabilized until additional work may be undertaken.
2. The historic character of a property will be retained and preserved. The replacement of intact or repairable historic materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place and use. Work needed to stabilize, consolidate and conserve existing historic materials and features will be physically and visually compatible, identifiable upon close inspection and properly documented for future research.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. The existing condition of historic features will be evaluated to determine the appropriate level of intervention needed. Where the severity of deterioration requires repair or limited replacement of a distinctive feature, the new material will match the old in composition, design, color and texture.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

GUIDELINES FOR PRESERVING HISTORIC BUILDINGS

INTRODUCTION

Preservation is the appropriate treatment when the objective of the project is to retain the building as it currently exists. This means that not only the original historic materials and features will be preserved, but also later changes and additions to the original building. The expressed goal of the **Standards for Preservation and Guidelines for Preserving Historic Buildings** is retention of the building's existing form, features, and materials. This may be as simple as maintaining existing materials and features or may involve more extensive repair. Protection, maintenance, and repair are emphasized while replacement is minimized.

Identify, Retain, and Preserve Historic Materials and Features

The guidance for the treatment **Preservation** begins with recommendations to identify the form and detailing of those architectural materials and features that are important in defining the building's historic character and which must be retained to preserve that character. Therefore, guidance on *identifying, retaining, and preserving* character-defining features is always given first.

Stabilize Deteriorated Historic Materials and Features as a Preliminary Measure

Deteriorated portions of a historic building may need to be protected through preliminary stabilization measures until additional work can be undertaken. *Stabilizing* may begin with temporary structural reinforcement and progress to weatherization or correcting unsafe conditions. Although it may not be necessary in every

preservation project, stabilization is nonetheless an integral part of the treatment **Preservation**; it is equally applicable to the other treatments if circumstances warrant.

Protect and Maintain Historic Materials and Features

After identifying those materials and features that are important and must be retained in the process of **Preservation** work, then *protecting and maintaining* them are addressed. Protection generally involves the least degree of intervention and is preparatory to other work. Protection includes the maintenance of historic materials and features as well as ensuring that the property is protected before and during preservation work.

Repair (Stabilize, Consolidate, and Conserve) Historic Materials and Features

Next, when the physical condition of character-defining materials and features warrants additional work, *repairing* by *stabilizing, consolidating, and conserving* is recommended. The intent of **Preservation** is to retain existing materials and features while introducing as little new material as possible. Consequently, guidance for repairing a historic material, such as masonry, begins with the least degree of intervention possible, such as strengthening materials through consolidation, when necessary, or repointing with mortar of an appropriate strength. Repairing masonry, as well as wood and metal features, may include patching, splicing, or other treatments using recognized preservation methods. All work should be physically and visually compatible.

Limited Replacement in Kind of Extensively Deteriorated Portions of Historic Features

The greatest level of intervention in this treatment is the *limited replacement in kind* of extensively deteriorated or missing components of features when there are surviving prototypes or when the original features can be substantiated by documentary and physical evidence. The replacement material must match the old, both physically and visually (e.g., wood with wood). Thus, with the exception of hidden structural reinforcement, such as steel rods, substitute materials are not appropriate in the treatment **Preservation**. If prominent features are missing, such as an interior staircase or an exterior cornice, then a Rehabilitation or Restoration treatment may be more appropriate.

Code-Required Work: Accessibility and Life Safety

These sections of the **Preservation** guidance address work that must be done to meet accessibility and life-safety requirements. This work may be an important aspect of preservation projects, and it, too, must be assessed for its potential negative impact on the building's character. For this reason, particular care must be taken not to obscure, damage, or destroy character-defining materials or features in the process of undertaking work to meet code requirements.

Resilience to Natural Hazards

Resilience to natural hazards should be addressed as part of a **Preservation** project. A historic building may have existing characteristics or features that help to address or minimize the impacts of natural hazards. These should always be used to best advantage when planning new adaptive treatments so as to have the least impact on the historic character of the building, its site, and setting.

Sustainability

Sustainability should be addressed as part of a **Preservation** project. Good preservation practice is often synonymous with sustainability. Existing energy-efficient features should be retained and repaired. New sustainability treatments should generally be limited to updating existing features and systems so as to have the least impact on the historic character of the building.

The topic of sustainability is addressed in detail in *The Secretary of the Interior's Standards for Rehabilitation & Illustrated Guidelines on Sustainability for Rehabilitating Historic Buildings*. Although specifically developed for the treatment Rehabilitation, the Sustainability Guidelines can be used to help guide the other treatments.

Preservation as a Treatment. When the property's distinctive materials, features, and spaces are essentially intact and thus convey the historic significance without extensive repair or replacement; when depiction at a particular period of time is not appropriate; and when a continuing or new use does not require additions or extensive alterations, Preservation may be considered as a treatment. Prior to undertaking work, a documentation plan for Preservation should be developed.

MASONRY: STONE, BRICK, TERRA COTTA, CONCRETE, ADOBE, STUCCO, AND MORTAR

RECOMMENDED	NOT RECOMMENDED
<p>Identifying, retaining, and preserving masonry features that are important in defining the overall historic character of the building (such as walls, brackets, railings, cornices, window and door surrounds, steps, and columns) and decorative ornament and other details, such as tooling and bonding patterns, coatings, and color.</p>	<p>Altering masonry features which are important in defining the overall historic character of the building so that, as a result, the character is diminished.</p> <p>Replacing historic masonry features instead of repairing or replacing only the deteriorated masonry.</p> <p>Applying paint or other coatings (such as stucco) to masonry that has been historically unpainted or uncoated.</p> <p>Removing paint from historically-painted masonry.</p>
<p>Stabilizing deteriorated or damaged masonry as a preliminary measure, when necessary, prior to undertaking preservation work.</p>	<p>Failing to stabilize deteriorated or damaged masonry until additional work is undertaken, thereby allowing further damage to occur to the historic building</p>
<p>Protecting and maintaining masonry by ensuring that historic drainage features and systems that divert rainwater from masonry surfaces (such as roof overhangs, gutters, and downspouts) are intact and functioning properly.</p>	<p>Failing to identify and treat the causes of masonry deterioration, such as leaking roofs and gutters or rising damp.</p>
<p>Cleaning masonry only when necessary to halt deterioration or remove heavy soiling.</p>	<p>Cleaning masonry surfaces when they are not heavily soiled to create a “like-new” appearance, thereby needlessly introducing chemicals or moisture into historic materials.</p>
<p>Carrying out masonry cleaning tests when it has been determined that cleaning is appropriate. Test areas should be examined to ensure that no damage has resulted and, ideally, monitored over a sufficient period of time to allow long-range effects to be predicted.</p>	<p>Cleaning masonry surfaces without testing or without sufficient time for the testing results to be evaluated.</p>



[1] A test patch should always be done before using a chemical cleaner to ensure that it will not damage historic masonry, as in this instance, terra cotta.

MASONRY: STONE, BRICK, TERRA COTTA, CONCRETE, ADOBE, STUCCO, AND MORTAR

RECOMMENDED	NOT RECOMMENDED
<p>Cleaning soiled masonry surfaces with the gentlest method possible, such as using low-pressure water and detergent and natural bristle or other soft-bristle brushes.</p>	<p>Cleaning or removing paint from masonry surfaces using most abrasive methods (including sandblasting, other media blasting, or high-pressure water) which can damage the surface of the masonry and mortar joints.</p> <p>Using a cleaning or paint-removal method that involves water or liquid chemical solutions when there is any possibility of freezing temperatures.</p> <p>Cleaning with chemical products that will damage some types of masonry (such as using acid on limestone or marble), or failing to neutralize or rinse off chemical cleaners from masonry surfaces.</p>
<p>Using biodegradable or environmentally-safe cleaning or paint-removal products.</p>	
<p>Using paint-removal methods that employ a poultice to which paint adheres, when possible, to neatly and safely remove old lead paint.</p>	
<p>Using coatings that encapsulate lead paint, when possible, where the paint is not required to be removed to meet environmental regulations.</p>	
<p>Allowing only trained conservators to use abrasive or laser-cleaning methods, when necessary, to clean hard-to-reach, highly-carved, or detailed decorative stone features.</p>	

MASONRY: STONE, BRICK, TERRA COTTA, CONCRETE, ADOBE, STUCCO, AND MORTAR

RECOMMENDED	NOT RECOMMENDED
Removing damaged or deteriorated paint only to the next sound layer using the gentlest method possible (e.g., hand scraping) prior to repainting.	Removing paint that is firmly adhered to masonry surfaces.
Applying compatible paint coating systems to historically-painted masonry following proper surface preparation.	Failing to follow manufacturers' product and application instructions when repainting masonry features.
Repainting historically-painted masonry features with colors that are appropriate to the building and district.	Using paint colors on historically-painted masonry features that are not appropriate to the building or district.
Protecting adjacent materials when working on masonry features.	Failing to protect adjacent materials when working on masonry features.
Evaluating the overall condition of the masonry to determine whether more than protection and maintenance, such as repairs to masonry features, will be necessary.	Failing to undertake adequate measures to ensure the protection of masonry features.
Repairing masonry by patching, splicing, consolidating, or otherwise reinforcing the masonry using recognized preservation methods.	Removing masonry that could be stabilized, repaired, and conserved, or using untested consolidants, improper repair techniques, or unskilled personnel, potentially causing further damage to historic materials.
Repairing masonry walls and other masonry features by repointing the mortar joints where there is evidence of deterioration, such as disintegrating mortar, cracks in mortar joints, loose bricks, or damaged plaster on the interior.	Removing non-deteriorated mortar from sound joints and then repointing the entire building to achieve a more uniform appearance.
Removing deteriorated lime mortar carefully by hand raking the joints to avoid damaging the masonry.	



[2] **Not Recommended:** The use of inappropriate Portland cement mortar to repoint these soft 19th-century bricks has caused some of them to spall. *Photo: Courtesy Nebraska State Historic Preservation Office.*

MASONRY: STONE, BRICK, TERRA COTTA, CONCRETE, ADOBE, STUCCO, AND MORTAR

RECOMMENDED	NOT RECOMMENDED
Using power tools only on horizontal joints on brick masonry in conjunction with hand chiseling to remove hard mortar that is deteriorated or that is a non-historic material which is causing damage to the masonry units. Mechanical tools should be used only by skilled masons in limited circumstances and generally not on short, vertical joints in brick masonry.	Allowing unskilled workers to use masonry saws or mechanical tools to remove deteriorated mortar from joints prior to repointing.
Duplicating historic mortar joints in strength, composition, color, and texture when repointing is necessary. In some cases, a lime-based mortar may also be considered when repointing Portland cement mortar because it is more flexible.	Repointing masonry units with mortar of high Portland cement content (unless it is the content of the historic mortar).
Duplicating historic mortar joints in width and joint profile when repointing is necessary.	Using “surface grouting” or a “scrub” coating technique, such as a “sack rub” or “mortar washing,” to repoint exterior masonry units instead of traditional repointing methods. Changing the width or joint profile when repointing.
Repairing stucco by removing the damaged material and patching with new stucco that duplicates the old in strength, composition, color, and texture.	Removing sound stucco or repairing with new stucco that is different in composition from the historic stucco. Patching stucco or concrete without removing the source of deterioration. Replacing deteriorated stucco with synthetic stucco, an exterior insulation and finish system (EIFS), or other non-traditional materials.
Using mud plaster or a compatible lime-plaster adobe render, when appropriate, to repair adobe.	Applying cement stucco, unless it already exists, to adobe.
Sealing joints in concrete with appropriate flexible sealants and backer rods, when necessary.	Repointing masonry units (other than concrete) with a synthetic caulking compound instead of mortar.



[3] **Not Recommended:** Cracks in the stucco have not been repaired, thereby allowing ferns to grow in the moist substrate which will cause further damage to the masonry.

MASONRY: STONE, BRICK, TERRA COTTA, CONCRETE, ADOBE, STUCCO, AND MORTAR

RECOMMENDED

NOT RECOMMENDED

<p>Cutting damaged concrete back to remove the source of deterioration, such as corrosion on metal reinforcement bars. The new patch must be applied carefully so that it will bond satisfactorily with, and match, the historic concrete.</p>	<p>Patching damaged concrete without first removing the source of deterioration.</p>
<p>Using a non-corrosive, stainless-steel anchoring system when replacing damaged stone, concrete, or terra-cotta units that have failed.</p>	

MASONRY: STONE, BRICK, TERRA COTTA, CONCRETE, ADOBE, STUCCO, AND MORTAR

RECOMMENDED	NOT RECOMMENDED
Applying non-historic surface treatments, such as water-repellent coatings, to masonry only after repointing and only if masonry repairs have failed to arrest water penetration problems.	Applying waterproof, water-repellent, or non-original historical coatings (such as stucco) to masonry as a substitute for repointing and masonry repairs.
Applying permeable, anti-graffiti coatings to masonry when appropriate.	Applying water-repellent or anti-graffiti coatings that change the appearance of the masonry or that may trap moisture if the coating is not sufficiently permeable.
<i>The following work is highlighted to indicate that it represents the greatest degree of intervention generally recommended within the treatment Preservation, and should only be considered after protection, stabilization, and repair concerns have been addressed.</i>	
Limited Replacement in Kind	
Replacing in kind extensively deteriorated or missing components of masonry features when there are surviving prototypes, such as terra-cotta brackets or stone balusters, or when the replacement can be based on documentary or physical evidence. The new work should match the old in material, design, scale, color, and finish.	Replacing an entire masonry feature, such as a column or stairway, when limited replacement of deteriorated and missing components is appropriate. Using replacement material that does not match the historic masonry feature.

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director
Andrew A. Baker, AICP

Application for Certificate of Appropriateness

Date Received: 3/24/22 Application No.: _____

Address of Subject Property: 1405 Cornell Road NE Atlanta, GA 30306

Applicant: Stephen Brooks Buffington E-Mail: sbuffington@gmail.com

Applicant Mailing Address: 1405 Cornell Road NE Atlanta, GA 30306

Applicant Phone(s): 404-625-9667 Fax: _____

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

Owner(s): Stephen Brooks Buffington E-Mail: sbuffington@gmail.com

Elizabeth Ann Buffington E-Mail: bleadbeater1991@gmail.com

Owner(s) Mailing Address: 1405 Cornell Road NE Atlanta, GA 30306

Owner(s) Telephone Number: 404-625-9667

Approximate age or date of construction of the primary structure on the property and any secondary structures affected by this project: 100 years old

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:

We are seeking to stain or paint our home. Further description and reasoning are attached.

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.


Signature of Applicant/Date

3/24/22

Based on the precedent set by previous COA approvals, we are requesting to stain/ paint our home. We are seeking fair and equitable treatment based on these prior approvals.

Records show that homes have been approved for staining/ painting based purely on aesthetic reasoning. Although this precedent has clearly been set, we were recently denied for doing the same. A denial that was deemed by both commission members and staff as “unfair”.

Beyond the aesthetic reasoning, the commission and planning staff have made clear that approvals have also come as a result of “cases where there are problems with the brick that don’t appear to be correctable.” The argument has been made that if there were cede issues with our brick, then it may change the staff and commission’s position on approval/ denial. We are seeking approval for staining/ painting our brick under this reasoning.

We would like to seek approval for the staining/ painting of our brick due to issues with the brick that do not appear to be correctable. Attached are multiple examples of these issues. From problems with matching brick, to paint streaks on the house, to cracks and gaps and ivy damage. These problems are visible from street level and are abundantly clear when sitting on our porch, walking up our driveway, etc. We propose staining/ painting our brick in an effort to hide these blemishes and create a more cohesive look for the home.

Per the Secretary of the Interior’s guidelines, “While masonry is one of the most durable historic building materials, it is also very susceptible to damage by exposure, improper maintenance or repairs, abrasive cleaning, or the application of **nonpermeable coatings**. Repairing masonry, as well as wood and metal features, may include patching, splicing, or other treatments using recognized preservation methods. **All work should be physically and visually compatible.**” Due to the previous homeowner’s work and neglect, there is a clear lack of compatibility with the facade of the home. We are seeking to remedy this and create a visually compatible home by using a **permeable coating** on the home in the form of a stain or mineral based paint.

We believe that a clear precedent has been set for the staining/ painting of homes under multiple lines of reasoning. To not approve an application would be arbitrary in nature, as it would show the decision to approve/ deny staining or painting a home changes from commission to commission, with no system or reasoning governing past approvals or denials.

There are multiple areas of our home where the brick has been damaged, altered, or had paint and other materials applied that cannot be removed safely. We propose staining or painting the house using a mineral based product to hide these blemishes on the home and create a more cohesive look. There are also multiple areas of the home, where in removing the non-historic work of previous homeowners, we have found gaps in the brickwork. We will be replacing and filling these gaps with brick, but matching the brick type and coloring will be next to impossible. This will result in a clear “patch job” of old brick and new brick. This will further create inconsistencies in the brickwork and a lack of cohesion of the home. Outlined below are just a handful of examples for these items.

Bay Window

Previous homeowners attached a bay window to the house off the kitchen. We removed this non-historic item and are replacing it with a period-appropriate double hung window. There is currently a 7x5ft opening where the kitchen window addition used to be. The new double hung window will not fill this void and so we will need to replace the area around it with brick. It will be next to impossible to match the old brick, resulting in a mismatch of brick that will be clear from the street. There is also a stark white line of paint and caulk left from where the previous homeowners had installed this bay window addition. Per our contractor, this paint and material cannot be removed without damaging the brick.



Ivy Damage

Previous homeowners either willingly or out of neglect allow invasive English Ivy to grow up the side of the home. This ivy has been removed but the nature of English Ivy is to work into cracks and gaps, further destabilizing an already 100 year old brick. A strong mineral stain will help to strengthen the brick and mortar. Silicate based mineral stains are vapor permeable, allowing the brick to breath and ensure no moisture is trapped. They resist water penetration, are resistant to UV and acidic rain exposure, are non-flammable, and are anti-microbial — inhibiting the growth of algae and mildew. The stain will serve to further protect the brick of the home for the next 100 years.



Paint Steaks

Per the Secretary of the Interior's guidelines, "Removing paint that is firmly adhered to masonry surfaces" is not recommended. Our wire-cut brick can not have paint removed without an abrasive treatment that would damage the brick. Our contractor has confirmed this. There are multiple places around the home where there are clear and visible paint streaks. Either from messily painting downspouts, painting around areas like the bay window, or seemingly random streaks altogether. There are many around the front porch that we believe are evidence of a screened in porch that was removed at some point. These streaks are for lack of a better term an "eyesore". Resulting in a home that is not visually compatible or cohesive, but instead one that looks unkempt.



Cracks and Gaps

Filling the cracks, gaps, and voids with mortar or our unique brick will be next to impossible. The current look is not visually compatible. We would like to hide these blemishes across the home by making them “blend in” more with a stain or mineral based paint.



Brick Matching Issues

In removing other non-historic elements of the home for the addition, we have unearthed similar problems to that of the bay window area. We will have a very difficult time matching brick, and would create a visually non compatible product as a result. This is not recommended by the Secretary of the Interior.

