

SUBJECT: Appeal of Decision of the Historic Preservation Commission (HPC) Concerning Property Located at 1853 North Decatur Road by Margarita Studemeister and Renee Nelson

ATTACHMENTS (PAGES)

- 1. Attachment List (page 1)*
- 2. Appeal (pages 2- 6)*
- 3. Applicant's Objection to the Form of the Appeal (pages 7-8)*
- 4. Supplementary Explanations in Support of the Appeal (pages 9-13)*
- 5. Applicant's Opposition to the Appeal (pages 14-16)*
- 6. Certificate of Appropriateness (COA) and Decision Form (pages 17-19)*

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

- 7. Staff Report (pages 20-24)*
- 8. Demolition Database (pages 25-69)*
- 9. Materials Submitted by the Applicant During July (pages 70-188)*
- 10. Letters of Opposition from July Application (pages 189-212)*
- 11. Response by Applicant to Letter of Opposition (pages 213-214)*
- 12. Application and Appeal from February HPC (pages 215-399)*

Link to the recording of the July 17, 2023, Historic Preservation Commission meeting:

https://dekalbcountyga.zoom.us/rec/share/FO2iR1FNGDCQBSHVkgZX-y_TQcGtpSoVuzFSIS9mli8UdRAUqBbg-6DmHUpVhdsC.ppnunntBqBmZNsg?startTime=1689630266000

Passcode: 9^zZYfyy

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: Margarita Studemeister and Renee Nelson

Address of appellant: 520 Emory Circle NE, Atlanta, GA 30307 and 526 Emory Circle NE,
Atlanta, GA 30307

Address of Property: 1853 N Decatur Road, 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: July 17, 2023

Date of Historic Preservation Commission decision: July 21, 2023

DEPARTMENT OF PLANNING & SUSTAINABILITY

Historic Preservation Commission
Appeal Form
Page 2 of 2

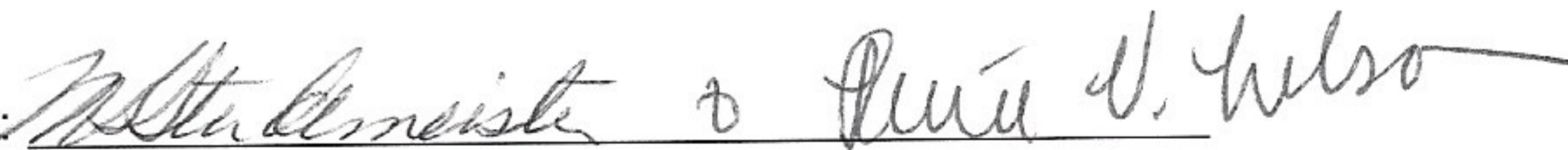
In the space provided below the Appellant must describe how the preservation commission's decision constitutes an abuse of discretion. Specifically, the appellant must, citing to the preservation commission's written decision, show at least one of the following: that the preservation commission exceeded 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 HPC's decision was capricious and arbitrary for it was based on insufficient information, flawed technical reports and glossing over guidelines (see attached report): Specifically:

- The HPC failed to consider the historic nature of the property** – a Colonial Revival variant of the Minimal Traditionalist Style built as affordable housing **for young and working families** and worthy of preservation.
- The HPC accepted flawed technical reports**, which did not prove need for rehabilitation; did not establish that house was “so unsound that rehabilitation was not possible” (Guideline 7.3.3); and did not consider options to shore foundation and common approaches to settling issues in early 20th C houses in area.
- The case of the demolition of 955 Springdale Road did not explain that the **HPC required owners to professionally document the structure and rebuild it so that the façade was exactly the same as before.**
- The HPC failed to apply guidelines** (area of influence, massing, etc.) to the 10,835 SqFt new design, amid modest homes – a size 7 times a historic home nearby and 2.5 times the recently built infill homes next to it. **No streetscape drawings from 3 surrounding streets with visibility of the property were presented.**
- The HPC has dismissed neighbors' opposition; 11 households nearby signed in support of this appeal.**

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: 8/2/2023

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.

Comments from Cynthia Tauxe, Architect P.C. Re: COA for 1853 N Decatur Road 7/30/23

Historic contribution: This historic structure in the Garrison Style is a Minimal Traditional variant of the Colonial Revival Style [see Druid Hills Design Manual, p. 115]. The rare asymmetric façade contributes to our understanding of the transition from the Romantic Revival Movement to the Modern Ranch Style. These modest homes were constructed in 1935-1955 for young and working families, and should be preserved as such.

It is not proven that the massing and scale of the new design is appropriate: The HPC has previously required of me and other applicants for modifications to the streetscape that we present a scaled drawing of adjacent houses sitting on a measured topography line with a scaled drawing of the proposed new construction inserted into the streetscape also sitting on its proper grade line. No streetscape drawing is presented, so the HPC did not have enough information to determine if the building is appropriately massed in context of the rest of the streets from which the house would be visible, and from the area of influence which was not defined by the staff.

Structural Review is flawed: There is no documentation of failure of the structure, only the potential for failure if it is “rehabilitated.” There is no proof that the building is unusable or that the foundation requires correction for it to be usable. We know that the house was recently inhabited. I agree that the proposed remediation is a bad idea; but there is no proof that it is necessary at all. There is no requirement in DeKalb County that an old building be brought up to current codes.

The House has a wooden structure which probably sits on wood mud sills like typical contributing structures in this Historic District. The Engineer’s report does not note anything

wrong with the wood structure. There is no mention of dry rot, wet rot, damp rot, mold, mildew, termites, powderpost beetles, sheer cracks, or checking of the wood fibers which would suggest imminent failure.

The engineering reports show an unfamiliarity with early 20th C. brick pier supports. The structural wood mudsills typically sit on fat brick piers at the corners of the building. They are made of interwoven bricks that continue below the frost line to undisturbed red clay soil. There is no mention of cracking or undermining, or settlement of these crucial piers.

The reports confuse the brick veneer with continuous foundations. The references to cracking refer to the non-structural brick veneer, which is supported by what the report describes as a “non-existent” brick foundation. This veneer brick is a finish surface. The engineer says that “These cracks will continue to migrate and enlarge in width.” This is speculation; there is no proof that the building is unstable today. Proper documentation would show a recent patch that has opened up. If it were moving, it could be patched so that frank water cannot enter behind the brick rain screen, or in serious cases, the damaged area of brick could be pulled out and replaced with new mortar by a competent mason.

Overspanning is not a problem. The old wood in these structures was grown more slowly and exhibits more tree rings than current lumber, so no comparison can be made using current load tables. There is no mention of failure of these joists. If they sag a bit, that is not failure, and it can be remediated by using the simple expedient of adding mid-span supports with proper footings inside the basement area. This is a common practice in our neighborhood to stiffen the structure if it is deemed to be shaky (which is not proven here).

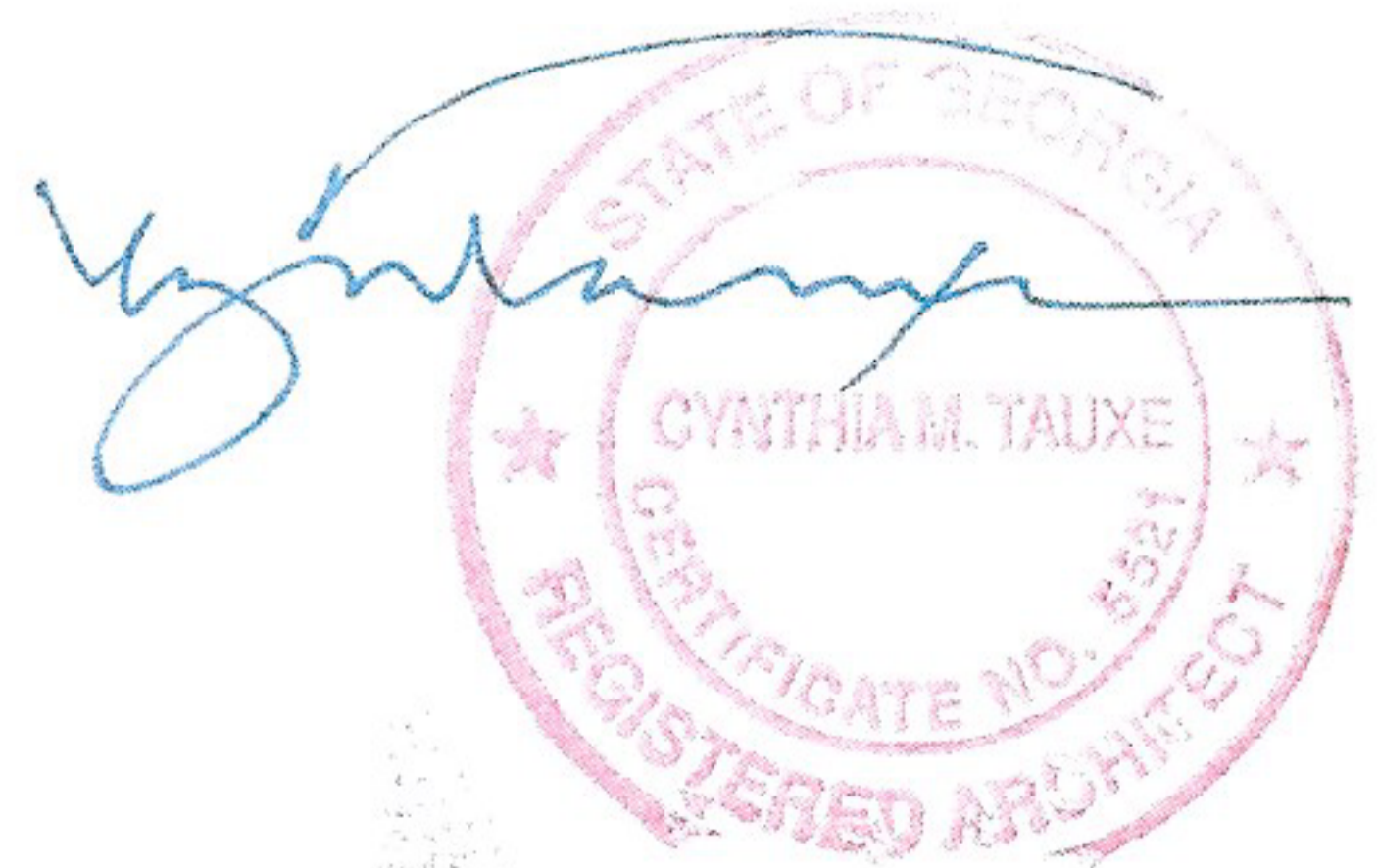
Correction is not overly expensive. The Chair of the HPC was mistaken when she noted in February, as Ms. Dunlavy writes in her June 13, 2023 email, that "it was uncommon to find houses without any foundational supports like this one and the cost to correct it 'would be sizable.'" I have inspected over 900 basements in Druid Hills and most of the historic structures from our historic building period have no foundations per se and all the joists are over-spanned by current codes--and yet they still stand. If it is proven that the foundation is undermined, or otherwise unstable, then a simple and expedient solution is to anchor a new concrete wall next to the old foundation. In the approval statement, the Chair of the HPC conceded that the Commission took the reports of the "experts" at face value. The staff failed to demand alternative expertise.

Consistency with precedent. The remand asked that the HPC explain whether its decision is consistent with prior decisions of the HPC involving similar properties. In documenting the case concerning Tom and Kasey Gryboski's property at 955 Springdale Road, where it was determined that the basement had been dangerously undermined, the applicant does not explain that the HPC required the owners to professionally document the structure and rebuild it so that the façade was exactly the same as before. This is a perfect precedent for this house which could be documented and then rebuilt exactly to the same size envelope and style as existing.

Respectfully submitted by Cynthia Tauxe, Architect P.C.

Georgia Architect License #5521 dated Feb 9, 1984

1553 Emory Road NE Atlanta, GA 30306



From: [Linda Dunlavy](#)
To: [Bragg, Rachel L.](#)
Cc: [Cullison, David](#); dingleterry@gmail.com; [Naomi Singleterry](#); [Ernstes, Viviane](#)
Subject: RE: 1853 North Decatur Road- Appeal of HPC decision
Date: Monday, August 7, 2023 3:41:55 AM
Importance: High

Rachel:

I have reviewed the appeal and request that the Comments from Cynthia Tauxe be stricken from the appeal documents and not included in any agenda packet or staff report forwarded to the Board of Commissioners. Ms. Tauxe's written comments were not part of the Record before the HPC and she did not testify before the HPC on this matter. Her comments were drafted after the HPC decision. Through her written comments the appellants attempt to introduce "facts" or "evidence" after the Record before the HPC was closed. Per Code section 13.5-8(12)(f) the BOC is not allowed to consider any document that is not part of the official record. No new reports may be introduced for the first time on appeal. As such, the comments from Cynthia Tauxe cannot legally be considered. Moreover, the "comments" submitted by Cynthia Tauxe on 8/3 come more than one year after the demolition application was originally filed and after the application's approval by the HPC. Appellants participated fully in the proceedings before the HPC and had ample opportunity to submit these comments before the HPC decision. This 11th hour irregular and improper submission should not be forwarded to or considered by the Board of Commissioners and the applicants vigorously object to its inclusion in any materials forwarded to the Commissioners on this appeal.

Please provide me your written confirmation that the Comments of Cynthia Tauxe will not be transmitted by staff as part of the appeal in this matter. Thank you,

Linda Dunlavy
Attorney for D.J. and Naomi Singleterry

From: Bragg, Rachel L. <RLBragg@dekalbcountyga.gov>
Sent: Thursday, August 3, 2023 4:32 PM
To: Linda Dunlavy <ldunlavy@dunlavylawgroup.com>
Cc: Cullison, David <dccullis@dekalbcountyga.gov>
Subject: 1853 North Decatur Road- Appeal of HPC decision

Good afternoon,

We have received the attached appeal regarding the HPC decision for 1853 North Decatur Road. Please submit any response within 5-days, by Tuesday, August 8.

Thank you,

Rachel L. Bragg

Zoning Administrator
(she/her)

[DeKalb County Department of Planning & Sustainability](#)

178 Sams Street

Decatur, GA 30030

rlbragg@dekalbcountyga.gov

Cell Phone: 470-371-1494

Date: August 4, 2023

To: Clerk to the DeKalb County Board of Commissioners
and
DeKalb County Law Department
Manuel Maloof Building
1300 Commerce Drive
Decatur, GA 30030

cc via email: Rachel L. Bragg (RLBragg@dekalbcountyga.gov)
Zoning Administrator
and
David Cullison (dccullis@dekalbcountyga.gov)
Senior Planner
DeKalb County Department of Planning & Sustainability

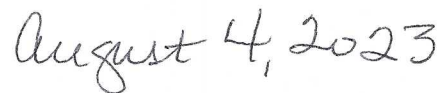
From: Mary Slaughter
1907 Ridgewood Drive NE
Atlanta, GA 30307
404-593-3132

RE: Historic Preservation Committee Appeal – Supplemental Information
1853 N. Decatur Road, Atlanta GA 30307

Attached please find supplemental information, submitted in accordance with Dekalb County
Historic Preservation Committee Appeals Code, 13.5-8(12) d.



Mary Slaughter



Date

Supplemental Information: Submitted in accordance with Dekalb County Historic Preservation Committee Appeals Code, 13.5-8(12) d.

Address of Property: 1853 N. Decatur Road, Atlanta, GA 30307

Appellants: Margarita Studemeister and Renee Nelson (appeal filed 8/2/2023)

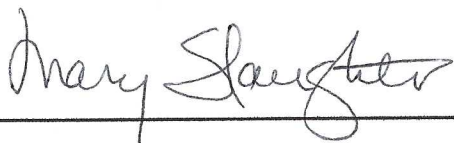
Address of Appellants: 520 Emory Circle NE and 526 Emory Circle NE, Atlanta GA 30307

Property Owner Providing Supplemental Information: Mary Slaughter

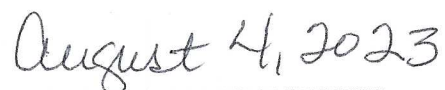
Address: 1907 Ridgewood Drive NE, Atlanta, GA 30307 (within 1500 ft. 1853 N. Decatur Road)

Support for Grounds of Appeal:

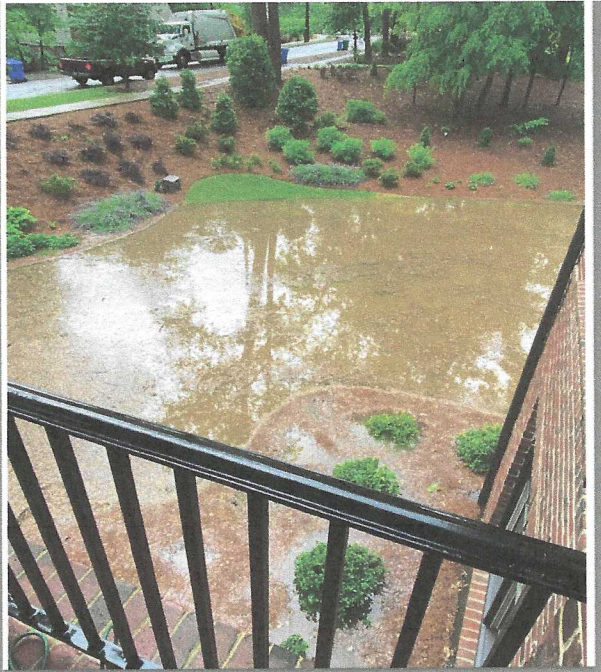
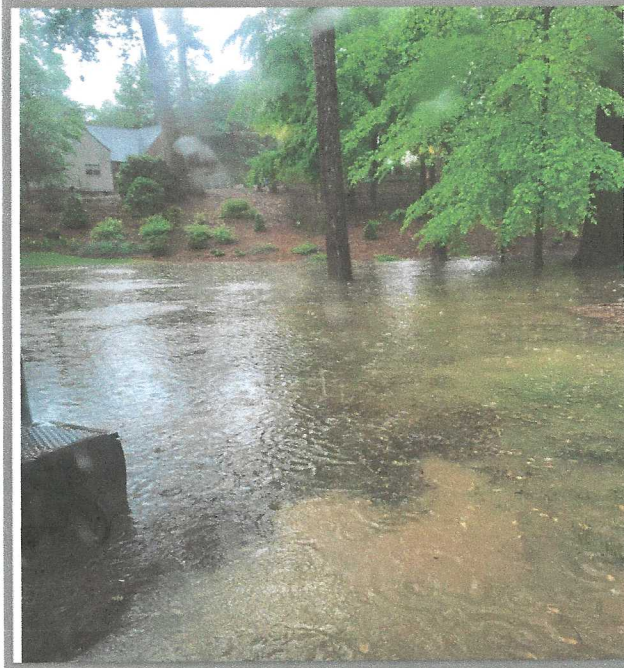
The Historic Preservation Committee (HPC) failed to consider the watershed and drainage impact on adjoining properties of a 10,800+ square foot structure. The additional hard surface coverage associated with this massive new home will contribute to an existing flooding condition on my property, caused by Dekalb County's watershed and street drainage plan. This flooding issue was escalated to Michelle Long Spears, Peggy Allen, and Richard Lemke on April 25, 2023 (see attached email) and is under evaluation. The watershed that flows through the backyard of 1853 N. Decatur Road, flows to my property with such speed and volume that my property regularly floods, frequently within a few feet of the house foundation. No additional hard surface coverage at 1853 N. Decatur Road should be approved without first resolving the flooding caused by the existing watershed plan. The attached pictures of 1907 Ridgewood Drive NE, Atlanta GA 30307, show the severity of the flooding in comparison to dry conditions. This flooding condition happens monthly, sometimes 2-3 times per month.



Mary Slaughter



Date





Mary Slaughter <mary.f.slaughter@gmail.com>

Watershed Issue and yard flooding - 1907 Ridgewood Drive NE

Enloe, Caroline <clenloe@dekalbcountyga.gov>

Tue, Apr 25, 2023 at 9:55 AM

To: "Allen, Peggy" <pvallen@dekalbcountyga.gov>, "Lemke, Richard (Rick) W." <rwlemke@dekalbcountyga.gov>, "Williams, Zachary L." <zlwilliams@dekalbcountyga.gov>

Cc: "mmo@mmolaw.com" <mmo@mmolaw.com>, "mary.f.slaughter@gmail.com" <mary.f.slaughter@gmail.com>, "Spears, Michelle L" <milspears@dekalbcountyga.gov>

Please see request for assistance below from Mary Slaughter regarding storm drain overflow and runoff onto her property. She included the attached photo to depict the amount of water that flows through her property during rains. I realize there may be some issues on her private property, but can you please inspect, and also inspect the storm drain a street over that she references and let us know if the county can assist in any way? We understand there are storm drain issues all over the county and that the PWI committee, under the Board of Commissioners, took this matter up on a recent agenda. Please let us know about future action the county may be considering that could impact this area and the runoff onto Ms. Slaughter's property.

Thank you for your review, inspection, and reply.

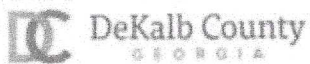
Sincerely,

Caroline Enloe, *Chief of Staff*

Michelle Long Spears, Commissioner

District 2, DeKalb County

404-371-2863



P.S. If you want to stay up-to-date on DeKalb news, please subscribe to Commissioner Spears newsletter:

<https://dekalbcountyga.us21.list-manage.com/subscribe?u=b9007140b39a5e9590f45decb&id=88acfe891f>

From: mmo@mmolaw.com <mmo@mmolaw.com>

Sent: Monday, April 24, 2023 1:38 PM

To: Enloe, Caroline <clenloe@dekalbcountyga.gov>

Subject: Fwd: Watershed Issue and yard flooding - 1907 Ridgewood Drive NE

Can you please help my neighbor Mary Slaughter. Thank you.

We support the appeal submitted by Margarita Studemeister and Renee Nelson, against the recent decision by the DeKalb County Historic Preservation Commission approving the demolition of the historic home at 1853 N Decatur Road and its replacement with an oversized and out-of-character house.

NAME	ADDRESS
Carlos Charry and Erin Trapaga	461 Durand Drive
Seth Kelly and Suzanne Ledoux	449 Emory Circle
Jessica Joy	1839 N Decatur Road
Jarrett Gossett	1904 Ridgewood Drive
Kyle Ruth	1900 Ridgewood Drive
Pamela Giles	1897 Ridgewood Drive
Gary Tapp	454 Emory Circle
Cathleen Woodward	458 Emory Circle
Wade Sanner and Felipe Restrepo	493 Emory Circle
Melissa P. Walker	1811 Burlington Place
Charles Vela	520 Emory Circle
Evelyn C. Kerpel	486 Emory Circle
Mary Slaughter	1907 Ridgewood Drive

Applicants respond to each assertion of error submitted by the appellants as follows:

The “comments “of Cynthia Tauxe should not be considered by the Board of

Commissioners. Per Code section 13.5-8(12)(f) the BOC is not allowed to consider any document that is not part of the official record. No new reports may be introduced for the first time on appeal. This irregular and improper submission attempts to introduce new evidence after the Record closed and the HPC made its decision. Consideration of these “comments” would inject error into the BOC consideration of the appeal and violate clear prohibitions in the Code.

The historic nature of the property was clearly and repeatedly considered by the HPC and staff. Guideline 7.3.3 only applies to historic properties. As such, the entire back drop for consideration of the demolition request was premised on the house being a historical contributing structure (see staff reports in Record for June 2022, July 2023, and February 2023). The HPC consistently acknowledged the historic status of this property and struggled with its demolition decision because it recognized this status.

The technical reports submitted by applicants were not “flawed” nor inadequate to support demolition approval. Applicants introduced 3 different experts and their conclusions that “rehabilitation of the property as currently constructed, is not feasible”. Gus Harrington is a structural engineer with decades of expertise and contributions to iconic structures such as the World of Coca Cola. Dennis Brown has been a professional builder for nearly 3 decades. Geoff Huebner has an engineering career that spans more than 30 years with a focus in foundation design. These experts consistently provided evidence to justify their findings; they made themselves available for questions during all the HPC meetings. These experts provided sound technical reports. The technical reports demonstrated that the demolition application met the relevant criteria and went beyond reports that were provided for previous demolitions approved

within the District. There is no guidance in the Ordinance or Guidelines for the content of demolition reports. Absent such specific guidance, applicants relied on what had been provided in prior approved demolitions and responded to the feedback of HPC members and staff to support their demolition request. In so doing, the applicants provided a comprehensive analysis so the HPC could make an informed and justified decision. The **only** submitted evidence relevant to demolition were applicants' reports from their experts. These reports clearly demonstrate the need for rehabilitation; note that current conditions are unacceptable for continued occupancy because if the observed movements and deflections do not receive corrective action, a catastrophic failure could occur. The home is compromised and progressively failing. It cannot feasibly be rehabilitated.

Ms. Tauxe continues the appellants pattern of incorrectly making speculative assumptions and assertions about this home. Harrington Engineers confirms that while brick veneer is generally one wythe of brick (app. 4" thick), the brick foundation walls for this house consist of 2 wythes of brick, or about 8" thick. These perimeter exterior foundation walls support the exterior walls and the floors that frame to the exterior walls. These are bearing walls, not simply veneer. Also, there is no evidence of corner piers. The countless speculations of the appellants are not supported by evidence. While Ms. Tauxe and the appellants make highly speculative assertions, neither the technical experts nor the HPC are required to play whack-a-mole to counter the baseless assertion offered. Failure to do so does not make the reports "flawed" or inadequate.

Nothing in the Ordinance or Guidelines require that a demolished historical structure be rebuilt so that it is exactly the same as before. While the HPC may have required the owners of 955 Springdale to rebuild the façade of a demolished historical structure such that it was exactly the same as the demolished façade, there is nothing in the Ordinance or Guidelines

addressing this, let alone requiring it. 955 Springdale was only one of several historical demolitions approved. The HPC has approved at least 11 historic homes for demolition. Records relevant to the HPC's prior approval of the demolition of seven historic homes that had similarities to the reports and testimony submitted by the applicants were presented. The demolition support material for 1097 Dan Johnson, 1098 Dan Johnson, 1107 Dan Johnson, and 1302 Stillwood are indistinguishable from this application. Approval of the subject demolition is completely consistent with these past approvals i.e., not arbitrary, or capricious.

The HPC properly considered the Guidelines relevant to new construction as set forth in the staff analysis. Streetscape drawings and numerous other drawings demonstrative of the compliance of the proposed new home with the Guidelines were presented by Angel Shockey, architect with Jones Pierce. The new design is for an 8000 sq ft home (not the 10,000 sq ft + asserted by appellants) and is comparable to many homes in the immediate vicinity. The proposed plans meet all relevant Guidelines (square footage is not a Guideline) Streetscape drawings from 3 surrounding streets were not requested nor required. However, streetscape drawings for the front facades along North Decatur Road make it clear that the new home meets all relevant Guidelines (massing, scale, proportion, setbacks etc.) such that it will not have any adverse impact on the District or any historic structure within it.

The HPC did not dismiss the opposition. The HPC gave the opposition the opportunity to participate fully in the proceedings and introduce documentary evidence. Just because 11 people allegedly opposed the COA approval does not mean the HPC dismissed them or should count noses and give them the result they desire. Nothing in the Code or Guidelines requires this. The HPC acted carefully, with due consideration and deliberation. There was nothing arbitrary, capricious, or erroneous about the decision to approve the application at issue.



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

July 20, 2023

Site Address: 1853 N DECATUR RD
ATLANTA, GA 30307-

Parcel ID: 18-052-05-035

Applicant: Linda I Dunlavy DUNLAVY LAW GROUP

Mailing Address: 245 North Highland Ave NE
Suite 230, #905
DECATUR, GA 30030

THIS IS TO ADVISE YOU THAT THE DEKALB COUNTY HISTORIC PRESERVATION COMMISSION, AT ITS REGULARLY SCHEDULED PUBLIC MEETING ON July 17, 2023, REACHED THE FOLLOWING DECISION ON THIS APPLICATION:

ACTION: Approval

Demolish and replace the house and other elements, including adding a retaining wall in the front yard facing the house.

Decision of the DeKalb County Historic Preservation Commission

Name of Applicant: _____ Linda I. Dunlavy, Dunlavy Law Group, LLC _____

Address of Property: _____ 1853 N Decatur Rd _____

Date(s) of hearing if any: _____ July 17, 2023 _____

Case Number: _____ 1246298 _____

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:

Demolish and replace the house and other elements, including adding a retaining wall in the front yard facing the house.

The applicant has provided alleged expert reports from 3 experts in similar fields - structural engineer, professional builder, and a foundation specialist. These persons say the building cannot be brought back and should be demolished and absent contrary reports saying the opposite we have to rely on these experts and their conclusions because we have not been provided with any sort of rubric for how to determine when we can reject conclusions of experts.

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:

7/21/2023

Signature:



**Chair, DeKalb County
Historic Preservation Commission**

DeKalb County Historic Preservation Commission

Thursday July 17, 2023- 6:00 P.M.

Staff Report

New Construction Agenda

N. 1853 North Decatur Road, Linda I. Dunlavy, Dunlavy Law Group, LLC. Demolish and replace the house and other elements. 1246298 **Remanded**

Built 1941. (18 052 05 035)

This property is in the University Park- Emory Highlands- Emory Estates National Register Historic District and in the University Park- Emory Highlands – Emory Estates Character Area.

04-03 1853 North Decatur Road (DH), Michael Dennard. Build a wooden deck at the side of the house. **Deferred until May.**

05-03 1853 North Decatur Road (DH), Michael Dennard. Build a wooden deck at the side of the house. Deferred from April. **Approved with stipulation.**

06-22 1853 North Decatur Road, Robert Platt. Demolish and replace the house and other elements. 1245887 **Deferred**

07-22 1853 North Decatur Road, Robert Platt. Demolish and replace the house and other elements. **Denied**

11-22 1853 North Decatur Road, Linda Dunlavy. Demolition of house. 1246161 **Withdrawn**

The Board of Commissioners remanded this appeal: "I move to reverse and remand the Historic Preservation Commission's decision with direction. On remand, the Commission should explain its application of the factors in Section 13.5-8(3) and the Design Manual for the Druid Hills Local Historic District to the facts of this case, including whether it is feasible to rehabilitate the property as currently constructed, and whether its decision is consistent with prior decisions of the Historic Preservation Commission involving similar properties."

Updated reports address the ability to rehabilitate the structure within the existing footprint:

Structural Engineers, Gus Harrington, Harrington Engineers, "Supplemental Field Inspection Report" **pages 7-10**

- Updated to focus on rehabilitating the existing structure with no additions.
- Concludes that it is **not reasonably feasible to rehabilitate** the existing footprint of the house.
- Provides summary of existing conditions and requirements for remediation.
 - Concludes there is significant risk to existing structure from remediation efforts.
 - Recommends the house remain unoccupied in the current condition.

Professional Builder, Dennis Brown, "Homeside Construction Report"

pages 12-14

- "Due to the fragility of the home and the complete lack of footings, there is a high probability that the existing exterior walls will suffer irreparable damage and the home as we see it today cannot be preserved."
- Concludes that efforts to rehabilitate the structure will likely (more than 50%) result in significant damage to exterior walls and the house and would not allow for the preservation of the existing home or its elements.
- Details scope of work to remediate foundation issues.
- **Does not recommend scope of work due to the likelihood of damage.**

Foundation Specialist, Geoff Hubner, Padstone Engineering, "Geotechnical Reivew of Foundation and Structural Conditions"

pages 16-17

- Efforts to repair or replace the non-existent foundation would likely result in damage to the existing home and repairs would likely result in the retention of few historic characteristics.
- Concludes that they **do not recommend attempting** to remediate or rebuilding the foundation due to the risks to the structure.

Conclusion:

Existing historic characteristics will be at significant risk during any effort to rebuild the foundation of the house and those elements are likely to be destroyed or significantly damaged in the process of attempted rehabilitation.

Three experts advise that rehabilitation is unsafe and not a viable option.

Demolition Research:

Using the demo database and other resources Staff identified 16 applications for demolition of historic houses:

Denied – 1 (2021)

Approved because the building had no architectural or historic significance – 3 (2001, 2013, 2014)

Approved because the building was so unsound that rehabilitation was not possible – 8 (2005, 2006, 2009, 2012, 2015, 2017, 2018, 2022)

Approved because rehabilitation was "not practically possible" – 1 (2007)

Approved based on condition, but "so unsound that rehabilitation was not possible" wasn't stated - 1 (1998)

Unknown – 1 (2006)

Applicant provided direct comparisons to several previously approved demolition applications:

page 18-22 for summary, followed by copies of the applications.

- 1097 Dan Johnson Road
- 1098 Dan Johnson Road
- 1302 Stillwood Drive

Conclusion:

Comparisons to at least three (3) previously approved demolitions to the existing conditions at 1853 North Decatur regarding architectural significance and expert opinions/recommendations appear valid.

New Construction:

pages 149-169 of "1853 N Decatur Rd Appeal" document

The proposed new construction is one-and-a-half (1 ½) stories at the front elevation and three (3) stories at the rear, due to the change in topography at the site (it drops significantly from the front of the property to the rear from 980 to 954). The house is setback ~45 feet from the front property

line, an increase from the ~35ft setback of the existing house. Based on the front and side yard setbacks, it will maintain the established development pattern the block it sits on as well as the block to the east and west. It is designed in an English Revival style, a common type throughout the district and inspired by other examples in the area of influence (page 160).

The front elevation features two projecting gables (12/14 pitch) with the front entry way recessed into the inset gable. To the left (east) of the gables, there is a chimney and a projecting sunroom. The cross gabled roof will be clad in architectural shingles. The house will be clad in white brick (page 165) in a running bond pattern. Portions of the western side elevation and the rear porch with standing seam metal roof may be visible from the right of way. Much of the massing of the house is set below street level and will be less visible from the right of way.

The driveway will utilize the existing curb cut and will be concrete with a middle grass strip. The driveway leads down the hill to two, two-car garages. Neither is likely to be visible from the right of way due to the topography of site (it will be ~15ft below street level) and the distance from the front property line.

Six (6) trees will be removed from the site.

The applicant also proposes construction of a boulder retaining wall in the front yard. The purpose of the wall is to deflect drainage away from the house. The wall will face the house and so will not be visible from the right-of-way.

Recommendation

Approve the application for demolition, based on the following conclusions and the directive of the Board of Commissioners:

- The house is so unsound that rehabilitation is not possible (Guideline 7.3.3) and it should be allowed to be demolished. The three updated reports from an engineer, builder and a foundation expert state that they would not recommend any attempt to install a new foundation or repair the existing foundation, even if the house were to remain within the current footprint. They further agree that this attempt is likely to result in significant damage to any historic characteristics or elements, and any repair would result in the replacement of historic materials with non-historic materials. Therefore, it is NOT feasible to rehabilitate the property as currently constructed.
- There have been at least three prior approvals for similarly situated houses. Previously approved applications also appeared to have significant foundation issues and limited (or no) existing architectural significance. Therefore, it does appear that approving the demolition of this house would be in line with previous Historic Preservation Commission decisions.

Approve the application for new construction. The build-back plan appears appropriate in setback, orientation, scale, height, proportion, rhythm and massing (Guidelines 7.2.3, 7.2.4, 7.2.5, 7.2.6, 7.2.7) and would not have a substantial adverse effect on the historic district.

Approve the application for the boulder retaining wall in the front yard. The purpose of the guideline is to avoid having walls facing the right-of-way. Since this wall faces the house, it will not be visible from the street. Similar walls have been approved on other properties.

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.

7.1 Defining the Area of Influence (p64) Guideline - In considering the appropriateness of a design for a new building or addition in a historic district, it is important to determine the area of influence. This area should be that which will be visually influenced by the building, i.e. the area in which visual relationships will occur between historic and new construction.

7.2 Recognizing the Prevailing Character of Existing Development (p65) Guideline - When looking at a series of historic buildings in the area of influence, patterns of similarities may emerge that help define the predominant physical and developmental characteristics of the area. These patterns must be identified and respected in the design of additions and new construction.

7.2.1 Building Orientation and Setback (p66) Guideline - The orientation of a new building and its site placement should appear to be consistent with dominant patterns within the area of influence, if such patterns are present.

7.2.2 Directional Emphasis (p67) Guideline - A new building's directional emphasis should be consistent with dominant patterns of directional emphasis within the area of influence, if such patterns are present.

7.2.3 Shape: Roof Pitch (p68) Guideline - The roof pitch of a new building should be consistent with those of existing buildings within the area of influence, if dominant patterns are present.

7.2.3 Shape: Building Elements (p68) Guideline - The principal elements and shapes used on the front facade of a new building should be compatible with those of existing buildings in the area of influence, if dominant patterns are present.

7.2.3 Shape: Porch Form (p68) Guideline - The shape and size of a new porch should be consistent with those of existing historic buildings within the area of influence, if dominant patterns are present.

7.2.4 Massing (p69) Guideline - The massing of a new building should be consistent with dominant massing patterns of existing buildings in the area of influence, if such patterns are present.

7.2.5 Proportion (p70) Guideline - The proportions of a new building should be consistent with dominant patterns of proportion of existing buildings in the area of influence, if such patterns are present.

7.2.6 Rhythm (p71) Guideline - New construction in a historic area should respect and not disrupt existing rhythmic patterns in the area of influence, if such patterns are present.

7.2.7 Scale/Height (p72) Guideline - New construction in historic areas should be consistent with dominant patterns of scale within the area of influence, if such patterns are present. Additions to historic buildings should not appear to overwhelm the existing building.

7.2.7 Scale/Height (p72) Guideline - A proposed new building should appear to conform to the floor-to-floor heights of existing structures if there is a dominant pattern within the established area of influence. Dominant patterns of cornice lines, string courses, and water tables can be referenced to help create a consistent appearance.

7.2.8 Individual Architectural Elements (p73) Guideline - New construction and additions should be compatible and not conflict with the predominant site and architectural elements—and their design relationships—of existing properties in the area of influence.

7.3.2 New Construction and Subdivision Development (p75) Guideline - To be compatible with its environment, new construction should follow established design patterns of its historic neighbors, including building orientation, setback, height, scale, and massing.

7.3.2 New Construction and Subdivision Development (p75) Guideline - New construction should respect the historic character that makes the area distinctive, but it should not be a mere imitation of historic design.

7.3.3 Demolition and Relocation (p75) Guideline - Historic buildings and structures should not be demolished unless they are so unsound that rehabilitation is not possible. Historic buildings should not be moved off the property or relocated on the site, nor should other buildings be moved onto the site.

8.2 Trees (p78) Recommendation - The mature hardwood forest within the Druid Hills Local Historic District should be perpetuated through a district-wide replanting program. Trees should be replaced when mature trees are lost to age or damage or are removed for safety reasons. Replacement trees should be of identical or similar varieties to the original trees. A diversity of tree types is recommended to perpetuate the existing character of most tree groupings. Replacement trees of adequate size (1.5" caliper minimum) are recommended. Existing ordinances that provide for the protection and replacement of the district's tree resources should be applied to development activities within Druid Hills.

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.

9.5 Parking (p90) Guideline - Parking should be addressed in a manner that does not distract from the overall character of the district. Parking to serve private residential lots should be accommodated on-site, when at all possible, using the pathway of original drives and parking. Front yard parking should not be allowed unless it is a public safety issue. When front yard parking is necessary, it should be added in a manner that does not destroy the unbroken landscaped character of the front yard spaces in Druid Hills. Rear yard spaces should be considered for expansion of parking areas.

9.5 Parking (p90) Guideline - Curb cuts should not be added or expanded in order to protect the character of the district's streets.

9.7 Residential Landscape Design (p91) Recommendation - For residential yards, created without the assistance of landscape designers, historic landscape plans for other residential lots within the district should be used for guidance. These plans can be interpreted to create a new landscape plan that is based on historic traditions. Care should be taken to select designs for yards of similar size containing houses of similar style and scale.

13.0 University Park/Emory Highlands/Emory Estates Character Area: Compatibility (p118) Guideline - New construction should be compatible with the predominant architectural styles of the area, English Vernacular Revival and Colonial Revival, and should reference important building elements of these styles such as the projecting gables, prominent chimneys, and small side porches of English Vernacular and the accented entrances of both styles.

Project #	Date	Address
1244683	1/19/2021	1207 Oakdale Road (1928)
1244683	2/16/2021	1207 Oakdale Road (1928)
1244749	2/16/2021	1137 Dan Johnson Road (1955)
1244683	3/18/2021	1207 Oakdale Road (1928)
1245084	7/19/2021	1815 S. Ponce De Leon (*Main building 1922/1929)
1245084	8/16/2021	1815 S. Ponce De Leon (*Main building 1922/1929)
1245363	12/13/2021	1266 Briardale Lane (1950)
1245618	3/22/2022	2172 West Ponce de Leon Avenue (1950)

1245760

5/16/2022 922 Lullwater Road (1950)

6/21/2022 1853 North Decatur Road (1941)

11/14/2001 1595 Emory Road (1929)

21612

9/27/2017 957 Briarcliff Road (1926)

21573

2/22/2018 627 Ridgecrest Road (1932)

995 Springdale Road (1923)

2/21/2012 1097 Dan Johnson Road (1940)

8/15/2005 1169 Lullwater Road (1929)

8/20/2018 1182 The By Way (1940)

1/16/2007 1185 The By Way (1941)

9/18/2017 1254 Stillwood Drive (1925)

4/17/2006 1302 Stillwood Drive (1925)

12/16/2013 1907 Ridgewood Drive (1930)

1839 North Decatur Road (1950)

8/8/2001 2015 North Decatur Road (1930)

10/11/2000 2049 North Decatur Road (1946)

1246115	10/17/2022 1859 Ridgewood Drive (1920*)
1246118	10/17/2022 452 Ridgecrest Road (1940*)
13180	4/1/2007 1164 Clifton Road (1952)
13400	6/1/2007 1253 University Drive (1950)
13989	9/1/2007 1229 University Drive (1958)
14781	5/1/2008 263 Vickers Drive (1950)
14179	7/1/2008 904 Clifton Road (1950)
15901	7/1/2009 1605 North Decatur Road (1953)
16959	3/1/2011 1256/1260 Briarcliff Road (1960s)
17114	6/1/2011 1466 Oxford Road (1955)
18925	10/1/2013 1107/1109 Dan Johnson Road (1941)
	1141 Dan Johnson Road
17856	5/1/2012 1107 Oakdale Road (1959)

17868	5/1/2012 1116 Dan Johnson Road (1953)
17869	5/1/2012 1133 Dan Johnson Road (1947)
19839	4/24/2015 1512 North Decatur Road (1929)
	3/1/2005 267 Chelsea Circle (1958)
	6/1/2005 315 Vickers Drive (1956)
10297	10/1/2006 519 Durand Drive (1935)
	1000 Clifton Road
	1000 Springdale Road
	11/1/2001 1203 The ByWay (1953)
	11/1/2001 1209 The ByWay (1947)
	12/1/2005 1247 University Drive
	8/1/2006 1282 Briardale Lane (1950)
	4/1/2003 1287 The ByWay (1950)
	7/1/2004 1288 Briardale Lane (1950)
	3/1/2005 1314 University Drive

8/1/2006 1444 Oxford Road

Historic Status	Owner
Historic	Harold and Linda Jensen

Historic	Harold and Linda Jensen
Non-Historic	Dave Price - Price Residential Design

Historic	Harold and Linda Jensen
Non-Historic	Metro Engineering & Survey Co.
Non-Historic	Metro Engineering & Survey Co.
Non-Historic	Adam Stillman
Non-Historic	Charles Cash

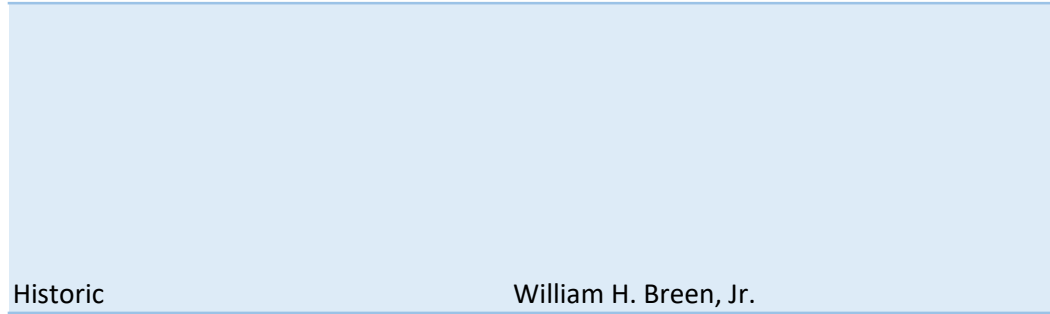


Non-Historic

Davis Bishop (FIELD Landscape Architecture)

Historic

Robert Platt



Historic

William H. Breen, Jr.

Historic

Chris Missling



Historic

Edward Greco

Historic

Kasey Gryboski

Historic

Daniel J. Matthews Trust

Historic

Howard Williams

Historic

David Price (architect)

Historic

Willie & Michelle Westhuizen

Historic

Kathleen Curry

Historic

Craig Davis

Historic

Joe Shelby

Non-Historic

Phillip Clark Custom Builders (architect)

Historic

Charles Buckley

Non-Historic

Harold Cunliffe

Historic

Dave Price - Price Residential Design

Non-Historic

John Sitton

Non-Historic

Emory University

Non-Historic

Scott Klemens

Non-Historic

BWH Holdings, LLC.

Non-Historic

Rutledge Alcock Architects

Non-Historic

Muta & Jill Issa

Non-Historic

Paul Doss

Non-Historic

Charles Rossignol (Emory University)

Non-Historic

Gunn Construction

Historic

Phillip Clark Custom Builders & Dunlavy Law Group, LLC

Non-Historic

Non-Historic

Phillip Clark Custom Builders

Non-Historic

Phillip Clark Custom Builders

Non-Historic

Phillip Clark Custom Builders

Historic

Phillip Clark Builders

Non-Historic

Daniel L. Frymire

No date of construction provided

Chris Christian/Julie Maas

Historic

Smith, Gambrell & Russell, LLP

Non-Historic

Non-Historic

Non-Historic

Steve Shepherd

Non-Historic

Steve Shepherd

Non-Historic

Non-Historic

Daniel Betsill/Jones Pierce Architects

Non-Historic

Michael & Kathy Allan

Non-Historic

Harrison Design Associates

Non-Historic

Jeffrey Dinkle

No date of construction provided

Scope	Result
Demolish and replace a house	Deferred
Demolish and replace historic house	Deferred
Demolish and replace non-historic house	Approved with Modification
Demolish and replace historic house, relocate driveway and front walk	Denied
Demolish a non-historic building and install a fence	Approved ; Deferred
Demolish a non-historic building and install a fence	Approved
Demolish non-historic house. Construct new home	Approved
Demolish and replace non-historic house and garage	Approved

Demolish and replace non-historic house and garage

Approved with Modification

Demolish and replace historic house.

Deferred

Demolition and modified reconstruction of a house

Approved

Demolish and replace historic house

Approved with Modification



Demolish and replace historic house

Approved with Modification

Demolish and replace historic house

Approved with Modification

Demolish and replace historic house

Approved with Modification

Demolish and replace historic house

Approved with Modification

Demolish and replace historic house

Approved with Modification

Demolish and replace historic house

Approved with Modification

Demolish and replace historic house

Approved

Demolish historic house

Approved

Demolish historic house

Approved with Modification

Demolish non-historic house. Construct new home

Denied

Demolish historic house

Approved with Modification

Demolish non-historic house. Construct new home

Approved

Demolish a historic house. Construct new home

Approved with Modification

Demolition of non-historic house. Construct new home.

Approved with Modification

Demolish the house and make property into a park.

Approved with Modification

Demolish house and build new house.

Approved with Modification

Demolish house and build new house.

Denied (Listed on Dunlavy's
'Approved' list)

Demolish house and build new house.

Approved

Demolish house and build new house.

Approved with Modification

Demolish structures, remove pavement, plant with grass.

Approved with Modification

Demolish 8 cottages on Emory West campus

Approved

Demolish nonhistoric build

Approved with Modification

Demolish existing house and build new house.

Approved with Modification

Demolish secondary structure

Approved

Demolish secondary structure

Approved

Demolish house and garage

Approved

Demolish house and build new house.

Approved with Modification

Demolish nonhistoric house and build new one

Approved with Modification

Demolish nonhistoric house and build new one

Approved

Demolish house

Approved with Modification

Demolition of nonhistoric building and its replacement with a new house

Approved

Demolition of nonhistoric building and its replacement with a new house

Approved

Demolish house and build new house

Approved with Modification

Demolish existing nonhistoric house and build a new house

Approved

Demolish existing ranch and build new house

Approved

Demolish nonhistoric house and build a new one

Approved

Staff Comments

N/A

The reports do not show that the house is so unsound that rehabilitation is not possible. The proposal to demolish the house does not comply with guideline 7.3.3 and the demolition would have a substantial adverse effect on the aesthetic, historic and architectural significance and value of the historic property and the historic district. Staff recommends denial of the application.

Because the new house will not have a substantial adverse effect on any property in the area of influence the application appears to meet the guidelines and staff recommends approval.

The criterion for demolition in guideline 7.3.3 is that the house be so unsound that rehabilitation is not possible. Staff will defer to commission member Sarah Pitts for comments on the application for demolition. If demolition is approved, the proposed new development does not meet several of the guidelines. The primary concern with the proposed new house is its width. Discounting the corner lots at the By Way, at 149 feet, this is the widest lot on Oakdale Road between The By Way and North Decatur Road. The only lot close in width to this one is 1183, with a width of 137 feet. Most of the lots have a width of 100 feet. The proposed width of the house is 120 feet, roughly 80% of the width of the lot. The existing house is a little over 50 feet wide, roughly 34% of the lot width. The nearby houses, those within the area of influence appear to be between 40 feet and 80 feet wide. The main body of the house fits within the range, but the addition of the garage wing takes it well beyond. Other concerns: Parking is supposed to be addressed in the backyard. The height of the house is not provided. Several landscape-related concerns in the front yard, including the use of hedges, the replacement of overstory trees and the relocation of the driveway and front walk. There is not enough information to review any of the proposed changes in the backyard.

1. Approve. The house is non-historic and a danger to health and safety. 2. Approve. 3. Approve. The proposed changes do not appear to have a substantial adverse effect on the property or the district. This application appears to meet the guidelines and the staff recommends approval.

1. Approve with the condition that no fence posts will be placed in the root plate of any tree and all stringers will be constructed at or above grade. The application meets guideline 9.4 including the vinyl covered chain link fencing in black to make it less obtrusive, and the height. The proposed changes do not appear to have a substantial adverse effect on the property or the district. This application appears to meet the guidelines and the staff recommends approval. 2. DeKalb county does not review projects within the City of Atlanta.

Approve. The standard of review for a new house is its effect on historic buildings in the area of influence. There are no buildings within this area of influence. The application appears to meet the guidelines and will not have a substantial adverse effect on the historic district.

1. Approve. These proposed changes do not appear to have a substantial adverse effect on the property or the district. This scope appears to meet the guideline 7.3.3 and the staff recommends approval. 2. Approve. 3. Deny. Fences should not be in front yard (9.5). 4. Approve. These proposed changes do not appear to have a substantial adverse effect on the property or the district. This scope appears to meet the guidelines 7.2, 8.1, 9.7 and the staff recommends approval.

Approve. The structures are considered non-historic (1950). This scope complies with the guidelines, including Demolition (7.3.3). 2.Deny - although the location and design of the driveway appear appropriate, the exposed aggregate concrete driveway and the cobblestone apron are not appropriate materials and denial is recommended for that portion of the application. 3.Approve with modification- the fence location should be push back to the rear of the side elevation of the front wing. 4.Approve. Staff has requested additional information regarding the visibility of parked cars from the ROW. The structure appears to meet the guidelines regarding the scale, massing and location of the construction (7.2.3,7.2.4,7.2.5,.7.2.6,7.2.7,7.2.8, 7.3.2). 5.Deny. Retaining walls should not be located in the front yard (9.4).6.Approve. These proposed changes do not appear to have a substantial adverse effect on the property or the district. This application appears to meet the guidelines and the staff recommends approval. 7.Approve. These proposed changes do not appear to have a substantial adverse effect on the property or the district. The structure is unlikely to be visible from the ROW. This application appears to meet the guidelines (7.2.3,7.2.4,7.2.5,.7.2.6,7.2.7,7.2.8, 7.3.2). and the staff recommends approval.8.Approve. These proposed changes do not appear to have a substantial adverse effect on the property or the district. This application appears to meet the guidelines and the staff recommends approval.9.Approve. It is recommended to replace removed trees. A diversity of tree types is recommended to perpetuate the existing character of most tree groupings. Replacement trees of adequate size (1.5" caliper minimum) are recommended.

Deny. These proposed changes appear to have a substantial adverse effect on the district. This application does not appear to meet the guidelines and the staff recommends denial. Guideline 7.3.3 states that historic buildings should not be demolished unless they are so unsound that rehabilitation is not possible. There was not information submitted that suggests this and staff site visit did not support such a determination. In addition, the proposed new construction does not appear to comply with 7.3 and appears incompatible in scale, massing, and design and with the parking guidelines in 9.5 and 9.6 and Trees (8.2).

The house is in very poor condition. It provided the illustration for the section about "Demolition by Neglect" on page 60 of the Design Manual for Druid Hills. The windows are all covered with plywood. Much of the stucco facing on the front porch has fallen. The sill beneath the front door has fallen, providing a large hole into the basement. A number of tiles are missing from the roof. The flat roof in the rear has collapsed and the resulting moisture appears to have damaged the foundation in that corner. The gutter system has all rotted or collapsed. The applicant proposed to demolish the house and build a new house, based generally on this one, duplicated the front facade. The only addition to the footprint of the house will be a two-car garage to be added in the rear. This plan has been approved previously. It still appears to meet the guidelines and the preservation planner recommends approval.

Demolish the house. Sufficient documentation has been provided to show that the house is "sounsound that rehabilitation is not possible". Build a new house. The house will be set in the same location as the existing house, overlapping the footprint in some areas. The two-story part of the house will be 39'4"± wide, with the one-story wings expanding it to 58'10"±. The house will be 34'± deep plus a 12'± rear deck. Ceiling heights will be 9' in the basement, 10' on the first floor and 9' on the upper floor. The house will be clad with brick similar to that found on the existing house and the existing granite foundation will be replicated, including the projecting mortar joints. The blacked out areas on the one-story elements shown on the plans at each end will be filled with herringbone pattern brick. Wooden louvered vents will be inserted into the empty openings in both ends of the attic. The roof will have a 6:12 pitch with clay tile. The windows will be wood with simulated divided lights. The front door and surrounds will be preserved and reused. If this is not possible, the applicant will apply for another CoA for replacement. Corrected as-built drawings of the house must be provided to the preservation planner prior to issuance of the certificate of appropriateness. (This was provided 9-27-17.)

The house and outbuildings were constructed during the district's period of significance, but the buildings are very much out of character for the district, and specifically for this character area. Although old enough, the house lacks architectural and historic significance and should not be considered historic. Staff recommends approval of the demolition of these structures.

The house design is a good representation of the style, reflecting some of the houses on Ponce de Leon, does not relate to the other houses on Ridgecrest.

Staff has several concerns:

- The drawings are not the dimensioned hardline drawings as typically required for new construction.
- The houses on Ridgecrest tend to be smaller.
- The proposed house is set about twice as far from the right-of-way than the other houses on Ridgecrest, although much closer than in previous applications.
- Some elements, like the 10' tall and 12' tall windows and the 10' tall doorway, are too large.
- The property does not have its own driveway.
- The tree plan does not appear to be sufficient or accurate. It does not show any tree protection measures. It is unlikely that some of the trees shown to be preserved will actually be preserved during construction.
- Unless the construction entrance is on the neighbor's driveway, additional trees will need to be removed to allow supplies and equipment onto the site.
- The applicant has given the heights of the adjacent houses as notes, but has not provided a streetscape drawing.
- The FFE is not shown.
- The brick is larger than normal.

Tennessee-Alabama field stone is generally not considered to meet the guidelines. Staff has asked

The proposed demolition appears to meet the guidelines and the preservation planner recommends approval. The new door does not appear to meet the guidelines and staff recommends denial.

The applicant has not provided any evidence that the house is so unsound that it cannot be rehabilitated. The proposed change would have a substantial adverse effect on the aesthetic, historic, and architectural significance and value of the historic district. The proposed change does not meet the guidelines. Staff recommends the application be denied and that the applicant be cautioned about demolition by neglect. The proposed new plan has not been reviewed because it is irrelevant if the house cannot be demolished.

Based on the information provided, it appears that the property is so unsound that rehabilitation is not possible. The request for demolition appears to meet the guidelines and would not have a substantial adverse effect on the historic district. Staff recommends approval if the replacement plans are also approved.

The proposal appears to meet the guidelines and would not have a substantial adverse effect on the district. Depending on the applicant's responses, staff anticipates recommending approval.

This house is more than fifty years old and it is a very good example of its type. Druid Hills has always been a mix of the larger mansions and more humble houses. The combination of the two is part of the pattern that makes up character of the historic district. This house contributes to that character. However, the documentation provided by the applicant is sufficient to show that the house is so unsound that rehabilitation is not practically possible. The proposed change appears to meet the guidelines. Staff recommends approval.

The applicant has provided sufficient evidence to show that the house is "so unsound that rehabilitation is not possible", as required by guideline 7.3.3. This application appears to meet the guidelines and the staff recommends approval.

Leaning toward approval

The proposed boundary modification to provide two 60' lots would have a substantial adverse effect on the district by changing the historic plat pattern. This does not meet the guidelines and the staff recommends denial. The same comments apply to combining the lots.

Although currently shown on the county maps as two lots, the zoning code has effectively made them into a single lot. A copy of that code section is in the file. Regardless of the HPC's decision, the county will consider them as a single lot per the zoning code. Combining the lots would also have a substantial adverse effect, would not meet the guidelines, and staff recommends denial. The house, although built in the period of significance, appears to have been poorly constructed, has been modified extensively and is not in keeping with the character of the district and this street in particular. Demolition of this house would not have a substantial adverse effect if a plan for appropriate replacement were approved at the same time.

Staff has many concerns with this application, which are listed below. Staff believes all of these are inappropriate under the guidelines.

- 1.The location, window size and shape of the front roof dormer.
- 2.On the front wall there is brick in the higher gable over half-timbering in the lower. If this was a traditional house the brick would be supported by the half-timbering, which is impossible. Even though it is only skin, heavy materials should not be put above lighter.
- 3.Rear covered porch is labeled optional. Need another rear elevation to show what the rear wall will look like without the porch.
- 4.Where half-timbering rests on brick it should be pulled out to the face of the brick, not set back from it.
- 5.The FFE is too far above grade.
- 6.Show railings where required.
- 7.Windows 6' tall and more are too big.
- 8.The 3'6" section of half-timbering on the right is very odd.
- 9.Windows in half-timbering must appear to rest on beams, again simulating historic work.
- 10.The placement of the windows appears random. I know the locations are to serve the interior plan, but our concern is the exterior.
- 11.The gable on the left side is incomplete.
- 12.Ten foot ceilings are too tall for this house.
- 13.If the lamp show in the illustration is what will be used, we need details.
- 14.The 28" wide driveway is too wide.

Additional questions and comments:

- The applicant must provide inside and outside photo documentation of the existing house.
- Will there be a stepping stone walk to North Decatur?
- The notes say HARDI BD will be used with the half-timbering, but staff assumes this means Hardiepanel.

This proposal does not meet the guidelines and would have a substantial adverse effect on the historic district. Staff recommends denial.

The preservation planner recommends approval of the CoA with the restrictions that the applicant document all four sides of the house with good quality photographs for the record, and that the retaining walls to the left of the driveway and behind the driveway in the rear remain intact. The developer may not be able to work them into the new development, but at this time it is better to leave them in place in case he can.

The house is not significant either historically or architecturally. This application appears to meet the guidelines and the preservation planner recommends approval.

Approve. The criterion for demolition in guideline 7.3.3 is that the house be so unsound that rehabilitation is not possible. Based on the information provided and the site visit conducted by staff, it appears that the property is so unsound that rehabilitation is not possible. Staff recommends approval. Additionally, the proposed new construction appears to meet the guidelines (7.2.1, 7.2.2, 7.2.3, 7.2.4, 7.2.5, 7.2.6, 7.2.7, 7.2.8) and staff recommends approval. If demolition is approved, applicant would need to provide staff a full site plan with proposed tree removal.

1. Approve. The structures are considered non-historic (1950). This scope complies with the guidelines, including demolition (7.3.3). 2. Approve. Location and design of the driveway are appropriate. 3. Approve with modification - the fence location should be pushed back to the rear of the side elevation (9.4). 4. Approve. These proposed changes do not appear to have a substantial adverse effect on the property or the district. Staff recommends approval (9.1). 5. Approve. The proposed changes appear to meet the guidelines (7.2.3, 7.2.4, 7.2.5, 7.2.6, 7.2.7, 7.2.8, 7.3.2). 6. Approve. The proposed changes appear to meet the guidelines (9.6).

The proposed work does not appear to have any a substantial adverse impact on the district. The proposal appears to meet the guidelines and staff recommends approval.

The proposed work does not appear to have any a substantial adverse impact on the district. The proposal appears to meet the guidelines and staff recommends approval.

This was reviewed several times for a previous applicant. The commission had agreed that demolition of this house was appropriate, but was concerned about the new construction.

Since this new house will not affect any historic buildings, it appears to meet the guidelines. The proposed work does not appear to have a substantial adverse impact on the district. The proposal appears to meet the guidelines and staff recommends approval.

Noah Speights of T.S. Adams spoke in favor of the application. Chris Leeth of the Druid Hills Civic Association also spoke in favor, expressing the opinion that not all Ranch-type houses should be preserved, even if they are more than fifty years old. The consensus of the commission was tin favor of demolition. Concern was expressed for protection of the magnolia in the front yard and the commission stressed the necessity of following the guidelines when the replacement house is designed.

The proposed changes do not appear to have a substantial adverse impact on the district. This application appears to meet the guidelines and the preservation planner recommends approval.

The proposed changes do not appear to have a substantial adverse impact on the district. This application appears to meet the guidelines and the preservation planner recommends approval.

Staff recommends approval with the requirement that they landscape the property if construction does not begin by a certain date.

The proposed work does not appear to have a substantial adverse effect on the district. Application appears to meet the guidelines and staff recommends approval.

The proposed changes do not appear to have a substantial adverse effect on the district. This application appears to meet the guidelines and the preservation planner recommends approval.

The proposed changes do not appear to have a substantial adverse effect on the district. This application appears to meet the guidelines and the preservation planner recommends approval.

This is a nonhistoric ranch house. In March the HPC approved a CoA to divide this property into two lots as part of a larger lot division. Applicant proposes demolishing the house now rather than waiting until the proposals for new houses are ready. The applicant says this is necessary so that the applicant can go ahead with the approved separation of these two lots. The garage will not be current zoning code when the lots are divided.

Applicant has already applied for this lot division so demolition on this site is appropriate. The proposed changes do not appear to have a substantial adverse effect on the district. This application appears to meet the guidelines and the preservation planner recommends approval.

Based on the evidence provided, the current house appears to be so unsound that rehabilitation is not possible and demolition is appropriate. Although the proposed replacement is much different from the existing house, it relates well to other houses in this block. It also appears to meet the requirements for new construction. The proposals will not have a substantial adverse effect on the district and staff recommends approval.

The height and the front setback are the major concerns. Because the grade rises so much from the street it is possible that the house could be set farther down into the slope. This would require the removal of at least the two trees nearest the driveway and probably other changes to the design. Staff does not recommend approval of this design.

The only staff concern is the width of the driveway. The existing driveways are about 9' wide and the proposed drive is 12'. That might be appropriate in this area. With that exception, the proposed changes do not appear to have any significant negative effects on the house, the neighbors. The proposal meets the guidelines and staff recommends approval.

Based on the substantial documentation provided by the applicant that the house is so unsound that rehabilitation is not possible, staff recommends approval of the application.

No recommendation provided

No recommendation provided.

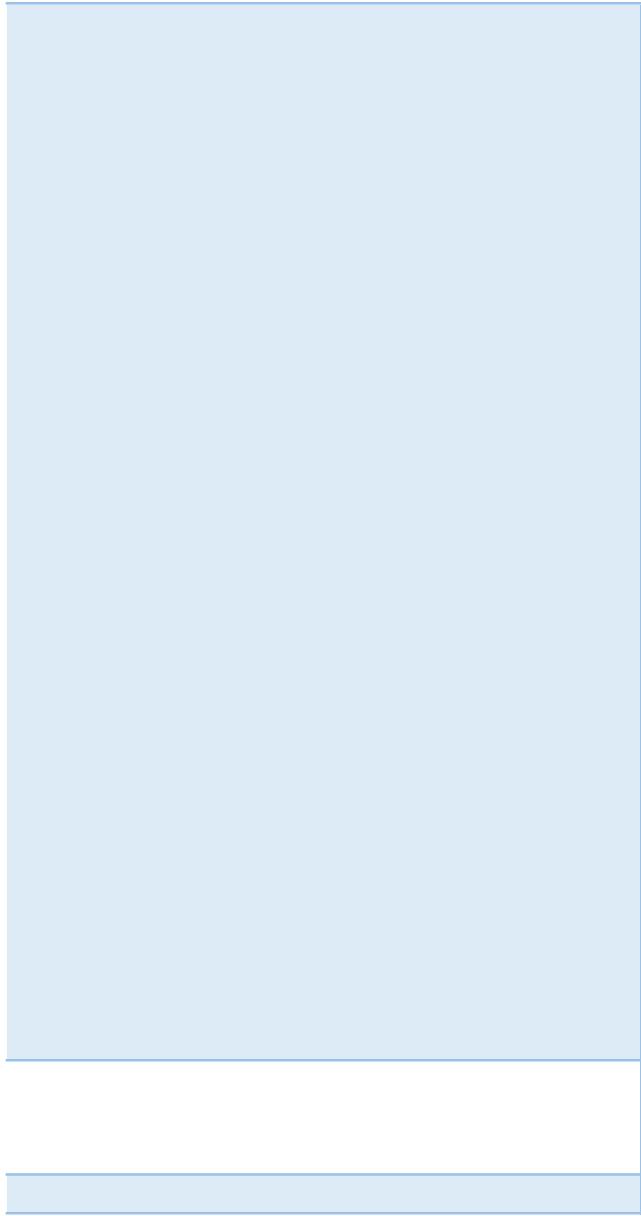
The proposed work does not appear to have any significant negative effects on the district. The proposal appears to meet the guidelines and staff recommends approval.

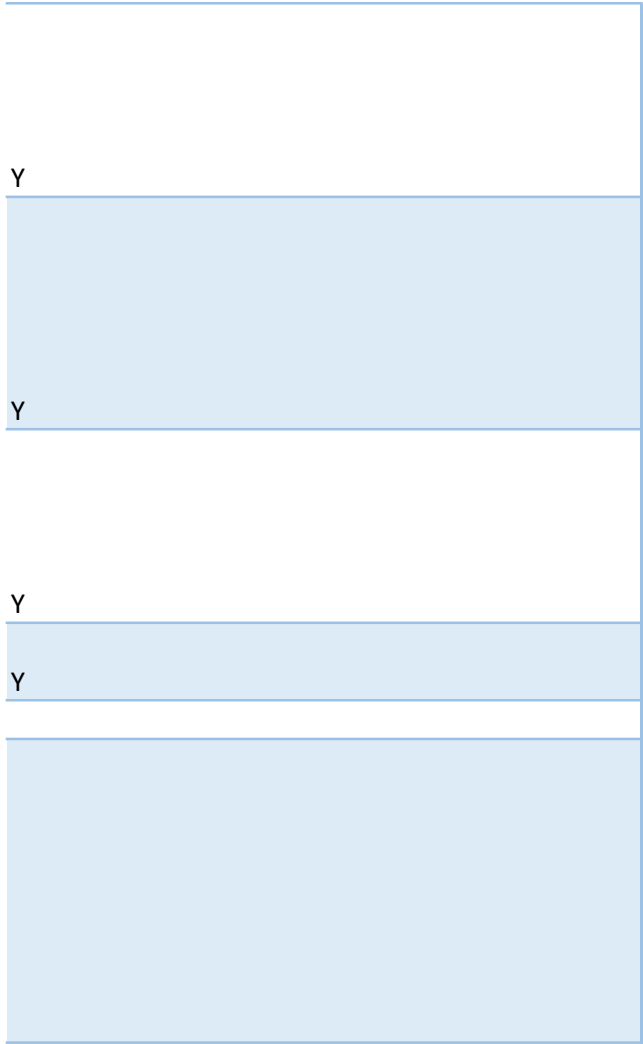
This application appears to meet the guidelines and the preservation planner recommends approval.

The proposed work does not appear to have major negative effects on the surrounding area or the house. This application appears to meet the guidelines and staff recommends approval.

Although there are a few questions as noted above, this application generally appears to meet the guidelines. The proposed work does not appear to have any significant negative effects on the house, the neighbors, or the district. The proposal appears to meet the guidelines and staff recommends approval.

Engineer/Inspection Report Included?





Y

N



Linda I. Dunlavy
 Dunlavy Law Group, LLC
 245 N. Highland Avenue, NE, Suite 230, #905
 Atlanta, GA 30307
 Tel: 404-371-4101 | Fax: XXX
ldunlavy@dunlavylawgroup.com | www.dunlavylawgroup.com

June 14, 2023

Via E-Mail to:
Rachel L. Bragg RLBragg@dekalbcountyga.gov
and David Cullison dcullis@dekalbcountyga.gov

DeKalb County Planning and Sustainability Department
 178 Sams Street
 Decatur, GA 30030

RE: Remand of Singleterry COA Application to HPC for Demolition

Dear Rachel and David:

As you know on May 9, 2023, the Board of Commissioners heard the appeal of Darell and Naomi Singleterry from the denial of their application by the Historic Preservation Commission (“HPC”) for a Certificate of Appropriateness to demolish the house at 1853 North Decatur Road. After considering the appeal the Board of Commissioners voted to reverse and remand the decision of the HPC with specific direction. Commissioner Spears stated in her motion that on remand “ the Commission should explain its application of the factors in Section 13.5-8(3) and the Design Manual for the Druid Hills Local Historic District to the facts of this case, including whether it is feasible to rehabilitate the property as currently constructed, and whether its decision is consistent with prior decisions of the Historic Preservation Commission involving similar properties.” This matter is scheduled for hearing before the HPC on June 20, 2023. We look forward to discussing these issues with members of the HPC at the upcoming hearing. However, prior to the meeting, on behalf of the Appellants, I would like to address the instructions given by the Board of Commissioners and submit the following for consideration by the Planning and Sustainability staff and members of the HPC:

- 1. Whether it is feasible to rehabilitate the property as currently constructed?**
Short Answer: NO
Longer Answer:

In order for a historical home to be demolished “it must be so unsound that rehabilitation is not possible.” To this end, we have consulted with multiple industry experts - structural engineer, geotechnical engineer (foundation specialist), residential builder - as to the current condition of the home and feasibility of rehabilitation. There was considerable confusion and misunderstanding of the two expert reports submitted, by

Planning staff and members of the Historic Preservation Commission when this question was last considered by them on February 21, 2023. Because Harrington Engineers and Dennis Brown both alluded to an expanded footprint of the home within their assessments, staff and Commission members assumed that somehow these experts were concluding that rehabilitation was feasible. That is not the case and not what these experts intended to convey. As such, both experts have revised their reports in an effort to make it clear to the HPC and Planning staff that their conclusion is that **rehabilitation of the property as currently constructed, is not feasible**. Additionally, the Singleterrys consulted with a professional geotechnical engineer who made a site visit and reviewed the two revised reports. The revised reports of Harrington Engineers and Homeside Construction along with a letter from Padstone engineering are enclosed with this letter and the key points of these revised reports are summarized as follows:

A) Expert opinion of Structural Engineer, Gus Harrington (Harrington Engineering Report).

- There are two major issues impeding feasibility of this home for rehabilitation: 1) its non-conforming foundation system, i.e., no footings under the foundation walls and unsafe interior brick retaining walls; and 2) over spanned floor joists at the 1st and 2nd floors. In my opinion, given the needed engineering and the risk of irreparable damage to the existing structure by performing the necessary foundation work, it is NOT reasonably feasible to rehabilitate the existing footprint of the home and I cannot recommend undertaking the work outlined for fixing these significant defects in light of the risks involved.

B) Expert opinion of Professional Builder, Dennis Brown (Homeside Construction Report).

- I have reviewed the Harrington Engineers Report, and as a professional builder I do **not** recommend proceeding with the scope of work outlined. There is a difference between shoring up an existing foundation or reinforcing a failing foundation versus trying to retroactively create the foundation after a home has existed for 82 years and experienced significant deterioration. Due to the fragility of the home and the complete lack of footings, there is a high probability that the existing exterior walls will suffer irreparable damage and the home, as we see it today, cannot be preserved. The excavation process alone creates a high risk that exterior walls will fail. New materials will have to be introduced to replace exterior walls, windows and framing that fail or suffer extensive damage during the rehabilitation process. It's highly probable that more than 50% of the existing footprint will need repairs. If this rehabilitation process is

pursued, the end product runs a high risk of failing to preserve any of the current historic elements of the home.

C) Expert opinion of foundation specialist, Geoff Hubner (Padstone Engineering).

- Although the Harrington Engineers and Homeside Construction reports offer options for remediating or replacing the non-existent foundations, both reports concluded that this option is not recommended. Padstone agrees with the conclusions in those reports that attempting to rebuild or remediate the structure to provide adequate foundation support for the structure would likely result in additional distress and damage to the home. Attempts to repair that damage would likely be extensive and also likely undermine any historical value the home currently has.

2. Whether its decision is consistent with prior decisions of the Historic Preservation Commission involving similar properties?

Short Answer: NO

Longer Answer:

The HPC has approved at least¹ 11 historic homes for demolition since the inception of the Druid Hills Historic District. Experts consulted on demolition requests at 1097 Dan Johnson Road, 1098 Dan Johnson Road, 1107 Dan Johnson Road, and 1302 Stillwood Drive noted defective flooring systems, defective foundations and lack of footings to support their conclusion that rehabilitation was risky and not feasible. These four approved demolitions are indistinguishable from the current application and were based on evidence and facts nearly identical to the expert assessments that have been provided in this case. The Singleterrys provided to the HPC records relevant to the demolition approval of seven historic homes that had similarities to the records submitted by them, in support of demolition of their house at 1853 North Decatur Road. *See chart summarizing these demolition approvals along with supporting documents enclosed with this letter.*

1254 Stillwood is especially instructive, considering the HPC's decision to deny the Singleterry's application. In the 1254 Stillwood case, the owner commenced renovation of the home but stopped doing so when he discovered that the brick walls of the house were not tied to the house in any way and that the foundation did not contain any footings. Analogous to the Singleterry application, existing brick on the house did not have a foundation; "it was simply laid directly on the ground". Due to the risk to the historic structure of further rehabilitation efforts, professionals recommended demolition

¹ Applicants say "at least" because the HPC records are largely unsearchable and the evidence of demolitions gathered has been done on a piecemeal basis. There have been more non-historic homes and may have been additional historic homes approved for demolition.

of the existing structure for safety reasons and the HPC and Planning staff agreed, ultimately approving demolition. Like the experts in 1254 Stillwood, the experts in the Singleterry case, Harrington, Homeside and Padstone, all express concern regarding the risks associated with rehabilitation efforts and the overall safety of undergoing such efforts. Finally, while rejected as irrelevant in the Singleterry case, Planning staff and the HPC seemed to be, in part, persuaded that demolition was appropriate for 1097 Dan Johnson, 1098 Dan Johnson, 1107 Dan Johnson, 1302 Stillwood and 2015 North Decatur Road because the houses lacked architectural or historic significance. No one has identified any architectural or historic significant elements of the 1853 North Decatur Road house.

3. Application of the factors in Section 13.5-8(3) and the Design Manual for the Druid Hills Local Historic District to the facts of this case.

Short Answer: The only evidence in the Record supports a finding that the Application complies with the relevant Guideline and that there will be no substantial adverse impact on the District from demolition.

Longer Answer:

Section 13.5-8(3) requires the HPC, when reviewing COA application consider any 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 thereof to the exterior architectural style; and pertinent features of other properties in the immediate neighborhood. This is necessary in considering any request but with demolition requests, it is particularly important. While Section 13.5-8(5) specifically allows for the demolition of buildings, structures, sites or objects within a local historic district, Guideline 7.3.3 specifically limits demolition of historic structures to those that “are so unsound that **rehabilitation** is not possible”. “Rehabilitation” is defined as “the process of returning a building to a state of utility while retaining those elements essential to its architectural, historical and/or aesthetic significance”. Neither Planning staff nor the HPC have identified in previous deliberations what elements of the house at 1853 North Decatur are purportedly significant and how. Nonetheless, the three experts retained by the Applicants have concluded that whatever elements, if any, might be there is at considerable risk with an effort to rebuild the foundation of this house, and that those elements will likely be destroyed, due to the rehabilitation process not being reasonable or feasible. In other words, they have concluded that the defective foundation and flooring supports cannot be corrected “while retaining those elements”. The only experts offering testimony advised the HPC that rehabilitation was unsafe and not a viable option. They further concluded that rehabilitation was not feasible. Even the Chair, in February, noted that it was uncommon to find houses without any foundational supports like this one and the cost to correct would be “sizable”. Absent contrary reliable evidence (as opposed to unsupported speculation), there can be no doubt that the application met Guideline 7.3.3. Per Section 13.5-8(7), a COA must issue if the proposed change “would not have a **substantial**

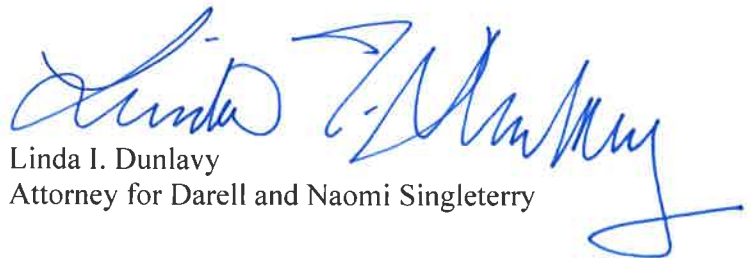
adverse effect on the aesthetic, historical, or architectural significance and value of the historic property or the historic district”. Moreover, because the block face on North Decatur Road does not include any historic homes—only new construction²---and because there is large, looming multi-family construction under way on the opposite side of the street, it cannot reasonably be concluded that removal of the house at 1853 North Decatur Road and replacement with the new construction home proposed by the Applicants would have a substantial adverse impact on the District or otherwise negatively impact the pertinent features of other properties in the immediate neighborhood. In their February 21st Staff Report, Planning staff stated “If demolition is approved, the build-back plan appears to be appropriate in setback, orientation, scale, height, proportion, rhythm and massing (Guidelines 7.2.3, 7.2.4, 7.2.5, 7.2.6, 7.2.7) and would not have a substantial adverse effect on the historic district.”

Conclusion

Based on the foregoing, it is clear that: 1) Rehabilitation of the existing home is not feasible; 2) To deny this application would be inconsistent with prior decisions allowing demolition of historic homes with analogous findings and circumstances; and 3) The application meets all relevant Guidelines and ordinance provisions. **For these reasons, the Applicants respectfully request that the HPC approve their demolition application. Additionally, because there were no objections to the new construction proposed, the Applicants request that the COA for new construction also be approved.**

Sincerely yours,

DUNLAVY LAW GROUP, LLC



Linda I. Dunlavy
Attorney for Darell and Naomi Singleterry

LID: ms
Enclosures

cc: Naomi and Darell Singleterry
Gus Harrington
Dennis Brown
Geoffrey Hubner

² Photographs of this ongoing construction are included with this letter.

HARRINGTON ENGINEERING REVISED REPORT

Harrington Engineers

4615 Jaiette Trace.

Atlanta, Ga. 30349

SUPPLEMENTAL FIELD INSPECTION REPORT

June 8, 2023

Location: 1853 N. Decatur Rd., Decatur, Ga. Building

Type: Single Family Dwelling

By: B.W. Harrington, Jr., P.E.

Description:

A previous report, date Dec 23, 2022, was issued describing in detail the existing conditions existing in the house. The report offered 3 alternatives that would address the defective conditions outlined in that report. We felt it was our responsibility to offer alternatives to the owner, rather than for us to make that decision for them. As a result of conversations with the City, County, and the owner, we are amending our December 23, 2022 report to focus on rehabilitating the existing structure without making any additions or increasing the current square footing in the house.

Executive Summary:

There are two major issues impeding feasibility of this home for rehabilitation: 1) its non-conforming foundation system, i.e. no footings under the foundation walls and unsafe interior brick retaining walls, and 2) the over spanned floor joists at the 1st and 2nd floors

In my opinion, given the engineering required and the risk of irreparable damage to the existing structure by performing the necessary foundation work, it is NOT reasonably feasible to rehabilitate the existing footprint of the home and I cannot recommend undertaking the work outlined below in light of the risks involved.

Existing Conditions, Remediation Process, and Risk:

The following observations and recommendations are based on the following scope of work; performing remedial work to this approximately 82 year old house's structural system to bring it up to a safe and functional state, because right now it is in a precarious state showing signs of structural distress in many locations.

1. **EXTERIOR PERIMETER FOUNDATION WALLS:**

- a. **Existing Conditions:** The exterior unreinforced and un-grouted brick foundation walls, as well as the interior brick foundation walls, do not have footings to support them. I have observed foundations for buildings constructed during the 1800's and they all had footings supporting the structure above. Why this building does not have footings is a mystery. As a result of not having footings, the brick foundation wall has had to act as the footing. These foundation walls are only 2 wythes thick, or approximately 8", and un-grouted and un-reinforced. So, we have the weight of the dwelling sitting on an 8" wide, un-reinforced brick wall without any footings to uniformly distribute these loads to the soils. A bowing of the brick foundation wall is visible from the outside of the home. Additionally, there is a diagonal, stair-stepped, crack in the driveway side exterior foundation wall that extends down from a small window to the rear exterior wall of the house. This crack has migrated thru the wall and is visible from the interior and exterior near the junction of the driveway foundation wall and the rear foundation wall. The cause of this crack is likely due to the pressure of the soils and weight of the structure causing settling of the unsupported foundation walls over time. These cracks will continue to migrate and enlarge in width. This could lead to additional settlement of the structure and cause significant damage to the structure above.
- b. **Remediation Process:** New concrete footings for all of these walls will be required to ensure the safety and integrity of the structure. This will require extensive shoring of the existing exterior wood frame walls and the floors. It will also require the disconnection and rerouting of all utilities. Once the shoring is in-place, the existing brick foundation walls would be removed. New cast-in-place concrete footings should be constructed and new foundation walls rebuilt. This will require digging around the existing foundation walls and constructing new walls and footings.
- c. **Risk:** While this process of shoring and underpinning is done frequently with old structures, it should be noted that there is a risk that the mere process of removing the soils from around the existing foundation walls to install shoring or underpinning could cause the brick foundation walls to move and cause additional damage to the structure above. This damage would manifest itself in cracks and buckling of wood framed walls above. This could cause irreparable damage to the structure.

Even if the removal of the soil from around the foundations does not cause any problems, the process of underpinning and shoring of the existing structure, will cause movement in the structure above. The adverse impact this type of work will have on the fragile 82 year old structure is unpredictable. Given the poor building practices used to erect the current residence, it is likely that there are other defects that cannot be seen at this time. Due to these risks, I do not recommend pursuing this remediation process.

2. **MAIN, OR 1ST FLOOR, LEVEL:**

- a. **Existing Conditions:** The 1st floor joist are currently underpinned in the basement. The floors in the main level have significant “sags” throughout. This is due to the floor joists, 2x8@16, are under sized for their spans. These joists will require new permanent supports to shorten their spans or deeper joists added to them so they can safely span to their original permanent supports.
- b. **Remediation Process:** We would recommend that deeper or additional joist be added to safely span to the original supports. If this is done, the temporary shoring can be removed. This will ensure continuous load paths to the foundations for the loads generated by the roof and 2nd and 1st floors.
- c. **Risk:** The work recommended to correct the excessive deflections in the wood framed floors is totally dependent on successively completing the remedial work described for the foundations and foundation walls. If remedial work is not done on the foundations, the work recommended here for the excessive deflections in the floors above should not be done.

3. **THE INTERIOR BRICK BASEMENT WALLS:**

- a. **Existing Conditions:** There are interior brick walls in the basement, supporting the wood framing above that are retaining approximately 5 to 6 feet of earth. Currently, these walls do not have footings beneath them, nor are they reinforced. Based on their current construction, there is no way we can certify the structural integrity of these walls to retain the earth or support the building loads currently above.
- b. **Remediation Process:** At a minimum, we recommend that new cantilevered masonry retaining walls and footings be constructed flush with the face of the existing brick walls; or construct masonry piers, on new footings, and perpendicular to the existing brick wall at approximately 4ft. on center.

- c. **Risk:** There is very little risk involved with the work recommended above. However, there is a significant risk of damaged to the structure if it is not done.

It must be stated that the above recommendations appear to be reasonable and straight forward, however, there are a myriad of things that could go wrong and would be out of the contractors control. The work proposed will cause unanticipated movements in the structure, that we cannot predict and could cause catastrophic to the preservation of the building. Even though the house may visually appear to be functioning alright now, the deficiencies noted above still exist and must be addressed before the home can be occupied. As such, I was pleased to note upon reinspection on June 6, 2023, that there were no tenants occupying the first and second floors of the home. I would recommend that the house remain un-occupied while it is in its current condition.

If you have any questions regarding the above, please call.



HOMESIDE CONSTRUCTION REVISED REPORT



P.O. BOX 335 LOCUST GROVE, GA 30248 · HOMESIDECONSTRUCTION@GMAIL.COM

PROJECT SCOPE & ESTIMATE

Location: 1853 N. Decatur Road Atlanta, GA 30307

Assessment of Work. I have reviewed the Harrington Engineers Report, and as a professional builder I do NOT recommend proceeding with the scope of work outlined below. There is a difference between shoring up an existing foundation or reinforcing a failing foundation versus trying to retroactively create the foundation after a home has existed for 82 years and experienced significant deterioration. Due to the fragility of the home and the complete lack of footings, there is a high probability that the existing exterior walls will suffer irreparable damage and the home, as we see it today, cannot be preserved. The excavation process alone creates a high risk that exterior walls will fail. New materials will have to be introduced to replace exterior walls, windows and framing that fail or suffer extensive damage during the rehabilitation process. It's highly probable that more than 50% of the existing footprint will need repairs. If this rehabilitation process is pursued, the end product runs a high risk of failing to preserve any of the current historic elements of the home.

Scope of work: Replace non-conforming foundation system and the over spanned floor system at the 1st and 2nd floors. Based on the Harrington Engineers Report, the following work needs to be done in order to rehabilitate the existing structure to make it stable. These alterations would be required before the house could be safely occupied and restored to utility.



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- Erosion control site management.
- Disconnect all utilities, including plumbing, septic, electric, gas, heating, cooling, telephone, and internet.
- Remove pipes, plumbing or ductwork, secure/remove any wiring below floor joists.
- Remove and replace front porch
- Excavation of area necessary to access existing foundation to replace exterior walls, footings, deteriorated and compromised concrete floors. Installation of steel beams under framed house during excavation. Removal of driveway and walkways are needed to access these areas. Extracted dirt to be stored offsite and returned once walls have been replaced **
- Additional footings and piers to secure shoring of the existing frame walls and floor system
- House will have to be picked up and moved onto piers to be constructed on site adjacent to current foundation location and then set onto newly constructed foundation after its completion
- Remove plaster ceilings and re-route mechanical systems to allow for new joist additions.
- Waterproof and add new drain system, backfill foundation walls, landscape all disturbed areas back to pre-construction conditions.
- Paint disturbed areas to match existing structure.
- Deeper and/or additional joist to be added to safely span to the original supports so that the temporary shoring can be removed and to ensure continuous load transfer from upper floors and roof to the foundation.
- Estimate is subject to change upon hidden or concealed conditions and consequential damage to interior from construction activity and shifting of walls and foundation during excavation. However, it is more likely than not



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that damage to the majority of the existing exterior materials will occur in the process of this type of work, requiring a large portion of the façade to be replaced including framing, roofing, siding and brick.

**Estimate does not include hiring of experts for the foundation work. We will need to work with soil scientists and other experts to make sure excavation is being performed properly and dirt is properly compacted around newly poured foundation. I estimate those costs to be no less than \$25,000.00

Minimum Estimate for Project: \$267,220.00

Dennis Brown, CEO

PADSTONE ENGINEERING REPORT



June 13, 2023

Derell Singleterry
1819 Fair Oaks Place
Decatur, GA 30033

Subject: Geotechnical Review of Foundation and Structural Conditions
1853 North Decatur Road Residence-Atlanta, Georgia
Padstone Project Number 23015

Dear Mr Singleterry:

Padstone Engineering, LLC (Padstone) is pleased to provide this letter summarizing our observations during a recent site visit and review of available engineering and construction rehabilitation reports for the above referenced location.

Background:

As a practicing professional engineer specializing in geotechnical engineering for over 30 years, I have designed thousands of foundations for commercial buildings, industrial facilities, residential homes, transportation projects such as bridges, retaining walls, etc. Additionally, I have consulted on numerous forensic engineering projects to evaluate distressed existing structures in an effort to ascertain the causes and recommend potential remediation.

In the latter capacity, Padstone was retained to review engineering and construction reports prepared by Harrington Engineers and Homeside Construction, respectively with respect to potential remediation of the distress in the home at the above address.

We understand that the home was built in 1941 with wood frame construction and a partial brick façade with brick stem walls providing support at the ground level of the home. The stem walls extend to the ground level of the home (from the crawl space or basement below) to provide support for the floor joists above.

Observations and Recommendations:

During our initial site visit we observed the exterior of the home for signs of distress as well as the accessible interior of the crawl space to evaluate the existing foundations of the home.

The exterior of the home showed visible signs of distress at several locations in the form of cracking in the existing brick walls likely the result of settlement of the structure over time. On the lowest level in the crawl space we were able to visually observe the existing foundations (or lack thereof). The brick stem walls (vertical) appear to rest on a thin unreinforced concrete pad about 2 ½ to 3 inches thick with a width approximately the same as the stem walls immediately underlain by soil.

Additionally, we probed the exterior of the perimeter at available locations with a 3-foot long steel probe rod. In those locations, no discernable foundation was noted.

A conventional concrete foundation would typically be reinforced with steel and extend 18 to 24 inches below the stem wall with a width of 18 to 24 inches (depending on soil type and stiffness).

In an effort to prevent further settlement and distress of the home, the non-existent "foundations" would need to be completely rebuilt, or in more applicable terms, a real engineered foundation system would need to be constructed. However, attempting to perform that task under an existing home would be very difficult and with a brick home would likely result in further distress and damage to existing walls and structural elements of the house and is not recommended.

Summary:

Although the Harrington Engineers and Homeside Construction reports offer options for remediating or replacing the non-existent foundations, both reports concluded that this option is not recommended.

Padstone agrees with the conclusions in those reports that attempting to rebuild or remediate the structure to provide adequate foundation support for the structure would likely result in additional distress and damage to the home. Attempts to repair that damage would likely be extensive and also likely undermine any historical value the home currently has.

We appreciate the opportunity to work with you on this project. Please feel free to contact the undersigned with any questions you have. We look forward to continuing to assist you on this and future projects as needed.

Sincerely,

PADSTONE ENGINEERING, LLC



Geoffrey C. Hebner, PE
Principal Engineer, President

ANALAGOUS DEMOLITION APPROVALS

PRIOR DEMOLITION APPROVALS ANALOGOUS TO CURRENT APPLICATION

ADDRESS AND AGE OF STRUCTURE	DATE OF APPROVAL	ENGINEERS REPORT	OTHER SUPPORTING DOCUMENTS	STAFF RECOMMENDATION	COMPARED TO CURRENT APPLICATION
<p>1097 Dan Johnson Road</p> <p>1940</p>	<p>2-21-2012</p>	<p>Engineer's report stated untreated wood floor joists bear directly on brick foundation walls. No connection of wood framing to foundation. Retrofitting walls to foundation "not practical". To properly attach house to the foundation, the foundation should be removed and replaced with concrete or masonry walls bearing on new footings. This may be accomplished by bracing the floor system and wall above, excavating both sides of the wall, removing the walls, pouring a new footing and building a new wall.</p> <p>Concluded that "The extent of the foundation work and associated dangers, as well as the likelihood of bringing the entire house into current Code Compliance, it may be safer and more cost effective to raze the existing structure and rebuild on a new foundation"</p>	<p>1) Cost estimate showing cost to restore would be much more than value of property 2) Photos</p>	<p>Although historic, house (oldest one on street) is not significant or contributing</p> <p>No substantial adverse effect on district, appears to meet guidelines, recommended approval</p>	<p>EXACTLY THE SAME WORK AS NEEDED ON THE CURRENT HOME WITH SAME RISKS</p> <p>DIRECTLY ANALOGOUS CONCLUSIONS BY ENGINEERS THAT "Due to the extensive work required and potential risks to the structural integrity posed by rehabilitation of the building...I think to demolish and rebuild is the most realistic and viable solution".</p>
<p>1098 DAN JOHNSON</p> <p>1938</p>	<p>5-2014</p>	<p>Defective flooring systems and foundation</p>	<p>1) cost to cure 2) Evaluation of architectural significance; 3) Photos</p>	<p>Based on his visits to the property, both inside and outside, it is staff's opinion that, although built before 1946, this property lacks architectural or historic significance and does not contribute to the historic district. The report from the preservation consultant concurs. An engineer's report also says the house is in very poor condition and the cost to bring everything up to code would be prohibitive for such a</p>	<p>Analogous to current application and supporting documents similar</p>

				small house. Many of these deficiencies were also seen by staff.	
1107 DAN JOHNSON 1941	10- 2013	<p>Several isolated piers bear at the edge of the vertically cut soil and are in danger of collapse. The non-pressure treated first floor joists bear directly on the brick walls. There is no connection of the wood framing to the foundation. Retrofit is not practical. To properly attach house to the foundation, the foundation should be removed and replaced with concrete or masonry walls bearing on new footings. This may be accomplished by bracing the floor system and wall above, excavating both sides of the wall, removing the walls, pouring a new footing and building a new wall.</p> <p>The floors are uneven and out of level throughout. Concluded that "The extent of the foundation work and associated dangers, as well as the likelihood of bringing the entire house into current Code Compliance, it may be safer and more cost effective to raze the existing structure and rebuild on a new foundation"</p>	<p>1) Cost estimate showing cost to restore would be much more than value of property 2) Photos</p>	<p>Although marginally old enough to be considered historic, the existing house is not architecturally significant either for itself or for in combination with its surroundings. It is out of character for the area. The house should not be considered historic. In addition, the applicant has provided copies of reports from The Cornerstone Inspection Group and Michael Quinn and Associates that document the problems present in the house. The Cornerstone documents also provide estimates of the cost of bringing the house up to code. The cost far exceeds the value of the structure. The guideline states, "Historic buildings and structures should not be demolished unless they are so unsound that rehabilitation is not possible." Based on the inspection reports this house could be rehabilitated, albeit at great cost. However, for the reasons noted above, the house should not be considered historic and demolition should be approved.</p>	<p>EXACTLY THE SAME WORK AS NEEDED ON THE CURRENT HOME WITH SAME RISKS</p> <p>DIRECTLY ANALOGOUS CONCLUSIONS BY ENGINEERS THAT "Due to the extensive work required and potential risks to the structural integrity posed by rehabilitation of the building...I think to demolish and rebuild is the most realistic and viable solution". Also due to overspanning of floor joists, floors uneven throughout 1853 home.</p> <p>Except for being over 50 years old and in the district staff has not pointed to any significant architectural or historical elements on 1853 house</p>

<p>995 SPRINGDALE 1923</p>	<p>1-21-2009</p>	<p>Safety issues and damage to foundation and framing. Homeowner tried to repair structurally unsound foundation and was unable to. Came back to HPC a year after approval of foundation work to seek demolition of house.</p>	<p>Photos</p>	<p>Demolition request appears to meet the guidelines and preservation planner recommends approval to demolish house</p>	<p>Foundation</p>
<p>1254 STILLWOOD 1925</p>	<p>9-18 -2017</p>	<p>Owner commenced renovation but work stopped due to serious concerns with lack of any foundation. Existing brick on the house did not have a foundation. It was simply laid directly on the ground. The brick was not tied to the house structure in any way. Some of the existing brick pilasters do not have footings and trying to work a new foundation around the existing foundation is not practical. Professional opinion is that the existing structure should be demolished. This will allow for a safe foundation and a better framed structure.</p>	<p>Photos and new house plans</p>	<p>Sufficient documentation has been provided to show that the house is so unsound that rehabilitation is not possible</p>	<p>Risks of rehabilitation efforts confirmed in 1254 history. Documentation provided extremely similar to documentation here. Although documentation in this matter more extensive.</p>
<p>1302 STILLWOOD 1925</p>	<p>4-17-2006</p>	<p>The foundation wall below floor level has no structural backing to brick. No concrete wall footings found. The process of trying to provide a foundation for the brick could cause cracking in the brick or the brick could be lost since it has no backing structure. Due to the questionable construction methods and delicate state of the structure it is possible that parts of the exterior wall and brick could be lost unintentionally in the reconstruction process. Due to the extent of the existing foundation issues, I do not recommend proceeding with renovation. I strongly urge you to consider demolishing the existing structure and rebuilding.</p>	<p>Architects report confirming concerns of engineer regarding structural fragility of existing home and risk of compromising exterior walls during reconstruction; second engineer's report not recommending repair or renovation due to structural state. New construction plans.</p>	<p>Brick façade appears to be much newer, possibly as recent as 1970s. Because of this change the building lacks significance (Note 1853 North Decatur façade similarly altered with installation of aluminum siding all around home). The house is in poor conditions with foundation problems. Staff recommended approval finding met guidelines and proposed demolition would not have significant negative effects on district.</p>	<p>EXACTLY THE SAME WORK AS NEEDED ON THE CURRENT HOME WITH SAME RISKS None of the exterior and interior foundation walls have footing supporting them. Without footings, the structural integrity of the home is threatened. DIRECTLY ANALOGOUS CONCLUSIONS BY ENGINEERS THAT In rehabilitating the structure, there is a risk that the mere process of</p>

					removing soils from around the structure (which is necessary for foundation repair) could cause damage to the remaining structure. It could crack and buckle; the existing floors could shift; it could cave in and irreparable damage to the structure could occur. Mere construction activity on this site may also cause cracking and crumbling of this fragile foundation.
2015 NORTH DECATUR 1930	8-8-2001	No engineering report.	Photos	Not part of a character area. Additions made to home and not a good representative of any particular style or house type. Does not appear to have any architectural or historical significance. Recommend approval of demolition and documentation of all four sides of the house.	In the 1853 application staff states that house is contributing and "there is no requirement that contributing properties be architecturally designed in order to be deemed historic or a contributing property"

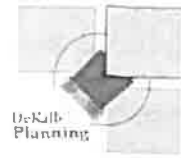
1097 DAN JOHNSON



The Honorable Burrell
Elliott
Chief Executive Officer
March 8, 2012

DeKalb County Government Historic Preservation Commission

330 Ponce De Leon Avenue Suite 500
Decatur, GA 30030
404/371-2155 or 404/371-2835(Fax)



CERTIFICATE OF APPROPRIATENESS

SITE ADDRESS: 1097 Dan Johnson RD
Atlanta, GA 30307

PARCEL ID: 18-002-06-019
APPLICATION DATE: February 6, 2012

APPLICANT: Daniel J. Matthews Trust
MAILING ADDRESS: C/O Dunlavy Law Group 1026 B Atlanta Avenue
Decatur, GA 30030

THIS IS TO ADVISE YOU THAT THE DEKALB COUNTY HISTORIC PRESERVATION COMMISSION, AT ITS REGULARLY SCHEDULED PUBLIC MEETING ON FEBRUARY 21, 2012, REACHED THE FOLLOWING DECISION ON THIS APPLICATION:

ACTION: MODIFIED APPROVAL

Demolish the existing house and attachments such as paving and retaining walls. Prior to demolition the house must be documented with as-built drawings and photographs to the satisfaction of the county preservation staff.

Construct a new house in roughly the same location as the old house, but oriented more toward the street. The house will be end gabled, one story over the garage on the right end and 1½ story (with a shed dormer) on the left end. The middle section will be a full two stories. A lower secondary gable will project from the center section. The topography slopes down to the left, so that end will sit on a higher brick foundation on the front and will have a walk-in basement on the rear. The right half of the house will sit very close to the ground.

Most of the house will be clad with wood lap siding. The area around the projecting entrance will be veneered with granite. A round topped door and a small arched window will be set in the front of the entry area. An arched roof will be supported by brackets over the door. The floor of the front stoop will be concrete. The windows will be wood and will have true divided lights (TDL) with 7/8" muntins. Wooden louvered shutters will flank most of the windows on the front and ends and some of the windows at the rear. Brackets will be installed in the eaves on the front of the

middle part of the house. A granite chimney topped by a terra cotta chimney pot will rise from just behind the ridge near the center of the house. A side loading garage will occupy the right end of the house, with carriage house type overhead doors. A wooden deck will be attached to the rear.

The driveway will curve to a turnaround/parking area at the left side of the house. Part of this area will be supported by a retaining wall that faces the rear of the property and will not be visible from the street. Maximum height of the retaining wall is to be about 4.5'. A wooden railing will be installed at the top of the retaining wall. The driveway and front walk will be paved with concrete. The driveway will be 10' wide and the front walk will be 4' wide. Two pines and a 38" oak will be removed.

DeKalb County Historic Preservation Commission

Tuesday, February 21, 2012 - 7:00 P.M.

Staff Comments

New Construction Agenda

R. 1097 Dan Johnson Road (DH), Daniel J. Matthews Trust c/o Dunlavy Law Group.
Demolish and replace house. 17647

Constructed 1940. (18-002-06-019)

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

This house is the oldest one on this street. The street was laid out around 1940 on a plot that was not part of the original Druid Hills subdivision. The property owner refused to sell this portion of his property. Most of the property is still in the Matthews family.

The applicant says the property is not in a National Register Historic District or a identified character area, but she is mistaken. It is in the Druid Hills National Register District and in the Druid hills Character Area 1. During the initial survey of the district for the local nomination this street was identified as an intrusion.

Applicant has provided a structural engineers report describing the house as so unsound rehabilitation is not practically possible. A cost study says even if the house could be restored the cost would be much more than the value of the property.

Recommendation

Although built in the historic period, the house is not a significant structure and does not contribute to the district. The proposed demolition does not appear to have a substantial adverse effect on the district, appears to meet the guidelines, and the preservation planner recommends approval.

At this time staff has not had enough time to study the proposed new construction.

Relevant Guidelines

7.1 Defining the Area of Influence (p64) Guideline - In considering the appropriateness of a design for a new building or addition in a historic district, it is important to determine the area of influence. This area should be that which will be visually influenced by the building, i.e. the area in which visual relationships will occur between historic and new construction.

R. 1097 Dan Johnson Road (DH), Daniel J. Matthews Trust c/o Dunlavy Law Group
page two

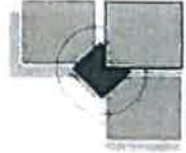
- 7.1 *Defining the Area of Influence* (p64) Guideline - In considering the appropriateness of a design for a new building or addition in a historic district, it is important to determine the area of influence. This area should be that which will be visually influenced by the building, i.e. the area in which visual relationships will occur between historic and new construction.
- 7.2 *Recognizing the Prevailing Character of Existing Development* (p65) Guideline - When looking at a series of historic buildings in the area of influence, patterns of similarities may emerge that help define the predominant physical and developmental characteristics of the area. These patterns must be identified and respected in the design of additions and new construction.
 - 7.2.1 *Building Orientation and Setback* (p66) Guideline - The orientation of a new building and its site placement should appear to be consistent with dominant patterns within the area of influence, if such patterns are present.
 - 7.2.2 *Directional Emphasis* (p67) Guideline - A new building's directional emphasis should be consistent with dominant patterns of directional emphasis within the area of influence, if such patterns are present.
 - 7.2.3 *Shape: Roof Pitch* (p68) Guideline - The roof pitch of a new building should be consistent with those of existing buildings within the area of influence, if dominant patterns are present.
 - 7.2.3 *Shape: Building Elements* (p68) Guideline - The principal elements and shapes used on the front facade of a new building should be compatible with those of existing buildings in the area of influence, if dominant patterns are present.
 - 7.2.3 *Shape: Porch Form* (p68) Guideline - The shape and size of a new porch should be consistent with those of existing historic buildings within the area of influence, if dominant patterns are present.
 - 7.2.4 *Massing* (p69) Guideline - The massing of a new building should be consistent with dominant massing patterns of existing buildings in the area of influence, if such patterns are present.
 - 7.2.5 *Proportion* (p70) Guideline - The proportions of a new building should be consistent with dominant patterns of proportion of existing buildings in the area of influence, if such patterns are present.
 - 7.2.6 *Rhythm* (p71) Guideline - New construction in a historic area should respect and not disrupt existing rhythmic patterns in the area of influence, if such patterns are present.
 - 7.2.7 *Scale/Height* (p72) Guideline - New construction in historic areas should be consistent with dominant patterns of scale within the area of influence, if such patterns are present. Additions to historic buildings should not appear to overwhelm the existing building.
 - 7.2.7 *Scale/Height* (p72) Guideline - A proposed new building should appear to conform to the floor-to-floor heights of existing structures if there is a dominant pattern within the established area of influence. Dominant patterns of cornice lines, string courses, and water tables can be referenced to help create a consistent appearance.
 - 7.2.8 *Individual Architectural Elements* (p73) Guideline - New construction and additions should be compatible and not conflict with the predominant site and architectural elements—and their design relationships—of existing properties in the area of influence.
- 8.2 *Trees* (p78) Recommendation - The mature hardwood forest within the Druid Hills Local Historic District should be perpetuated through a district-wide replanting program. Trees should be replaced when mature trees are lost to age or damage or are removed for safety reasons. Replacement trees should be of identical or similar varieties to the original trees. A diversity of tree types is recommended to perpetuate the existing character of most tree groupings. Replacement trees of adequate size (1.5" caliper minimum) are recommended. Existing ordinances that provide for the protection and replacement of the district's tree resources should be applied to development activities within Druid Hills.

R. 1097 Dan Johnson Road (DH), Daniel J. Matthews Trust c/o Dunlavy Law Group
page three

- 9.5 *Parking* (p90) Guideline - Parking should be addressed in a manner that does not distract from the overall character of the district. Parking to serve private residential lots should be accommodated on-site, when at all possible, using the pathway of original drives and parking. Front yard parking should not be allowed unless it is a public safety issue. When front yard parking is necessary, it should be added in a manner that does not destroy the unbroken landscaped character of the front yard spaces in Druid Hills. Rear yard spaces should be considered for expansion of parking areas.
- 9.7 *Residential Landscape Design* (p91) Recommendation - For residential yards, created without the assistance of landscape designers, historic landscape plans for other residential lots within the district should be used for guidance. These plans can be interpreted to create a new landscape plan that is based on historic traditions. Care should be taken to select designs for yards of similar size containing houses of similar style and scale.



DeKalb County Department of Planning & Sustainability



Burrell Ellis
Chief Executive Officer

APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
DeKalb County Historic Preservation Commission

1. Address of Property: 1097 Daniel Johnson Road
Owner: Jon Evanlee Daum Owner Telephone: 404-492-7220
Owner Address: c/o Dunlavy Law Group, LLC *(below)

2. Name of Applicant: Daniel J. Matthews Trust c/o Dunlavy Law Group, LLC
You or your representative may be present at the meeting of the commission, but attendance is not mandatory.
You will be notified of the time, date, and location of the meeting. Email: ldunlavy@dunlavylawgroup.com
Mailing Address: 1026 B Atlanta Avenue, Decatur, GA 30030
Daytime Telephone: 404-371-4101

Relationship of Applicant to Property Owner: Owner [] Architect [] Contractor []
Other [X] Attorney

3. Age of Structure: Approximate date of construction for the primary structure on the property and
any secondary structures affected by this project: 1940

4. Nature of Proposed Work:

- X New Construction
X Demolition
- Addition
- New Freestanding Building
- Fence/Wall
- Exterior Environmental Change
- Deck or Patio
X Site Preparation/Clearance
- Moving a Building
- Sign Erection or Replacement
- Repairs or Alterations
- Exterior Architectural Features
X Landscaping
- Other



Please describe your proposed work as simply and accurately as possible. Use the attached submittal
criteria checklist to guide you in your description. Be sure to indicate building and landscape materials
to be used. Accurate drawings and photographs are required. (Use extra sheet, if necessary.)

Demolition of principal structure, walkways, driveway, garage, and
trees needed. New home construction on same site.

SEE ATTACHED FOR MORE DETAILS

IMPORTANT: This form must be completed before the Historic Preservation Commission can consider the
approval of any material change to a Historic Property or within a Historic District. This form, along with
supporting documents (plans, material, color samples, and photos), must be filed with the Historic Preservation
staff, DeKalb County Planning Department, 330 West Ponce de Leon Ave, Suite 500, Decatur, Georgia 30030.
Five (5) copies of plans or renderings for any new structures must be filed. One set of plans must be reduced to
11" x 17" or smaller.

All applicable items from the attached checklist of Submittal Criteria must be addressed. Incomplete applications
will not be docketed for consideration by the Historic Preservation Commission.

Signature of Applicant: [Handwritten Signature] Date: 2/1/12

FOR OFFICE USE ONLY

Date received: 2-6-12

Initials: DC

Sign given: [X] Yes [] No

17647

* as Trustee of Daniel J. Matthews Trust (See Deed Attached)



michael quinn and associates, p.c.

2626 school drive
doraville, georgia 30360

telephone: 770-452-0744
facsimile: 770-452-0827

January 4, 2012

Mr. Joseph Fritz
Phillip Clark Fine Custom Builders
3235 Roswell Road. Unit 400
Atlanta, Georgia 30305

RE: 1097 Dan Johnson Road
MQ + A Project No. 11290

Dear Joe:

On November 9, 2011 the undersigned visited the referenced project to evaluate the suitability of the existing structure for the proposed renovation. Our observations were visual only and limited to the exposed portions of the structure; we did not remove finish materials or perform soil or material tests.

The house is a two-story, wood-framed structure on a brick masonry partial crawl space/basement foundation. We understand the house was built in 1940. The house is in disrepair and has been poorly maintained. Our findings and recommendations follow:

1. The foundation consists of a double wythe brick wall and unknown footing. The non-pressure treated 2 x 10 floor joists and rim band bear directly on the brick walls. If compliance with current Code is required, the joists must be pressure-treated or otherwise protected against decay as required by Section R319 of the 2006 International Residential Code for One - and Two - Family Dwellings, with the Georgia State Amendments (IRC). Attaining the required clearances between the soil, masonry, and non-pressure treated lumber is not possible with the existing foundation and grading configuration.

There is no connection of the wood framing to the foundation. If compliance with current Code is required, a connection satisfying Section R403.1.6 of the IRC must be made. Making a retrofit connection is not practical with a solid brick foundation.

To properly attach the house to the foundation, the brick foundation should be removed and replaced with either a concrete or concrete masonry wall bearing on a new footing. This may be accomplished in sections by bracing the floor system and wall above, excavating both sides of the wall, removing the wall, pouring a new footing, and building a new wall.

consulting engineers



michael quinn and associates, p.c.

2626 school drive
doraville, georgia 30360

telephone: 770-452-0744
facsimile: 770-452-0827

1097 Dan Johnson Road
page 2

We do not recommend lifting the entire house off the foundation and setting it back down atop a new foundation unless the soil is first excavated from both sides of the wall; the floor system is bracing the walls and preventing collapse.

Three large trees are too close to the foundation; the drip lines of the trees cover the majority of the house. We recommend removing the trees and root balls prior to attempting repairs on the house. An arborist should be consulted, if needed.

2. The main level floor is supported on a variety of piers, posts, and beams. If the existing framing will be reused, a detailed evaluation of these members should be performed.
3. The second floor system is covered by finishes and was not observed. We suspect the floor system is constructed with 2 x 10 joists, similar to the exposed first floor. Once exposed during renovation, the framing should be evaluated and reinforced or replaced as necessary.
4. The ceiling and roof framing consist of 2 x 6 joists and rafters. This framing should be reinforced or replaced as necessary. The attic insulation should be brought into compliance with Energy Code requirements. We understand the full requirements may come into effect, depending on the ratio of the cost of the renovation relative to the value of the home. We further understand this ratio may trigger compliance of all construction with current Code requirements.
5. The insulation of the 2 x 4 exterior walls should be verified and upgraded for efficiency and/or Code compliance. Opening the walls will likely lead to replacement/upgrade of the exposed wiring and plumbing.
6. The house does not presently have central air conditioning. Installation of a system will require modification to wall and floor framing. All modified construction should comply with current Code requirements.
7. The rear porch with the walk-out roof deck is collapsing from failure of rotted wood members and should be removed and completely replaced.

consulting engineers



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1097 Dan Johnson Road
page 3

8. There appears to be mold throughout the house. Please note that we are not mold experts. If desired, an expert should evaluate the house and develop a remediation plan.

Considering the extent of the foundation work and associated dangers, as well as the likelihood of bringing the entire house into current Code compliance, it may be safer and more cost effective to raze the existing structure and rebuild on a new foundation. Please do not hesitate to call if you have any questions concerning this report or if we can be of further assistance.

Sincerely,
MICHAEL QUINN AND ASSOCIATES, P.C.

A handwritten signature in cursive script that reads "Michael D. Quinn". The signature is written in black ink and is positioned to the left of the printed name.

Michael D. Quinn



consulting engineers

 **The Cornerstone Inspection Group**

Property Inspections and Radon Testing

www.CornerstoneInspectionGroup.com



International Code
Council
Member

Summary Inspection Report

1097 Dan Johnson Rd; Atlanta, GA

Inspection Date:
December 6, 2011

-Prepared For:
Phillip Clark Builders

Prepared By:
Chuck LeCraw



REPAIR RECOMMENDATION HIGHLIGHTS / SUMMARY

The following is a synopsis of the immediate and/or more costly repairs needed for the building, some of which may be significant. Other repairs and improvements may also be necessary. *All work should be performed by licensed professionals.* **The approximate costs of these repairs are shown in red ("Improve" and "Monitor" items are not included).**

STRUCTURAL REPAIR RECOMMENDATIONS / OBSERVATIONS

1. **Concern:** Horizontal cracking was observed in the back foundation wall under the rear porch (see photo #1). Cracks of this nature are usually the result of soil or hydrostatic pressure. Keep water away from the foundation; review the lot and roof drainage improvements in the Exterior and Roofing sections of this report (see comments below). If these cracks should worsen, a structural engineer who is familiar with foundation repair or qualified foundation repair contractor should be consulted. The rate of movement cannot be determined during a one-time inspection.

Re-brace and Support Back Foundation Wall: \$10,000.

2. **Repair, Monitor:** There is evidence of past moisture intrusion in the crawlspace and basement areas, especially as noted at the back left corner (see photo #2). Wet crawlspaces and basements risk building damage from rot and insects and can cause interior mold or mildew (mold testing is not included in this report unless specifically requested). This condition may vary seasonally and/or with precipitation intensity. Roof and lot drainage repairs or improvements should be addressed as a first step to controlling moisture intrusion (see "Exterior and/or Roofing Sections"). This condition should then be monitored to determine if additional, potentially costly measures such as an interior french drainage system are necessary to protect the building interior from water and moisture damage.

Install Interior French Drainage System with Sump Pump: \$8,000

ROOFING AND GUTTER REPAIR RECOMMENDATIONS / OBSERVATIONS

3. **Concern:** Overall, the roofing is nearing the end of its useful life as indicated by brittle and curling shingles and moss growth in various areas (see photo #3). Numerous areas of stains and damage were noted in the roof decking (see photos #4 and #5) and interior ceilings (see photo #34). Previous repairs to the roofing were also noted in several locations (see photo #6). The roof should be budgeted for replacement in the very near future. Recommend removing all previous layers of roofing material and replacing all old flashings when the roof is replaced. Replace all damaged sections of roof decking as needed. The lower rear porch roof is also leaking and causing damage to the structure below and needs replacement (a tarp is currently installed over this roof – see photo #7)

Replace Roofing and Flashings: \$15,000

4. **Repair:** The gutters and downspouts require cleaning and realignment by a qualified gutter contractor to avoid spilling roof runoff around the building and into the cornice – a potential source of water entry and damage (see photo #8). Debris should also be removed from the roofing to reduce the risk of leaks and early roof wear. All leaks and joints in the gutters should be caulked and sealed. All loose gutter nails should be re-driven into the fascia board. The cornice and fascia boards behind the gutters should be checked for damage. Check all underground piping, where present, for blockages to insure that they are also draining properly. Ribbed (black corrugated) piping as noted is more prone to become blocked with debris than smooth wall piping.

Clean / Repair Gutters: \$1,000

EXTERIOR REPAIR RECOMMENDATIONS / OBSERVATIONS

5. **Concern, Repair:** Many of the windows are rotted and damaged and need repair or replacement (see photos #9 and #10). Signs of rot and water damage were also observed at the rear porch, which should also be repaired as needed (see photos #11 and #12). Following repair of all damaged areas (which should be combined with exterior painting/maintenance), future maintenance of the siding and wood trim and control of water from roof or surface runoff can avoid further damage. The carpenter should check all exterior components for further damage and repair as needed.

Exterior Wood Repair and Repaint: \$25,000

6. **Concern, Repair:** The masonry chimney at the left side shows evidence of deterioration and damage (see photo #13). Rebuilding may be needed to assure a safe and functional flue system. A qualified chimney repair contractor should inspect all components and make repairs as necessary. A new rain cap and vermin screen should be installed on the chimney to reduce the risk of further damage to the damper and flues and blockages from bird and squirrel nests or other debris (existing cap is damaged – see photo #14).

Repair / Rebuild Chimney: \$8,000

7. **Repair, Safety Issue:** The front steps and stoop show signs of settlement (see photo #15). These conditions may cause uneven risers and walking areas, which may pose tripping hazards. These components should be considered for removal and rebuilding with proper foundation support to prevent future movement. In the meantime, all cracks and openings should be grouted and sealed to prevent moisture intrusion into the structure and further deterioration of the steps and landings.

Rebuild Front Steps / Stoop: \$6,000

8. **Improve:** The shrubbery and vegetation growing near exterior walls as noted should be kept trimmed away from siding, window trims, and the eaves to reduce risk of insect and water damage. Overhanging tree branches should be cut back to prevent future damage to the roofing and gutters.

ELECTRICAL REPAIR RECOMMENDATIONS / OBSERVATIONS

9. **Repair, Safety Issues:** Electrical repairs are needed, which should be performed by a licensed electrician for improved safety.
 - a. Damaged or frayed insulation was noted on the main service wire, which should be repaired or replaced as needed for proper protection of the wire (see photo #16). The main electrical service mast should be better secured to the exterior to prevent movement and damage to the main service line (see photo #17).
 - b. Damaged outlets or missing outlets as noted at the upstairs bedrooms should be replaced to prevent shocking hazards (see photos #18 and #19).
 - c. Improper electrical connections as noted in the crawlspace should be repaired. All electrical connections should be made with wire nuts and installed inside junction boxes fitted with cover plates to minimize shock and fire hazards (see photo #20).
 - d. Missing light fixtures as noted should be re-installed or the wiring properly terminated in a covered junction box (see photo #21).
 - e. The installation of smoke detectors inside all bedrooms and within 10' of all sleeping areas is recommended as required for proper safety.

Electrical Repairs: \$3,000

10. **Improve, Safety Issue:** The installation of ground fault circuit interrupter (GFCI) outlets is recommended in the kitchen and at all exterior locations as required by present day codes. A ground fault circuit interrupter (GFCI) offers increased protection from shock or electrocution. Proper weatherproof covers should be installed at all exterior outlets.

HEATING AND COOLING REPAIR RECOMMENDATIONS / OBSERVATIONS

11. **Repair, Safety Issue:** When furnace and water heater flues vent into masonry chimneys such as this, it is important to have them inspected and cleaned on a regular basis to prevent the risk of potential blockages in the lines (see photo #22). Blocked and damaged vents pose a risk of flue gas and carbon monoxide back-ups into the house and other unsafe conditions. The configuration of metal piping connected to masonry is also more prone to rusting of the metal when the warm flue gasses condense at the colder masonry components. Relocating these vents to discharge directly to the exterior or lining the chimney would improve the safety of the venting system.

Replace Venting / Add Booster Fans: \$3,000

12. **Repair:** All exposed supply ductwork as noted in the crawlspace/ basement should be properly wrapped with insulation and sealed with tape for proper energy efficiency (see photos #23 and #24). This will also help reduce condensation on the ductwork, which can accumulate in the crawlspace and cause mold and mildew.

Insulate Ductwork: \$800

13. **Improve:** The installation of a central air conditioning system is recommended for improved comfort and to help in reducing humidity within the home.

PLUMBING REPAIR RECOMMENDATIONS / OBSERVATIONS

14. **Concern:** Low water pressure was observed at the upstairs bath fixtures, especially when multiple fixtures are turned on. This may be the result of the old galvanized piping that still remains here and to the street. This piping is subject to corrosion on the interior of the pipe. As corrosion builds up, the inside diameter of the pipe becomes constricted, resulting in a loss of water pressure. This piping is typically replaced when the loss of pressure can no longer be tolerated. Consult with a qualified plumber for remedies that may be available to improve these conditions.

Replace Old Galvanized Water Piping with Copper: \$15,000

15. **Concern:** Old cast iron waste piping components as also noted will need replacement in the future to prevent blockages in the lines and leakage at the joints. Evidence of beginning rust and damage was noted in the drain line piping in the crawlspace (see photos #25 and #26).

Replace Old Cast Iron Sewer Piping: \$8,000

16. **Repair:** There was no expansion tank or valve visible above the water heater. Expansion devices are now required by most municipalities to prevent the back up of hot water into the potable drinking water system and to prevent excessive pressure build-up in the piping systems. Consult with a qualified plumber concerning the need for this device and have installed as necessary.

Add Expansion Tank: \$500

17. **Repair:** The water pressure at the rear exterior hose bibb was 110 psi, which is higher than normal (40-80 psi is typical). It may be necessary to install or otherwise replace the pressure regulator valve (not located) to prevent future leaks in piping, fittings or other equipment caused by higher than normal water pressure. Consult with a plumber concerning this condition and make repairs made as needed.

Add PRV: \$400

18. **Repair:** The tub spout in the upstairs bathroom does not fit tightly against the tile, which exposes a large gap at this location (see photo #27). This condition causes the wall structure to be at risk from moisture intrusion. The spout should be adjusted and secured for a tighter fit and caulked as necessary.

Adjust Tub Spouts: \$300

19. **Monitor, Possible Repair:** Signs of previous leaks were noted in the ceilings below both upstairs bathrooms, which were dry at the time of the inspection (see photo #28). Consult with seller concerning previous plumbing leaks that may have occurred here and repairs performed. If no record of repair can be produced, a plumber should investigate all piping and fixtures above this area and make all repairs necessary to prevent further leakage.

See Above for Piping Replacement

20. **Improve:** The plumbing fixtures in the bathrooms and kitchen are older components. Upgrading fixtures would be a logical long term improvement. In the interim, a higher level of maintenance will likely be required.
21. **Monitor:** The water heater located in the basement was not on during the inspection and could not be tested. This should be turned on and tested for proper function before occupancy.

INTERIOR REPAIR RECOMMENDATIONS / OBSERVATIONS

22. **Concern, Safety Issue:** Evidence of possible mold and fungus growth was noted on the joists and floor decking in the crawlspace and basement, which can promote bacteria causing agents to infiltrate living areas (see photos #29, #30, and #31). These areas should be tested for toxicity (mold testing is not included in this report). All affected material should be cleaned and then sprayed with a fungicide for proper protection. This condition appears to be caused by improper ventilation, outside moisture intrusion, and the lack of a vapor barrier on the crawlspace floor. Proper ventilation and storm water control (see "Roofing" and "Exterior" Sections) will help control moisture in the crawlspace and will also reduce the potential for rot and termite infestations. A new moisture barrier should also be installed on the crawl space floor, which will also help in limiting humidity build-up in the area.

Mold Remediation: \$15,000

23. **Repair, Safety Issue:** Duct tape as noted in the crawlspace/basement appears to be a product that may contain asbestos (see photo #32). The Environmental Protection Agency reports that asbestos represents a health hazard if "friable" (damaged, crumbling, or in any state that allows the release of fibers). Recommend having this material evaluated and removed as necessary by a qualified asbestos removal company. Due to the age of construction, there may be other materials within the home that contain asbestos but are not identified by this inspection report (e.g. as noted at the vinyl flooring in the kitchen). Visit <http://www.epa.gov/asbestos/ashome.html#3> for further information on asbestos in the home.

Remove Asbestos: \$7,000

24. **Repair, Safety Issue:** There is evidence of past rodent activity in the attic as evidenced by droppings on the basement stairs (see photo #33) and/or disheveled insulation (e.g. on the ductwork). A pest control specialist should be consulted to eliminate future activity. All outside openings into the structure should be covered with screen wire or otherwise sealed. Consult with the seller concerning remedies taken to address this condition. Rodents can damage electrical wiring and other building components and can create unhealthy conditions within the home.

Rodent Extermination / Clean-up: \$5,000

25. **Repair, Safety Issue:** The windows are in a state of mild disrepair. Broken glass and damaged window sashes and frames were noted at several locations. Most of the windows are painted or stuck shut (current safety standards require at least one operable window per bedroom for fire escape). This is a fairly common condition as found in older homes. Trimming and adjustment, hardware improvements and glazing repairs would be logical short-term improvements. Replacement of the windows should be considered as a long-term improvement. The most important factor is that the window exteriors are well-maintained to avoid rot or water infiltration and function properly for fire escape.

Complete Window Replacement (if needed): \$20,000

26. **Repair:** Damage and/or holes were noted in the walls/ceilings, especially as noted at the back right room (apparently caused by roof leaks – see photo #34), which should be repaired and repainted. Numerous cracks in the ceilings, which should be patched and monitored for further movement (see photo #35). On the whole, the interior finishes of the home are considered to be in below average condition. When repainting, repairs to the sheetrock and doors will be necessary. Please be aware that this report does not address "cosmetic" items.

Interior Repairs: \$5,000 (not including paint)

27. **Monitor, Safety Issue:** Lead based paint was in use until approximately 1978. According to the Federal Department of Housing and Urban Development, a lead hazard can be present in a house of this age. This can only be confirmed by laboratory analysis. An evaluation of lead paint and other indoor air quality issues is beyond the scope of this inspection. For more information, consult the Environmental Protection Agency (E.P.A.) for further guidance and a list of testing labs in your area. If lead is present in the paint, special care should be taken when renovating or sanding trim and walls to prevent this material from becoming airborne and possibly ingested by occupants.
28. **Improve:** A kitchen exhaust hood fan should be installed in the kitchen to exhaust to the building exterior.

Total: \$156,000

THE SCOPE OF THE INSPECTION

This inspection is generally cursory in nature and is intended only for the purpose of identifying major repair issues that may need to be addressed or corrected as the house is renovated. Although minor repairs and improvements are listed, further minor repairs may still be needed. The inspection does not fully comply with ASHI® Standards of Practice in terms of identifying and reporting the types of systems present. The heating and air conditioning equipment and kitchen appliances were not fully tested. Low voltage wiring components (including security and intercom systems) and lawn irrigation systems (if present) were also not tested.

This inspection is visual only. A representative sample of building components are viewed in areas that are accessible at the time of the inspection. No destructive testing or dismantling of building components is performed. This inspection report should not be considered a guarantee or warranty of any kind. Please be reminded that a prospective purchaser should not rely solely on this document and is encouraged to secure a separate inspection report.

Appendix "C" - Photographs



Clark Builders (front view)



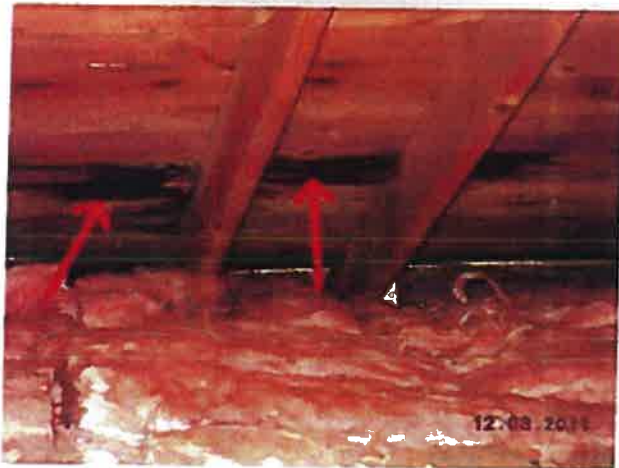
Clark Builders (1)



Clark Builders (2)



Clark Builders (3)



Clark Builders (4)



Clark Builders (5)

Appendix "C" - Photographs



Clark Builders (6)



Clark Builders (7)



Clark Builders (8)



Clark Builders (9)



Clark Builders (10)



Clark Builders (11)

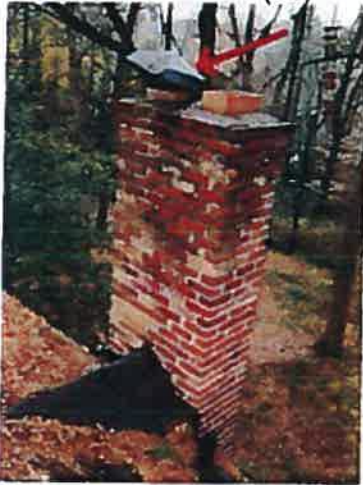
Appendix "C" - Photographs



Clark Builders (12)



Clark Builders (13)



Clark Builders (14)



Clark Builders (15)



Clark Builders (16)



Clark Builders (17)

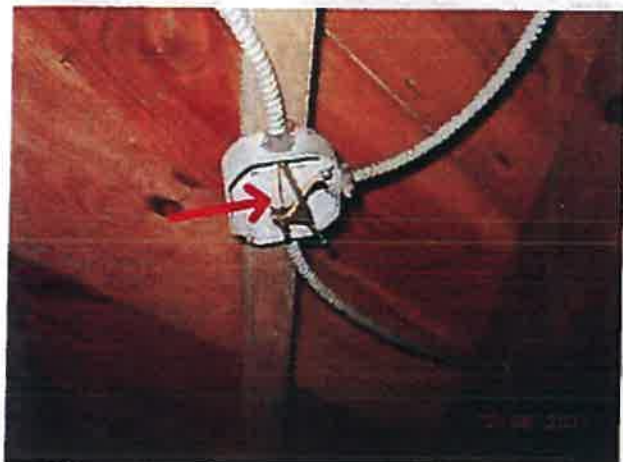
Appendix "C" - Photographs



Clark Builders (18)



Clark Builders (19)



Clark Builders (20)



Clark Builders (21)



Clark Builders (22)

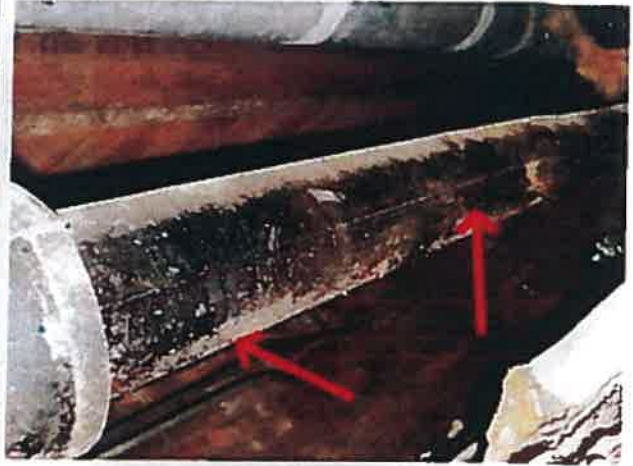


Clark Builders (23)

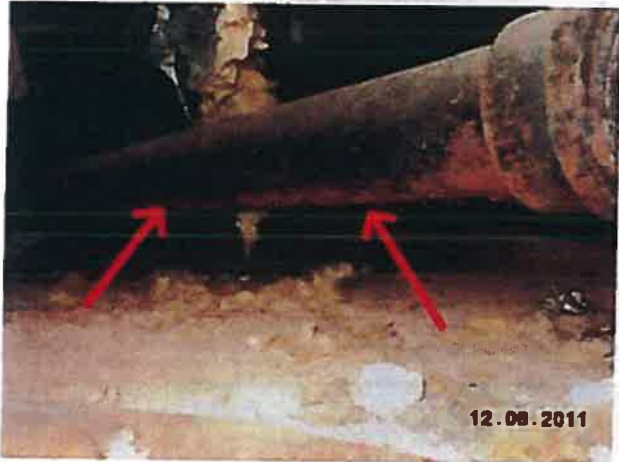
Appendix "C" - Photographs



Clark Builders (24)



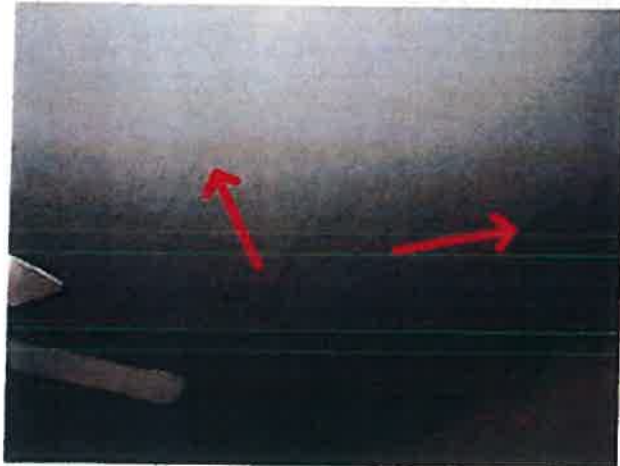
Clark Builders (25)



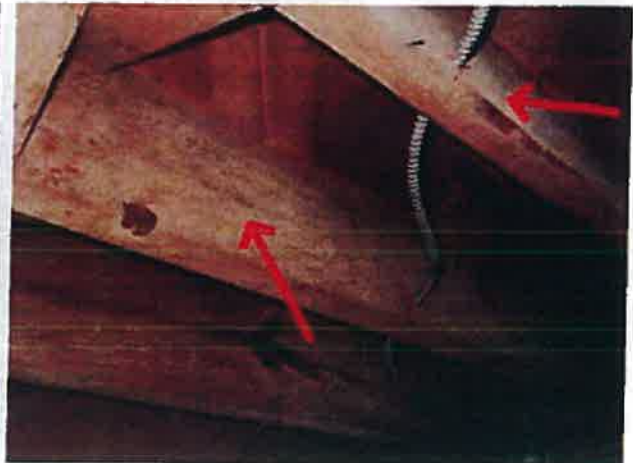
Clark Builders (26)



Clark Builders (27)

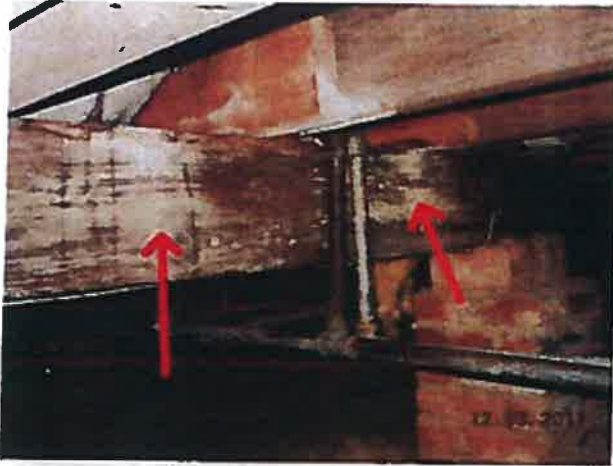


Clark Builders (28)



Clark Builders (29)

Appendix "C" - Photographs



Clark Builders (30)



Clark Builders (31)



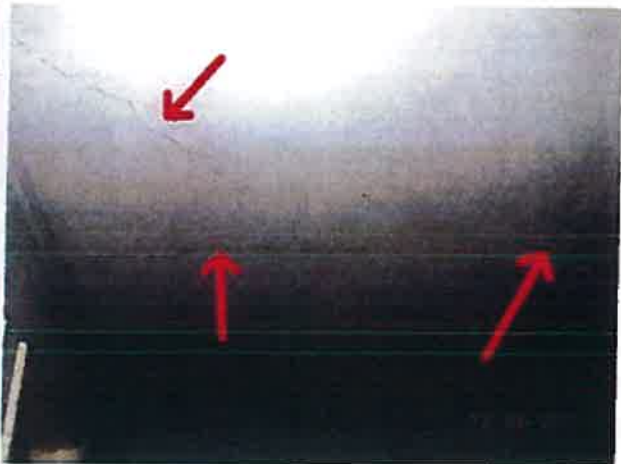
Clark Builders (32)



Clark Builders (33)



Clark Builders (34)



Clark Builders (35)

1098 DAN JOHNSON

DeKalb County Historic Preservation Commission

Monday, May 21, 2012- 7:00 P.M.

Staff Comments

Consent Agenda

B. 1100/1098 Dan Johnson Road (DH), Phillip Clark Fine Custom Home Builders.
Demolish secondary structure. 17855

This structure constructed 1930s. (18-002-06-020)

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

8-01 1100 Dan Johnson Road (DH), Dan J. Matthews. Demolish garage. **Approved**

12-10 1100 Dan Johnson Road (DH), Jon Evanlee Daum, trustee of Daniel Matthews. Demolish dilapidated garage. 16805 **Approved**

3-12 1098, 1100, 1116, & 1133 Dan Johnson Road; 1097, 1107, 1109, 1119, 1127, & 1137 Oakdale Road (DH), Phillip Clark Fine Custom Homes c/o Dunlavy Law Group. Reorganize property lines. 17738 **Approved with modification**

This house was used as part of the Out-of Doors School, a private kindergarten that occupied part of this property in the mid-twentieth century. The structure has been converted into an apartment. Applicant does not intend to replace this building, but instead will build a larger house elsewhere on the property. This piece of property is supposed to become part of Lot 4 in the property division plan previously approved by the HPC. The two other residential structures on the property that are closer to Dan Johnson Road will not be affected by this proposal. A fourth structure straddles the property line between this property and 1107 Oakdale. That is being proposed to be demolished in the following application.

In her letter the applicant says his house was built after 1946, but she has since corrected herself. It was built in the late 1930s or at least by 1941. Although meeting the age criteria to be considered historic, this building is not architecturally or historically significant.

Recommendation

The proposed changes do not appear to have a substantial adverse effect on the district. This application appears to meet the guidelines and the preservation planner 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.

7.3.3 *Demolition and Relocation* (p75) Guideline - Historic buildings and structures should not be demolished unless they are so unsound that rehabilitation is not possible. Historic buildings should not be moved off the property or relocated on the site, nor should other buildings be moved onto the site.

DeKalb County Historic Preservation Commission

Monday, May 21, 2012- 7:00 P.M.

Staff Comments

Consent Agenda

C. 1107 Oakdale Road/1098 Dan Johnson Road (DH), Phillip Clark Fine Custom Home Builders. Demolish secondary structure. 17856

This structure constructed 1959. (18-002-06-027)

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

3-12 1098, 1100, 1116, & 1133 Dan Johnson Road; 1097, 1107, 1109, 1119, 1127, & 1137 Oakdale Road (DH), Phillip Clark Fine Custom Homes c/o Dunlavy Law Group. Reorganize property lines. 17738 **Approved with modification**

This is a nonhistoric house formerly used as part of the Out-of Doors School, a private kindergarten that occupied part of this property in the mid-twentieth century. The structure has been converted into an apartment. Applicant does not intend to replace this building, but instead will build a larger house elsewhere on the property. This piece of property is supposed to become part of Lot 4 in the property division plan previously approved by the HPC.

Recommendation

The proposed change appears to have a substantial adverse effect on the district. This application does not appear to meet the guidelines and the preservation planner recommends denial.

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.
- 11.0 *Nonhistoric Properties* (p93) Guideline - In reviewing an application for a Certificate of Appropriateness for a material change to a nonhistoric building, the Preservation Commission should evaluate the change for its potential impacts to any historic development (architecture and natural and cultural landscapes) in the area of influence of the nonhistoric property. Guidelines presented in *Section 7.0: Additions and new Construction* are relevant to such evaluations.

DeKalb County Historic Preservation Commission

Monday, March 17, 2014 - 7:00 P.M.

Staff Comments

New Construction Agenda

O. 1098 Dan Johnson Road (DH), Linda Dunlavy. Demolish house and build new house.

Built 1940. (18-002-06-020)

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

8-01 1100 Dan Johnson Road (DH), Dan J. Matthews. Demolish garage. **Approved**

12-10 1100 Dan Johnson Road (DH), Jon Evanlee Daum, trustee of Daniel Matthews. Demolish dilapidated garage.

16805 **Approved**

3-12 1098, 1100, 1116, & 1133 Dan Johnson Road; 1097, 1107, 1109, 1119, 1127, & 1137 Oakdale Road (DH), Phillip Clark Fine Custom Homes c/o Dunlavy Law Group. Reorganize property lines. 17738 **Approved with modification**

5-12 1100 Dan Johnson Road (DH), Phillip Clark Fine Custom Home Builders. Demolish secondary structure. 17855

Approved with modification

The existing house is a 1½ story, L-shaped building that was built in or around 1940 when Dan Johnson Road and Vilenah Lane were first laid out. The front façade is clad with fieldstone reportedly taken from earlier barns and/or sheds on the property. The rest of the house is clad with asbestos shingles. A one story porch is set in the angle of the ell. The foundation is of the same type stone as found on the front. It includes quartz, granite, gneiss and feldspar, among others. A more detailed description can be found in the accompanying report from a historic preservation consultant.

Based on his visits to the property, both inside and outside, it is staff's opinion that, although built before 1946, this property lacks architectural or historic significance and does not contribute to the historic district. The report from the preservation consultant concurs. An engineer's report also says the house is in very poor condition and the cost to bring everything up to code would be prohibitive for such a small house. Many of these deficiencies were also seen by staff.

The applicant also proposes demolishing a secondary building in the backyard. This house has a very plain bungalow form and is clad with asbestos shingles. The house was reportedly built as part of The Outdoor School (see the consultant's report for details), but has been used as an apartment for many years. In May 2012 the HPC approved demolition of three similar buildings on what are now adjoining properties. Staff has visited the property and his opinion is that the house is in poor condition and lacks architectural or historic significance. The preservation consultant's report concurs.

Staff has major concerns about the accuracy of the site plan. The neighbors dispute the location of the right (north) property line, which, depending on how the question is resolved, might affect the building setback on that side. A large water oak set inside the right-of-way and just north of the property line is not shown. The root zone extends onto the applicant's property. The plan shows two water oaks to be removed from just in front of the house, but there is only one. A large water oak growing where the garage will be built is not shown. The power line along the south property line is not shown. Two pine trees shown in the southwest corner of this site plan are located south

of the power line and may be on the neighbor's property. Although a 2'-3' retaining wall stands on the east side of the secondary building, the wall is not shown and there are no solid contour lines to show that the grade will be changed. The left elevation appears to show a retaining wall, but this is not reflected on the site plan. Although the tree protection fence and silt fence are shown in appropriate locations for the building stage of the project, the fences around the gazebo will have to be set farther out to enclose the area of the disturbance caused by the demolition of the secondary structure.

The applicant proposes building a house which will generally overlap and expand beyond the footprint of the existing house. The new house is to be set diagonally across the property, but will directly face the end of the street. The house next door at 1097 is set similarly on its lot. The new driveway will be 9' wide and run from a new 18' curb cut to a small turnaround in front of the garage. The house appears to not be set back than the houses on either side. The house to the right is old, and is set far back on the property. The house to the left was built recently and appears to be closer to the right-of-way than the subject house. The front porch will be located 29' off the right-of-way and the front wall will be 35'. There is another 18' to 20' between the edge of the right-of-way and the street pavement.

The house will be 1½ stories and three bays wide, with recessed wings on either side. The main roof pitch will be 10:12. The front porch is centered and projects forward. The porch will be clad with stone, and have a gabled roof. A pair of doors with glass over a panel will be set in the porch. The porch entry is a Tudor or Gothic arch. Large triple double hung windows will be set to each side. These windows will be topped with heavy jack arches. On the second floor, shed wall dormers will be centered over the downstairs windows and a larger gabled wall dormer will be set above the porch. The roof is side-gabled. The house will be brick, set on a stone veneered foundation in the front and right side and brick on the left and rear. The roof will be asphalt shingled.

The property falls off beside the house. On the right side a one story wing will be set back from the front of the house with its front on two planes and a swooping roof above. On the left side a wing will project to the side and then turn at an angle to face the east property line rather than the street, again similar to the house next door. The rear will have a full daylight basement below the main floor and a relatively narrow third floor set off center. A screened porch will project from wall below the third story. The roof will be standing seam with skylights. A brick chimney rises along the back of that section as well. A narrow basement and first floor rectangular wing will project into the backyard.

A freestanding screened gazebo will be built near the back of the lot. The floor will be a concrete slab veneered with brick. The roof supports will be 12" square pillars. The roof will be cross-gabled. An Isokern stove with a brick chimney will be installed on the back.

The applicant proposes cladding the front porch, foundation and wall up to the window sills with the stone removed from the existing house. As noted above, the stones are many different kinds and shapes. They are not appropriate to clad the front of this house.

Many trees will be removed and the site plan is misleading related to that. Staff has added information to the tree chart.

Based on staff's research it appears that all of the water oaks on this property and elsewhere in this subdivision are near or at their maximum expected age. Most of the sources consulted by staff give the average typical maximum age of water oaks as around 70 years. These oaks were probably planted when the subdivision was laid out and this house built in 1940. These trees are now 74 years old. Based on staff's site visit and layman's experience, all the water oaks on the property appear to be in decline and it is questionable if they are safe.

Recommendation

Staff recommends deferral to allow the applicant to correct the problems in the site plan and to address the use of the recycled stone on the building. Staff would recommend approval of the demolition if an approvable replacement plans were available.

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.
- 7.1 *Defining the Area of Influence* (p64) Guideline - In considering the appropriateness of a design for a new building or addition in a historic district, it is important to determine the area of influence. This area should be that which will be visually influenced by the building, i.e. the area in which visual relationships will occur between historic and new construction.
- 7.2.1 *Building Orientation and Setback* (p66) Guideline - The orientation of a new building and its site placement should appear to be consistent with dominant patterns within the area of influence, if such patterns are present.
- 7.2.2 *Directional Emphasis* (p67) Guideline - A new building's directional emphasis should be consistent with dominant patterns of directional emphasis within the area of influence, if such patterns are present.
- 7.2.3 *Shape: Roof Pitch* (p68) Guideline - The roof pitch of a new building should be consistent with those of existing buildings within the area of influence, if dominant patterns are present.
- 7.2.3 *Shape: Building Elements* (p68) Guideline - The principal elements and shapes used on the front facade of a new building should be compatible with those of existing buildings in the area of influence, if dominant patterns are present.
- 7.2.3 *Shape: Porch Form* (p68) Guideline - The shape and size of a new porch should be consistent with those of existing historic buildings within the area of influence, if dominant patterns are present.
- 7.2.4 *Massing* (p69) Guideline - The massing of a new building should be consistent with dominant massing patterns of existing buildings in the area of influence, if such patterns are present.
- 7.2.5 *Proportion* (p70) Guideline - The proportions of a new building should be consistent with dominant patterns of proportion of existing buildings in the area of influence, if such patterns are present.

O. 1098 Dan Johnson Road (DH), Linda Dunlavy
page four

- 7.2.6 *Rhythm* (p71) Guideline - New construction in a historic area should respect and not disrupt existing rhythmic patterns in the area of influence, if such patterns are present.
- 7.2.7 *Scale/Height* (p72) Guideline - New construction in historic areas should be consistent with dominant patterns of scale within the area of influence, if such patterns are present. Additions to historic buildings should not appear to overwhelm the existing building.
- 7.2.7 *Scale/Height* (p72) Guideline - A proposed new building should appear to conform to the floor-to-floor heights of existing structures if there is a dominant pattern within the established area of influence. Dominant patterns of cornice lines, string courses, and water tables can be referenced to help create a consistent appearance.
- 7.2.8 *Individual Architectural Elements* (p73) Guideline - New construction and additions should be compatible and not conflict with the predominant site and architectural elements—and their design relationships—of existing properties in the area of influence.
- 7.3.2 *New Construction and Subdivision Development* (p75) Guideline - To be compatible with its environment, new construction should follow established design patterns of its historic neighbors, including building orientation, setback, height, scale, and massing.
- 7.3.2 *New Construction and Subdivision Development* (p75) Guideline - To be compatible with its environment, new construction should follow established design patterns of its historic neighbors, including building orientation, setback, height, scale, and massing.
- 7.3.2 *New Construction and Subdivision Development* (p75) Guideline - New construction should respect the historic character that makes the area distinctive, but it should not be a mere imitation of historic design.
- 7.3.3 *Demolition and Relocation* (p75) Guideline - Historic buildings and structures should not be demolished unless they are so unsound that rehabilitation is not possible. Historic buildings should not be moved off the property or relocated on the site, nor should other buildings be moved onto the site.
- 8.2 *Trees* (p78) Recommendation - The mature hardwood forest within the Druid Hills Local Historic District should be perpetuated through a district-wide replanting program. Trees should be replaced when mature trees are lost to age or damage or are removed for safety reasons. Replacement trees should be of identical or similar varieties to the original trees. A diversity of tree types is recommended to perpetuate the existing character of most tree groupings. Replacement trees of adequate size (1.5" caliper minimum) are recommended. Existing ordinances that provide for the protection and replacement of the district's tree resources should be applied to development activities within Druid Hills.
- 8.3 *Protection of the Historic Watershed Design and Design Concept* (p79) - Guideline - All construction within the Druid Hills Local Historic District should follow a 75' setback requirement from the top of bank of creek corridors and drainage ways, as delineated on the official "Historic District Map."
- 9.1 *Original Subdivision Forms* (p81) Guideline - Elements of the original layout to be retained include lot layouts for public and private spaces and the alignment of streets, drive, walkways, and streetscape profiles.

O. 1098 Dan Johnson Road (DH), Linda Dunlavy
page five

- 9.5 *Parking* (p90) Guideline - Parking should be addressed in a manner that does not distract from the overall character of the district. Parking to serve private residential lots should be accommodated on-site, when at all possible, using the pathway of original drives and parking. Front yard parking should not be allowed unless it is a public safety issue. When front yard parking is necessary, it should be added in a manner that does not destroy the unbroken landscaped character of the front yard spaces in Druid Hills. Rear yard spaces should be considered for expansion of parking areas.
- 9.5 *Parking* (p90) Guideline - Curb cuts should not be added or expanded in order to protect the character of the district's streets.
- 9.7 *Residential Landscape Design* (p91) Recommendation - For residential yards, created without the assistance of landscape designers, historic landscape plans for other residential lots within the district should be used for guidance. These plans can be interpreted to create a new landscape plan that is based on historic traditions. Care should be taken to select designs for yards of similar size containing houses of similar style and scale.
- 11.0 *Nonhistoric Properties* (p93) Guideline - In reviewing an application for a Certificate of Appropriateness for a material change to a nonhistoric building, the Preservation Commission should evaluate the change for its potential impacts to any historic development (architecture and natural and cultural landscapes) in the area of influence of the nonhistoric property. Guidelines presented in *Section 7.0: Additions and new Construction* are relevant to such evaluations.

STATEMENT IN SUPPORT OF
APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

Applicant:

PHILLIP CLARK CUSTOM BUILDERS AND DUNLAVY LAW GROUP, LLC

Property Location:

1098 Dan Johnson Road

**Request for Certificate of Appropriateness to
Demolish Existing Structures
And To
Construct A New Residence**

FEB 28 REC'D
DK

Submitted for Applicant by:

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INTRODUCTION

The Subject Property, known as 1098 Dan Johnson Road ("Subject Property), is owned by Matthews Properties, LLC. It is not located within a National Register Historic District, nor is it in an identified character area. On the contrary, the Subject Property is located at the end of the cul-de-sac on an intrusion street, east of Oakdale between the ByWay and North Decatur Roads. Dan Johnson is currently developed with 11 homes, four of which were constructed prior to the period of significance (1946 and earlier) at, 1098, 1112, 1128, and 1107/1109 Dan Johnson Road. Three of the remaining homes were built between 1946 and 1950 (1108, 1137 and 1113). One home at the northeast intersection of Vilenah Lane and Dan Johnson Road (1141 Dan Johnson Road) was constructed in 2003/2004 after receipt of a COA for demolition of the pre-existing home and approval of the new construction by the HPC. New homes at 1097, 1121, and 1131 and Dan Johnson have been built by Phillip Clark Custom Homes within the past two years pursuant to COA's issued by the HPC.¹ One lot at 1116 Dan Johnson Road is vacant after demolition of the pre-existing home pursuant to a COA and awaits construction of a new residence thereon. 1107/1109 Dan Johnson has been approved for demolition and new construction by the HPC as of October 2013. The Subject Property contains a home built in approximately 1938 with related structures including a rear outbuilding previously rented as a residence, drives and walkways. See included existing conditions site plan. The existing residence and its associated structures are in extremely poor condition. They contain mold, asbestos and structural deficiencies.

¹ COAs for new construction on vacant lots fronting Oakdale have also been approved by the HPC in furtherance of the Estate redevelopment plans.

HISTORY

The Subject Property has been in the Johnson/Matthews family since 1863, as part of a larger land grant stemming from the Indian Land Grants after the Revolutionary War. By 1890, the holdings of the Johnsons had been reduced to approximately 10 acres, a major part of which is now owned by the Daniel J. Matthews Trust. Daniel J. Matthews is a direct descendant of the original grantee and the grandson of Dan Johnson, the namesake for the road on which the Subject Property is located. Daniel J. Matthews is the late husband of Jon Evanlee Daum, principal of Matthews Properties. The ten acres owned by the Johnson family in 1890 was made into a small subdivision comprised of Vilenah Lane and Dan Johnson Road. Vilenah was named after Dan Johnson's wife. The home on the Subject Property was one of the first homes erected on Dan Johnson Road in approximately 1938 pursuant to plans prepared by Clarence Glass. It was built for Antoinette Matthews, granddaughter of Dan Johnson and used as a rental property until approximately 1971 when Dan Matthews moved in with his family. Ms. Daum lived at 1098 Dan Johnson Road for a brief period of time (2011-2012) prior to the completion of her new residence at 1097 Dan Johnson Road. Ms. Daum, through a contractual arrangement with Phillip Clark, has contracted for the complete redevelopment of all lots owned by Matthews Properties. This contract, over the course of the past two years, has resulted in rapid transformation of the effected properties such that three new homes now exist on Dan Johnson and are occupied; two additional lots have been approved for new construction on Dan Johnson; three lots facing Oakdale are in various phases of new construction and the home at 1153 Oakdale has been approved

for demolition. In furtherance of the overall redevelopment plans for the Matthews Properties' lots, Phillip Clark wishes to build a new home on the 1098 site after demolition of the existing residence and its associated structures (accessory structures, drive, walkways, walls and steps). See attached photographs depicting associated structures. Also, see, included new construction site plan and architectural drawings.

A structural engineer's report, secured from Michael Quinn and Associates, shows that the home at 1098 Dan Johnson Road is so unsound that rehabilitation is not practically possible. Moreover, a cost to cure report indicates that even if the home could practically be rehabilitated, the cost to cure deficiencies to bring the existing structure to code and to make it habitable would far exceed the fair market value of the home.

Finally, an "Architectural and Historic Significance Evaluation", prepared by Laura Drummond of the Atlanta Preservation and Planning Services, finds that the only historical significance of the 1098 home "rests solely on the features constructed of stone (on the façade of the home) from the Johnson Dairy". The Applicant proposes to

repurpose that stone by including it in the façade and water table of the proposed new home to be built on site. The Applicant is requesting a Certificate of Appropriateness to demolish the existing structures on site and to construct a new residence compatible and consistent with other residences in the area of influence.

PROPOSED DEMOLITION AND NEW CONSTRUCTION

The Applicant desires to take the current aging structure and demolish it along with the driveway, walkways and walls on the site. The lot on which the home is situated was reconfigured pursuant to a COA issued by the HPC in May of 2012. The existing house is a two-story stone and frame home clad with asbestos shingles and set on a

granite partial crawl space/basement foundation. There is a one story covered porch on the front of the home and a one story home at the rear. Additionally there is a one and a half story outbuilding in the rear of the main house previously used by the Outdoor School and later as a rental of unknown vintage. It is a wood framed structure supported on a brick masonry pier and a curtain crawl space foundation.² The front façade is faced with a veneer of uncoursed rubble stone some of which was used originally in the construction of the Johnson dairy which was located near the current intersection of Vilenah Lane and Oakdale Road. The home is approximately 2264 square feet and the unfinished basement is approximately 244 square feet. It originally had a detached agricultural style garage at the rear³. In addition to the home, the Applicant proposes to demolish the concrete driveway, the walkways, accessory structures and walls on site. The new construction for the Subject Property is proposed as per the plans of Spitzmiller and Norris and filed contemporaneously herewith.

BASIS FOR THE DEMOLITION PROPOSAL

Applicant notes that although the existing home was built during the period of significance (prior to 1946), like many homes in Druid Hills the structure was not designed by a professional but simply built using accepted building techniques of the day. As such, many of the elements of the existing home are seriously deficient relative to current building codes and standards. These serious deficiencies, include, but are not limited to, brick masonry piers in crawl space in danger of collapse, inadequate footings,

² It should be noted that this structure appears to have been illegally used as a residence since DeKalb County Codes do not allow two residences on the same lot and after reconfiguration of the lots in 2012, cannot be used as a residence in addition to the main house. Additionally, it could not be subdivided into its own lot as a compliant single-family residence due to lack of required lot size and lack of street frontage.

³ This garage was demolished pursuant to a COA issued by the HPC in August of 2001.

overly stressed foundation walls, and non-existent foundation anchorage. Moreover, the house is not a good representative of any particular style or house type and does not appear to have any architectural or historical significance but for the stone on the façade of the house. The Applicant proposes to remove the façade stone by hand and repurpose it in construction of the proposed new home by integrating it into the façade and water table.

In evaluating the request for demolition the HPC needs to determine if the existing structure is “so unsound that rehabilitation is not possible”. Guideline 7.3.3. “Buildings and structures that are proposed for demolition... should be thoroughly evaluated for historic and architectural merit and importance to the character of the site and district. If significant, alternative uses that permit continued preservation should be thoroughly investigated.” Because of the lack of historic or architectural significance of the existing residence, the Applicant submits that “alternative uses that permit continued preservation” need not be explored by the HPC.

The HPC has approved demolition of numerous structures within the District since its inception in 1996. These structures include historic and non-historic structures. The chart below summarizes the residences approved for demolition in the District:

SAMPLED DEMOLITIONS IN HISTORIC DISTRICT⁴

Address	Year Built	Demo Approved	Reasons
267 Chelsea Circle	1958	Mar-05	nonhistoric
315 Vickers Drive		Jun-05	
519 Durand Drive	1935	Oct-06	fire
1000 Clifton	1953		nonhistoric
1164 Clifton Road	1952		

⁴ There are likely other approved demolitions since there is no searchable data base to assure complete information maintained and accessible to the public in DeKalb County Planning Department.

1000 Springdale	1952	Jan-05	nonhistoric
995 Springdale	1923	Jan-09	Serious structural
1169 Lullwater	1929	Aug-05	mold
1185/1189 The ByWay	1942	Jan-10	mold, structural
1203 The ByWay	1953	Nov-01	nonhistoric
1209 The ByWay	1947	Nov-01	nonhistoric
1247 University	1948	Dec-05	
1282 Briardale	1950	Aug-06	nonhistoric
1287 The ByWay	1950	Apr-03	nonhistoric
1288 Briardale Lane		Jul-04	
1256 Briarcliff	1960s		Nonhistoric GMHI cottages
1302 Stillwood	1925	Aug-06	profound structural
1314 University		Mar-05	
1444 Oxford Road		Aug-06	
1595 Emory Road	1929	Nov-01	Extreme structural and neglect
1739 Coventry		Mar-05	
1741 Coventry		Mar-05	
1745 Coventry		Jan-05	
2015 North Decatur	1930	August 2001	Nonsignificant; poor condition
1107 Oakdale-Cottage	1959	May, 2012	Non historic
1116 Dan Johnson Road	1947	May, 2012	Non historic
1100 Dan Johnson Road-Cottages	1950-1959	May 2012	Non historic
1153 Oakdale Road		May 2012	Non historic
1107 /1109 Dan Johnson Road	1941	October 2013	Non-significant; poor condition
1100 Dan Johnson Road-Garage	1938	August 2001	Poor condition
1097 Dan Johnson Road	1940	February 2012	Insignificant; poor condition
1133 Dan Johnson Road	1950	May 2012	Non-historic

1141 Dan Johnson	1955	Dec-99	Non historic
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The COAs and related materials for the demolition and new construction of new homes for the above approvals are included in the Application package. Since 1999, the HPC has approved a total of eight (8) demolitions for historic (2) and non-historic (6) structures on Dan Johnson combined. Seven (7) of these demolition approvals have been secured by the Applicant as part of the redevelopment of the Dan Johnson Estate properties.

The home on the Subject Property is in deplorable condition. Similar to the historic homes above approved for demolition, it suffers from profound structural problems and its current condition militates against requiring rehabilitation and preservation. Reports documenting this condition are filed contemporaneously with this written justification. These reports include a structural engineering report, an asbestos report, a mold remediation report, a cost to cure report and a report evaluating the historic significance and architectural significance of the historic residence.

The first expert report in support of demolition is a structural report from Michael Quinn and Associates wherein he evaluates the “suitability of the existing structure for ...renovation”. He evaluated the residence and the rear outbuilding. Mr. Quinn, a licensed professional engineer, notes that the “house is in disrepair and has been poorly maintained”. He also observes that the “first floor ... joists and rim band bear directly on the granite walls...and there is no connection of the wood framing to the foundation.” Because of this existing dangerous condition, Mr. Quinn indicates that “to properly attach the house to the foundation, the masonry foundation would need to be removed and

replaced with either a poured concrete or concrete masonry wall bearing on a new footing. This may be accomplished in sections by bracing the floor system and wall above, excavating both sides of the wall, removing the wall, pouring a new footing, and building a new wall.” As to the rear outbuilding, Mr. Quinn observes that due to inadequate headroom and floor loads, the attic should be abandoned as a storage space. He further observes that the existing framing is out of level and uneven; there appears to be mold throughout, and the brick foundation is cracked and distressed in places. Mr. Quinn notes several other structural issues relating to the existing structures, including mold throughout the home, and concludes “[c]onsidering the extent of the foundation work and associated dangers, as well as the likelihood of bringing the both houses into current Code compliance, it may be safer and more cost effective to raze the existing structures and rebuild on a new foundations.”

The second report submitted is that of the Cornerstone Inspection Group. Chuck LeCraw of Cornerstone inspected the home at 1098 Dan Johnson Road to determine the need for repairs and the estimated cost for making needed repairs to bring the home into compliance with current codes (i.e. “rehabilitate” defined in the Guidelines as “the process of returning a building to a state of utility while retaining those elements essential to its architectural, historical and/or aesthetic significance”). He identifies numerous concerns and estimates the “cost to cure” these concerns for the main house to be in excess of \$185,000⁵.

Due to the water intrusion and problems stemming from that intrusion over the course of the past 50+ years, the structural condition of the home, and the need for major

⁵ Applicant believes this estimate to be VERY conservative given that he did not inspect or evaluate the cost to cure deficiencies in the rear outbuilding/cottage.

reworking of the systems within the home to bring it up to current code, Applicant submits that this home is not of a character worthy or even capable of effective rehabilitation and preservation. This is confirmed further by the asbestos and mold reports included with the application packet. X-Mold industries estimates mold remediation in the main house alone to be in excess of \$30,000. The current condition of the home and rear outbuilding, as reflected in the reports of Chuck Le Crow, Mike Quinn, and the asbestos and mold reports make it clear that the house and rear outbuilding are so unsound that rehabilitation is not practically possible. As such, the Application meets the Guidelines for demolition and, pursuant to the Historic Preservation Ordinance, the HPC is required (“shall approve the application”) to approve the demolition request because to remove this house and the related structures would not have a “substantial adverse effect on the aesthetic, historic or architectural significance and value of an historic property or the historic district”. Section 13.5-8(7).

NEW CONSTRUCTION

Applicant seeks a Certificate of Appropriateness to build a new residence as per the plans submitted with this application and drawn by Spitzmiller and Norris. The new home proposed is in the style of an English Cottage, is brick with a stone base below the first floor window sills. A gothic arch in stone creates the focal point of the entry porch. Limestone impost and brick jack arches provide sophisticated detailing. It is a story and a half with a proposed finished height of 33 feet 7 inches from finished grade to ridge consistent with that of its neighbor at 1098 Dan Johnson, a newly constructed home approved by the HPC in February of 2012. A side entry garage is attached to the southwest side of the home and the plans contemplate a basement daylighting on the

northwest side of the rear of the house along with a screened porch. There is proposed a small gazebo in the rear yard. The existing curb cut on the property will be removed and a new curb cut south of the existing installed. This allows the orientation of the new home and the garage to be rotated slightly to appear more frontal to the street than that of the existing historic residence on the Subject Property and in harmony with the orientation of the new home at 1097 Dan Johnson Road. The floor to ceiling heights are ten feet for the first floor and 9 feet for the second story. Exterior building materials will be a mix of stone and brick veneer with random coursing of the stone which will be removed from the façade of the historic home currently on site. All windows will be wood units with true divided lights, varying in number and size. The majority will be double hung but there are some casement windows on the right side elevation. There are 26 trees of 6 inches or more on site. The land disturbance plan provides for the retention of all trees at the rear of the house with the exception of an 8 inch hardwood. Removal of trees will be required for the foot print of the home and the new driveway. However, 149 inches DBH will remain on site and the Applicant will pay recompense for trees removed in the amount of \$7200.

Applicant notes that the new house plans are in keeping with the character of the Druid Hills Historic District and will have no substantial adverse effects on the District. On the contrary, the new home, unlike the existing home, will make a positive contribution to Dan Johnson Road and to the District as a whole. The area of influence for the new home is Dan Johnson Road and, perhaps, the eastern end of Vilenah Lane, where visual relationships will occur between the proposed new home and historical residences (see included "Historic Property Map" and Guideline 7.1). This delineation

was confirmed (after considerable debate) when the new home at 1141 Dan Johnson was approved for construction in late 2001. The plans for the proposed new home on the Subject Property meet the Guidelines for new construction as follows:

7.2.1 Building Orientation and Set Back

The front and side setbacks are consistent with those within the area of influence. The proposed home is in essentially the same location as the existing house⁶. The side yard setbacks and spacing between homes is consistent with the pattern in the area of influence.

7.2.2 Directional Emphasis

There is no dominant pattern of vertical or horizontal emphasis within the area of influence. As can be seen from the photographs of the houses on Vilenah and Dan Johnson, some are horizontal ranches and minimal traditional homes, whereas others are more vertical. The proposed new home's overall shape, size and placement of various elements and openings on the façade make it compatible with the directional emphasis of 1098 Dan Johnson, the existing home at 1097 and other homes on the street, especially the new homes constructed by the Applicant and approved by the HPC. It is not inconsistent with any dominant pattern of emphasis within the area of influence.

7.2.3 Shape

The roof pitches at 10/12 and 12/12 are not inconsistent with those next door at 1097 Dan Johnson Road and other homes within the area of influence. Building elements and shapes used on the front facade, including windows and door openings, are similar to

⁶ It is actually set back approximately 4 feet further than the existing house. Applicant is aware that it will need to seek a set back averaging variance from the requirements of Zoning Ordinance Section 27-788.

those found elsewhere on Dan Johnson and Vilenah. See photographs included with the Spitzmiller and Norris plans.

7.2.4 Massing

The height, width and depth of the proposed new home are very similar to the new home on the adjoining lot. The structures on Dan Johnson and Vilenah exhibit a wide variety of house shapes, forms and mass. The proposed new home is compatible with those shapes, forms, and massing. The massing of the new home is not out of line with that of other homes within the area of influence and is located on a lot of similar size, width and depth to other lots within the area of influence.

7.2.5 Proportion

Once again, there is no dominant pattern of proportion in the existing housing stock within the area of influence. However, the proposed home is similar in proportion to the home at 1097 Dan Johnson and other homes in the District. See Sheet 11 of 12 in the included architectural drawings. The individual elements of the new home are proportional to each other and to the structure as a whole.

7.2.6 Rhythm

Both symmetrical and asymmetrical rhythms are present within the area of influence. The proposed new home respects and does not disrupt the rhythms present.

7.2.7 Scale/Height

The new home appears to conform to the floor-to-floor heights of homes within the area of influence. While the floor to floor heights may be slightly more than that found in older two story homes on Vilenah and Dan Johnson, they are not inconsistent with the new construction approved by the HPC at 1097, 1121, 1131 and 1141 Dan

Johnson, and, with much of the second floor under the eaves of the roof, a ridge height consistent with that of its neighbor at 1097 is maintained. See Streetscape included with architectural drawings.

7.2.8 Individual Architectural Elements

Individual design characteristics and materials from homes within the area of influence have been utilized and integrated into the proposed new home. As such, roofs, walls, windows, entrances, details and materials are compatible with historic structures within the area of influence.

SUMMARY

The existing proposal meets the specific Guidelines set forth in the Design Manual for the Druid Hills Historic District for new construction and the Guidelines for Demolition of Structures. The structure sought to be demolished is not of historic or architectural value, is not a significant site element, is not a contributing structure, and is structurally unsound. Demolition would not have a substantial adverse effect on the aesthetic, historic, or architectural significance and value of the Historic District. The proposed new home meets all of the Guidelines and would make a positive contribution to the District.

Based on the foregoing and for all of the reasons set forth above, the DeKalb County Historic Preservation Commission should grant the Applicant's request for a Certificate of Appropriateness so that the existing structures on the Subject Property can be demolished and so that a new home, which will be aesthetically pleasing and contribute positively to the District, may be constructed. As a condition of approval, the Applicant would agree to document the old home via photographs of all elevations and

repurpose the stone on the front façade by integrating it into the newly constructed home proposed.

PRESERVATION OF CONSTITUTIONAL RIGHTS

The Applicant respectfully submits that, should the DeKalb County Historic Preservation Commission refuse to grant the requested Certificate of Appropriateness, such an action would be unconstitutional as a taking of property, a denial of equal protection, an arbitrary and capricious act, and a denial of due process of law under the United States Constitution and the Constitution of the State of Georgia.

Refusal to issue the requested Certificate of Appropriateness would deprive the Applicant of any alternative reasonable use and development of the Subject Property without just compensation and would be insubstantially related to the health and welfare of the public while substantially harming the Property owner.

Applicant specifically objects to the standing of any party that opposes this Application for Certificate of Appropriateness.

This 27 day of February, 2014.

Respectfully submitted,



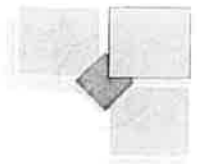
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DeKalb County Department of Planning & Sustainability

Lee May
Interim Chief Executive Officer



APPLICATION FOR CERTIFICATE OF APPROPRIATENESS DeKalb County Historic Preservation Commission

1. Address of Property: 1098 Dan Johnson Road
Owner: Matthews Properties, LLC Owner Telephone: c/o 404-371-4101
Owner Address: 1097 Dan Johnson Road

2. Name of Applicant: Dunlavy Law Group, LLC and Phillip Clark Custom Builders
You or your representative may be present at the meeting of the commission, but attendance is not mandatory. You will be notified of the time, date, and location of the meeting. Email: ldunlavy@dunlavylawgroup.com
Mailing Address: 1026 B Atlanta Avenue, Decatur, GA 30030
Daytime Telephone: 404-371-4101

Relationship of Applicant to Property Owner: Owner Architect Contractor
Other Builder and Counsel

3. Age of Structure: Approximate date of construction for the primary structure on the property and any secondary structures affected by this project: 1938

4. Nature of Proposed Work:

- | | |
|---|--|
| <input checked="" type="checkbox"/> New Construction | <input type="checkbox"/> Site Preparation/Clearance |
| <input checked="" type="checkbox"/> Demolition | <input type="checkbox"/> Moving a Building |
| <input type="checkbox"/> Addition | <input type="checkbox"/> Sign Erection or Replacement |
| <input type="checkbox"/> New Freestanding Building | <input type="checkbox"/> Repairs or Alterations |
| <input type="checkbox"/> Fence/Wall | <input type="checkbox"/> Exterior Architectural Features |
| <input type="checkbox"/> Exterior Environmental Feature | <input type="checkbox"/> Landscaping |
| <input type="checkbox"/> Change | <input type="checkbox"/> Other |
| <input type="checkbox"/> Deck or Patio | |

Please describe your proposed work as simply and accurately as possible. Use the attached submittal criteria checklist to guide you in your description. Be sure to indicate building and landscape materials to be used. Accurate drawings and photographs are **required**. (Use extra sheet, if necessary.)

Demolition of existing residence and accessory structures and appurtenances.

See attached details.

IMPORTANT: This form must be completed before the Historic Preservation Commission can consider the approval of any material change to a Historic Property or within a Historic District. **This form, along with nine (9) copies of all supporting documents (drawings, text, documents, photos, etc.), must be filed with the Historic Preservation staff, DeKalb County Planning Department, 330 West Ponce de Leon Avenue, Suite 500, Decatur, Georgia 30030. Three (3) copies of plans or renderings at scale and nine (9) sets of plans reduced to 11" x 17" or smaller must be filed.** All applicable items from the attached checklist of submittal criteria must be addressed. Incomplete applications will not be docketed for consideration by the Historic Preservation Commission.

FOR OFFICE USE ONLY

Date received: _____

Initials: _____

Sign given: Yes No

Signature of Applicant

Date

Quinta E. Murray
2-28-14

**AUTHORIZATION OF A SECOND PARTY TO APPLY
FOR A
CERTIFICATE OF APPROPRIATENESS
DeKalb County Historic Preservation Commission**

(I) (We), Evanlee Daum
being (owner) (owners) of the property described below or attached, hereby delegate authority to
Linda Dunlavy and Dunlavy Law Group, LLC
to file an application in (my) (our) behalf.

01/10/2014
DATE


OWNER

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, the Preservation Commission will issue a cease and desist order and you may be subject to other penalties including monetary fines and/or required demolition of the non-conforming work.

If your project requires that the county issue a Certificate of Occupancy at the end of construction, the preservation planner will need to inspect the completed project to ensure that the work has been completed in accord with the Certificate of Appropriateness. The review may be conducted either before or after your building inspection. If you will be requiring a Certificate of Occupancy, please notify the preservation planner when your project nears completion. 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 monetary 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. You will need to apply for a new certificate if you still intend to do the work.

Please contact the preservation planner, David Cullison (404/371-2155), if you have any questions.

1107 DAN JOHNSON

DeKalb County Historic Preservation Commission

Monday, September 21, 2015 - 7:00 P.M.

Staff Comments

Regular Agenda

S. 1107 Dan Johnson Road (DH), Phillip Clark Custom Builders – Druid Hills, Inc. Modify the previously approved CoA to change the grade and the retaining wall in the backyard. 20175

Built 2015. (18-002-06-018)

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

10-13 1107-1109 Dan Johnson Road (DH), Phillip Clark Custom Builders & Dunlavy Law Group, LLC. Demolish existing house and build new house. 18925 **Approved with modifications**

1-15 1107 Dan Johnson Road (DH), Phillip Clark Custom Builders – Druid Hills, Inc. Build one boulder retaining wall in the backyard and raise the backyard grade. 19610

This is a nonhistoric property. (*Druid Hills Design Manual*, Glossary, page ii: **Nonhistoric** — Nonhistoric properties within the district are those properties constructed after 1946. Nonhistoric properties are identified on the Historic District Map.)

The applicant says what they have built along the property line meets what was approved by the HPC with the exception of the area of 3:5 grade above the retaining wall. They are applying to remove that requirement.

Staff believes what has been built does not comply with what was approved in January. A sketch by staff of his understanding of the January approval is included in the application. As built the former upper retaining wall remains in place, the lower wall has been removed and made into a slope. Shrubs have been planted both above and below the retaining wall. The yard above the wall remains flat.

Recommendation (September 2015)

Staff recommends denial, and that the applicant comply with the January approval.

Staff comments from January 2015

This is a new house approved by the HPC in 2013. This is a retroactive application. In an attempt to provide a level backyard for the purchaser, the applicant has built two stacked granite retaining walls along the north property line in the backyard. The walls are set one above the other to create a terrace between them. Staff measured the walls in various places. The upper wall is as low as 20" in one measurement and as high as 30" in another, but most measurements were around 24". The lower wall varies in height between 30" and 38", with most measurements around 36". The applicant also has brought in a lot of fill dirt to raise the backyard grade.

The original approval included some grading in the south part of the backyard to make a platform for the garage, but the builder has added soil to flatten the whole backyard. Rather than sloping down 10' from the south property line to the north line, as built, the backyard slopes about 3½' across the yard and drops precipitously 6' to the neighbor's lot, using the two retaining walls.

DeKalb County Historic Preservation Commission

Monday, July 16, 2012 - 7:00 P.M.

Staff Comments

New Construction Agenda

O. 1107-1109 Dan Johnson Road (DH), Phillip Clark Custom Builders & Dunlavy Law Group, LLC. Demolish existing house and build new house.

Built 1941. (18-002-06-018)

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

4-12 1098, 1100, 1116, & 1133 Dan Johnson Road; 1097, 1107, 1109, 1119, 1127, & 1137 Oakdale Road (DH), Phillip Clark Fine Custom Homes c/o Dunlavy Law Group. Reorganize property lines. 17738 **Approved with modification**

The demo plan dated August 22 has been superseded by the site plan dated August 28. The driveway will be on the south side of the property. In several places the lap siding is identified as wood, but it will actually be Hardieboard lap siding. The plan view of the front porch erroneously shows a square column where a round one should be. The elevation drawing is correct.

The existing house is an early form of a brick ranch with Colonial Revival detail at the front door. A dormer has been added, the windows have been replaced, and the porch at the left end has been enclosed. Although marginally old enough to be considered historic, the existing house is not architecturally significant either for itself or for in combination with its surroundings. It is out of character for the area. The house should not be considered historic. In addition, the applicant has provided copies of reports from The Cornerstone Inspection Group and Michael Quinn and Associates that document the problems present in the house. The Cornerstone documents also provide estimates of the cost of bringing the house up to code. The cost far exceeds the value of the structure. The guideline states, "Historic buildings and structures should not be demolished unless they are so unsound that rehabilitation is not possible." Based on the inspection reports this house could be rehabilitated, albeit at great cost. However, for the reasons noted above, the house should not be considered historic and demolition should be approved.

Height from grade at the front of the house will be 33'. The HPC has previously approved COAs for the construction of four new houses on this street. Their heights are: 1097, 1½ stories—30'4"; 1133, 1½ stories —30'11"; 1121, 2 stories —31'4"; and, 1116, 1½ stories —31'. In addition, all of those houses were set at street grade or higher, while this house will be set partially below street level. The elevation at the right front corner of the lot is 962, at the left front corner is 958, and the elevation at the foot of the front stairs will be 958. The house to the left was built in 1964.

The proposed house is modeled on a historic house found at 851 Springdale Road (City of Atlanta), built in 1925. The proposed house is 2-story. It is basically L shaped with a 2-story wing projecting on the left front. The roof will be hipped and clad with architectural shingles. The eaves will overhang and show exposed rafter tails. The house will be clad with Hardieboard lap siding. The windows will be wood SDL, mostly double hung sash. Most of the windows will be 8/8, but with a larger window flanked by 2/2 sidelights set in the front wing facing the street. The front windows will be flanked by operable wood shutters.

The shallow portico will be set in the ell on the front of a one-story projecting foyer. The entablature and roof will be supported by two round columns on the right and a round column and a square pilaster on the left. Another square pilaster will be set on the wall behind the paired columns. A wooden balustrade will be installed on the front of the porch roof, wrapping around the side where it will meet a shiplap parapet wall of the same height. The front door will be topped by a transom and flanked by sidelights. An oval window will be set on the right side of the projecting foyer behind the porch.

The rear of the house will be one-story, with the right side under a hipped roof and the left under a very low pitched, hipped, standing seam metal roof.

A large stuccoed chimney will be set at the right end of the house. There will be only one small casement window on this side, but, because the house sits at the dead end of the street, this wall will be minimally visible if at all. On the one story section of the right side there will be a glass door under a pent roof and an 8/8 window.

The left side will have several 8/8 windows, one 8/8 flanked by 2/2 sidelights, and one narrow 4/4. The three windows nearest the street will be flanked by shutters as found on the front. A small one-story flared roofed bay will project from this side and will mount a 4 light casement window. Another stuccoed chimney will rise from this side of the rear wing. It will be shorter than the other because it will be attached to the one-story rear wing. A widow well will be set on each side of the chimney.

The ground floor of the rear of the house will project beyond the two-story section. The upper floor will mount a ribbon of 4 6/6 double hung windows and two small, 4 light casements. The left side of the rear addition will be set in the plane of the main body of the house and will have a hipped roof to match that used on the main house. The addition across the rest of the rear will have a low pitched standing seam metal roof and will be set in 4' from the left side house plane. Three sets of French doors will open out of the back of the addition onto an open deck with stairs leading down into the backyard. The ground starts falling away at the rear wall of the addition so that the deck is over the slope.

A garage will be built in the right rear (southeast) corner of the yard. The slab will be about 10' below street grade. The 7' wide concrete driveway will lead straight down the right side of the property to flare to the left in front of the garage. The garage will be 24'6" wide by 25'6" deep. It will have a pyramidal roof with architectural shingles to match those on the house. Two garage doors will face the street and a pedestrian door will face north, into the lot. A window will face the neighbor to the south. The garage will be clad with Hardieboard lap siding. Rafter ends will be

The ledger on the corrected demo plan shows only one tree remaining, but this is in error and applicant will correct it. There is a 24" oak in the backyard near the south property line, a w24" oak in the front yard, and two pines near the street. They will attempt to save both oaks, but their root zones will be impacted by construction.

Recommendation

The proposed work does not appear to have a substantial adverse effect on the district. Application appears to meet the guidelines and staff recommends approval.

Relevant Guidelines

- 7.1 *Defining the Area of Influence* (p64) Guideline - In considering the appropriateness of a design for a new building or addition in a historic district, it is important to determine the area of influence. This area should be that which will be visually influenced by the building, i.e. the area in which visual relationships will occur between historic and new construction.
- 7.2 *Recognizing the Prevailing Character of Existing Development* (p65) Guideline - When looking at a series of historic buildings in the area of influence, patterns of similarities may emerge that help define the predominant physical and developmental characteristics of the area. These patterns must be identified and respected in the design of additions and new construction.
 - 7.2.1 *Building Orientation and Setback* (p66) Guideline - The orientation of a new building and its site placement should appear to be consistent with dominant patterns within the area of influence, if such patterns are present.
 - 7.2.2 *Directional Emphasis* (p67) Guideline - A new building's directional emphasis should be consistent with dominant patterns of directional emphasis within the area of influence, if such patterns are present.
 - 7.2.3 *Shape: Roof Pitch* (p68) Guideline - The roof pitch of a new building should be consistent with those of existing buildings within the area of influence, if dominant patterns are present.
 - 7.2.3 *Shape: Building Elements* (p68) Guideline - The principal elements and shapes used on the front facade of a new building should be compatible with those of existing buildings in the area of influence, if dominant patterns are present.
 - 7.2.3 *Shape: Porch Form* (p68) Guideline - The shape and size of a new porch should be consistent with those of existing historic buildings within the area of influence, if dominant patterns are present.
 - 7.2.4 *Massing* (p69) Guideline - The massing of a new building should be consistent with dominant massing patterns of existing buildings in the area of influence, if such patterns are present.
 - 7.2.5 *Proportion* (p70) Guideline - The proportions of a new building should be consistent with dominant patterns of proportion of existing buildings in the area of influence, if such patterns are present.



michael quinn and associates, p.c.

6767 peachtree industrial blvd. • suite p
norcross, georgia 30092
770-452-0744

September 24, 2013

Mr. David Klamm
Phillip Clark Fine Custom Builders
3235 Roswell Road. Unit 400
Atlanta, Georgia 30305

RE: 1107/1109 Dan Johnson Road
MQ + A Project No. 13270

Dear David:

On August 23, 2013 the undersigned visited the referenced project to evaluate the suitability of the existing structure for the proposed renovations. Our observations were visual only and limited to the exposed portions of the structure; we did not remove finish materials or perform soil or material tests.

The house is a two-story, wood-framed structure on a brick masonry partial basement/crawl space foundation. **The house is in disrepair and has been poorly maintained.** Our findings and recommendations follow:

1. The foundation is a brick pier and curtain wall system, with a rear-entry drive under basement garage on the left side of the house. There is also basement on the right rear portion of the house, with a partially excavated crawl space under the remainder of the house. The earth is retained by brick masonry piers and integral double wythe brick wall. **Several isolated piers bear at the edge of the vertically cut soil and are in danger of collapse.**

There is mud in the crawl space, indicating compromised waterproofing and poor exterior drainage. The basement has a musty odor, indicating the presence or potential for mold, which should be verified by a mold remediation contractor.

The non-pressure treated first floor 2 x 10 joists and rim band bear directly on the brick walls. **If compliance with current Code is required, the joists must be pressure-treated or otherwise protected against decay as required by Section R319 of the 2006 International Residential Code for One - and Two - Family Dwellings, with the Georgia State Amendments (IRC). Attaining the required clearances between the soil, masonry, and non-pressure treated lumber is not possible with the existing foundation and grading configuration.**

consulting engineers

There is no connection of the wood framing to the foundation. If compliance with current Code is required, a connection satisfying Section R403.1.6 of the IRC must be made. Making a retrofit connection is not practical with a brick masonry foundation.

To properly attach the house to the foundation, the masonry foundation would need to be removed and replaced with either a poured concrete or concrete masonry wall bearing on a new footing. This may be accomplished in sections by bracing the floor system and wall above, excavating both sides of the wall, removing the wall, pouring a new footing, and building a new wall. Although technically possible, such a repair has a high degree of difficulty and is dangerous. Considering the many unknowns, including soil conditions and strength and integrity of existing foundations, we do not recommend this type of repair.

We also do not recommend lifting the entire house off the foundation and setting it back down atop a new foundation unless the soil is first excavated from both sides of the wall; the floor system is bracing the walls and preventing collapse.

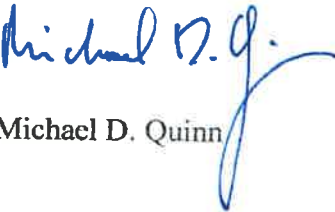
A large tree at the front left side is too close to the retaining wall along the driveway and the house foundation; the drip lines of the tree extends over the house. We recommend removing the tree and root ball prior to attempting repairs on the house. An arborist should be consulted, if needed.

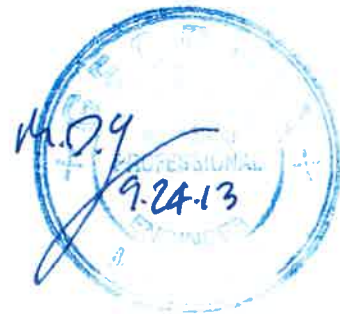
2. The main level floor is supported on a variety of piers, posts, and beams. The floors are uneven and out-of-level throughout. If the existing framing will be reused, a detailed evaluation of these members should be performed. The floor and column structure under the laundry room at the rear is unsafe and should be removed and replaced.
3. The second floor system is covered by finishes and was not observed. We suspect the floor system is constructed with 2 x 8 joists. The floors are uneven and out-of-level throughout. Once exposed during renovation, the framing should be evaluated and reinforced or replaced as necessary.
4. The roof framing consists of 2 x 6 rafters. This framing should be reinforced or replaced as necessary. The attic insulation should be brought into compliance with Energy Code requirements. We understand the full requirements may come into effect, depending on the ratio of the cost of the renovation relative to the value of the home. We further understand this ratio may trigger compliance of all construction with current Code requirements.

5. The insulation of the 2 x 4 exterior walls should be verified and upgraded for efficiency and/or Code compliance. Opening the walls will likely lead to replacement/upgrade of the exposed wiring and plumbing.
6. There are metal ducts in the basement for the existing heating system. The joints in the ducts may be wrapped in asbestos. The ducts should be examined by an asbestos removal contractor and remediated as prescribed.
7. There appears to be mold throughout the house. Please note that we are not mold experts. If desired, an expert should evaluate the house and develop a remediation plan.

Considering the extent of the foundation work and associated dangers, as well as the likelihood of bringing the house into current Code compliance, it may be safer and more cost effective to raze the existing structure and rebuild on a new foundation. Please do not hesitate to call if you have any questions concerning this report or if we can be of further assistance.

Sincerely,
MICHAEL QUINN AND ASSOCIATES, P.C.


Michael D. Quinn





Summary Inspection Report

1107-1109 Dan Johnson Rd; Atlanta, GA

Inspection Date:
June 26, 2012

Prepared For:
Evanlee Daum

Prepared By:
Chuck LeCraw



Report Overview

THE HOUSE IN PERSPECTIVE

An inspection was performed at the above referenced address for the purpose of identifying issues that may need to be addressed or corrected if the house is renovated in the near future. The purpose of this inspection is to identify major issues only. Minor repairs are not listed. This is an older home that is showing various signs of wear and tear. Numerous repairs are required. A substantial investment will be required to bring the house up to acceptable condition. The costs of these repairs and the end result should be weighed against the cost of demolition and reconstruction.

CONVENTIONS USED IN THIS REPORT

For your convenience, the following conventions have been used in this report:

Major Concern / Concern: a system or component, which is considered to be significantly deficient or is unsafe. These deficiencies should be corrected immediately and may involve significant expense.

Safety Issue: a condition that relates to the overall safety of occupants, which may require prompt attention.

Repair: a system or component which is missing or which needs corrective action to assure proper and reliable function.

Improve: denotes improvements or repairs, which are recommended but are not immediate in nature.

Monitor: a system or component needing further investigation and/or monitoring in order to determine if repairs are necessary.

Please note that these designations are assigned based on visual observations only at the time of the inspection. After further investigation, these conditions may be more serious than previously assessed. They are given as a guideline only and should not be used solely for the purpose of determining repairs that may or may not be performed by the seller. The directions given in this report (i.e. left side, rear, etc.) are as you are facing the building from the street.

REPAIR RECOMMENDATION HIGHLIGHTS / SUMMARY

The following is a synopsis of the immediate and/or more costly repairs needed for the building, some of which may be significant. Other repairs and improvements may also be necessary. *All work should be performed by licensed professionals. The approximate costs of these repairs are shown in red.*

STRUCTURAL REPAIR RECOMMENDATIONS / OBSERVATIONS

- **Concern, Repair:** The construction of the rear porch and rear laundry room structures is of low quality and need major repair. The floors of both structures are poorly supported and need re-building (see photo #1). The ceiling of the rear porch has been damaged by previous roof leakage and appears to be caving in (see photo #2) and there is a noticeable sag in the header over the rear windows (see photo #3). The exterior steel stairs are rusted out and are unsafe (see photo #4). Replacement of these structures is the best long term approach.

Tear off Rear Porch and Laundry Room / Replace Structure with properly supported Pressure Treated Framing / Replace Stairs: \$25,000

- **Concern, Repair:** The floor structure at the front entry at the right side shows signs of more than typical sagging and movement. The flooring system under this area (see photo #5) should be strengthened and straightened by adding beams supported by columns under the floor in the crawlspace (similar to repair that has been made under the adjacent bathroom - see photo #6). All sagging support beams should be re-supported by columns. The wood sill and band board of the structure in this area appears to be at or below grade level as evidenced by rot in these components, which needs repair or replacement (see photo #7). Foundation walls should extend at least six (6) inches above grade level so that wood structural members are protected from moisture and insect damage. Where insufficient clearance exists, grade

level should be lowered, treated wood used, or an effective moisture barrier should be provided. During these improvements, further investigation of the wood sills should be undertaken as there is risk of hidden damage. Have a qualified framing contractor assess the entire floor system for all improvements and repairs that may be necessary.

Jack up flooring system to level / Re-support flooring system in basement / Replace Rotted Sills: \$7,500

EXTERIOR REPAIR RECOMMENDATIONS / OBSERVATIONS

- **Concern, Repair:** Signs of extensive rot were observed at the exterior wood trim components, especially as noted at the rear (see photos #8 and #9), which should be repaired by a qualified carpenter. Some of the windows are also rotted and damaged and need repair or replacement (see photo #10). Minor rot was also noted at the front door (see photo #11). Following repair of all damaged areas (which should be combined with exterior painting/maintenance) proper maintenance of the siding and wood trim and control of water from roof or surface runoff can avoid further damage. The carpenter should check all exterior wood components for further damage and repair as necessary.

Repair/Replace Damaged Exterior Trim and Window/Door Components / Repaint all Exterior Woodwork: \$15,000

- **Possible Concern:** The brick chimney at the roof shows evidence of deterioration and settlement (see photo #12). Rebuilding will more than likely be needed to assure a safe and functional flue system. A qualified chimney repair contractor should inspect all components and make repairs as necessary. A rain cap and vermin screen should be installed over the entire the chimney to reduce the risk of further damage to the damper and flues and blockages from bird and squirrel nests or other debris.

Repair / Re-Line Chimney: \$7,500

- **Repair:** Loose siding was noted, especially at the rear dormers, which should be re-nailed and secured to prevent moisture intrusion and possible wind-damage (see photo #13). All nail holes, butt joints, and other openings in the siding should be caulked and sealed.

Included in Above

- **Monitor, Future Repair:** The retaining wall noted at the front left corner, is leaning noticeably and will need major repair or replacement in the near future (see photo #14). This may necessitate the removal of the tree located here.

Replace Retaining Wall: \$3,500

ELECTRICAL REPAIR RECOMMENDATIONS / OBSERVATIONS

- **Repair, Safety Issue:** It is recommended that the old 2 wire system be replaced with safer grounded wiring and outlets. In the meantime, grounded outlets may be desirable in some areas where ungrounded outlets exist, especially at locations where computers and TV's are connected. This will depend on electrical needs.
- **Repair, Safety Issue:** The installation of ground fault circuit interrupter (GFCI) outlets is recommended in the kitchen and at all exterior locations as required by present day codes. A ground fault circuit interrupter (GFCI) offers increased protection from shock or electrocution. Up to date weatherproof covers should be installed at all exterior outlets.
- **Repair, Safety Issue:** The installation of smoke detectors inside all bedrooms and within 10' of all sleeping areas is recommended as required by present day codes. Current codes also now require carbon monoxide alarms in all sleeping areas and are recommended for proper safety.
- **Repair, Safety Issue:** The installation of "arc-fault" breakers for the circuits in all living areas is now required by present day codes and provides added protection against faulty wiring. Consult with an electrician concerning the installation of these for the enhanced safety of these circuits.

Re-wire House / New Panel to bring up to existing codes: \$13,500

HEATING AND COOLING REPAIR RECOMMENDATIONS / OBSERVATIONS

- **Concern:** Given the age and rust noted in the furnace, it may be near the end of its useful life (see photo #15). Repairs could possibly prolong the life of this unit, however, you should budget for replacement of the furnace in the near future.
- **Repair, Safety Issue:** When furnace and water heater flues vent into masonry chimneys such as this, it is important to have them inspected and cleaned on a regular basis to prevent the risk of potential blockages in the lines (see photos #16). Blocked and damaged vents pose a risk of flue gas and carbon monoxide back-ups into the house and other unsafe conditions. The configuration of metal piping connected to masonry is also more prone to rusting of the metal when the warm flue gasses condense at the colder masonry components. Relocating these vents to discharge directly to the exterior or lining the chimney would improve the safety of the venting system. Single wall vent piping as also noted is prone to rusting and should be replaced with insulated piping for better durability and proper safety.
- **Repair, Safety Issue:** The "draft diverter" of the water heater venting system is loose and should be properly attached to the top of the water heater to prevent the spillage of dangerous vent fumes (see photo #17). Make sure all vent pipe connections are properly screwed and sealed. The slope on the water heater vent pipe also does not appear to be sufficient for proper venting of the exhaust gases. This should be checked and repaired as necessary.
- **Improve:** The installation of a central air conditioning system is recommended for improved comfort and to help in reducing humidity within the home.

Replace Furnaces (2) / Install A/C / Re-vent Furnace and Water Heater: \$15,000

PLUMBING REPAIR RECOMMENDATIONS / OBSERVATIONS

- **Concern:** Old cast iron waste piping components as also noted will need replacement in the future to prevent blockages in the lines and leakage at the joints. Evidence of active leakage was noted below the bathroom at the back left, which needs immediate repair (see photo #18). The sink in the front right powder bath was draining slowly indicating that an obstruction may exist or the sink stopper needs adjustment. Have the stopper adjusted and then check the P-trap and drains line for blockages and clear as needed.

Replace Rusted and Blocked Plumbing Waste Lines: \$9,000

- **Monitor, Future Repair:** Water heaters have a typical life expectancy of 7 to 12 years. The existing units are in or beyond this age range. One cannot predict with certainty when replacement will become necessary. There was no expansion tank or valve visible above the water heater. Expansion devices are now required by most municipalities to prevent the back up of hot water into the potable drinking water system and to prevent excessive pressure build-up in the piping systems and will need to be installed when replacing the water heater.

Replace Water Heaters (2): \$1,600

- **Improve:** The plumbing fixtures in the bathrooms and kitchen are older components. Upgrading fixtures would be a logical long term improvement. In the interim, a higher level of maintenance will likely be required.

Replace Plumbing Fixtures: \$7,000

INTERIOR REPAIR RECOMMENDATIONS / OBSERVATIONS

- **Concern, Safety Issue:** Evidence of possible mold and mildew was noted in several locations, especially as noted at the rear bath (see photo #19). Bacteria growth within the house contaminates indoor air quality could pose a health risk. Recommend having an indoor air quality specialist evaluate these conditions and make recommendations as necessary. These areas may need cleaning with a fungicide or otherwise sanitized. All damp and damaged sheetrock should be replaced. The source of the moisture should be eliminated to prevent further growth (see "???" Section). Indoor air and mold sampling is not included in this inspection unless specifically requested.

Mold Clean-up: \$10,000

- **Repair, Safety Issue:** Duct tape as noted in the crawlspace/basement appears to be a product that may contain asbestos (see photo #20). The Environmental Protection Agency reports that asbestos represents a health hazard if “friable” (damaged, crumbling, or in any state that allows the release of fibers). Recommend having this material evaluated and removed as necessary by a qualified asbestos removal company. Due to the age of construction, there may be other materials within the home that contain asbestos but are not identified by this inspection report (e.g. as noted at the vinyl flooring in the kitchen). Visit <http://www.epa.gov/asbestos/ashome.html#3> for further information on asbestos in the home.

Encapsulate Asbestos Tape: \$2,000

- **Repair, Safety Issue:** The windows are in a state of disrepair. Broken glass and damaged window sashes and frames were noted at several locations. Most of the windows are painted or stuck shut (current safety standards require at least one operable window per bedroom for fire escape). This is a fairly common condition as found in older homes. Trimming and adjustment, hardware improvements and glazing repairs would be logical short-term improvements. Replacement of the windows should be considered as a long-term improvement. The most important factor is that the window exteriors are well-maintained to avoid rot or water infiltration and function properly for fire escape.

Window Repairs: \$2,500

- **Repair:** Several of the shower/bathtub enclosures are damaged and need to be rebuilt due to loose and open tiles and apparent water intrusion into the walls (see photo #21). Structural damage behind and under the enclosure should also be repaired.

Replace 2 Bath Enclosures: \$2,000

- **Monitor, Future Repair:** The appliances are showing signs of aging. As such, they are more prone to breakdowns. A few years of serviceable life should still remain.

Replace Appliances: \$10,000

- **Monitor, Safety Issue:** Lead based paint was in use until approximately 1978. According to the Federal Department of Housing and Urban Development, a lead hazard can be present in a house of this age. This can only be confirmed by laboratory analysis. An evaluation of lead paint and other indoor air quality issues is beyond the scope of this inspection. For more information, consult the Environmental Protection Agency (E.P.A.) for further guidance and a list of testing labs in your area. If lead is present in the paint, special care should be taken when renovating or sanding trim and walls to prevent this material from becoming airborne and possibly ingested by occupants.

Prime / Repaint Interior: \$13,000

TOTAL COST: \$144,100

THE SCOPE OF THE INSPECTION

This inspection is generally cursory in nature and is intended only for the purpose of identifying major repair issues that may need to be addressed or corrected as the house is renovated. Although minor repairs and improvements are listed, further minor repairs may still be needed. The inspection does not fully comply with ASHI® Standards of Practice in terms of identifying and reporting the types of systems present. The heating and air conditioning equipment and kitchen appliances were not tested. Low voltage wiring components (including security and intercom systems) and lawn irrigation systems (if present) were also not tested.

This inspection is visual only. A representative sample of building components are viewed in areas that are accessible at the time of the inspection. No destructive testing or dismantling of building components is performed. This inspection report should not be considered a guarantee or warranty of any kind. Please be reminded that a prospective purchaser should not rely solely on this document and is encouraged to secure a separate inspection report.

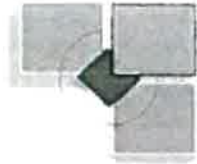
995 SPRINGDALE



DeKalb County Planning & Development Department

Vernon Jones
Chief Executive Officer

Patrick Ejike
Director



APPLICATION FOR
CERTIFICATE OF APPROPRIATENESS
DeKalb County Historic Preservation Commission

1. Address of Property: 995 Springdale Rd, 30306
Owner: Tom + Casey Gryboski Owner Telephone: 404-377-2003
Owner Address: 1039 Springdale Rd, 30306

2. Name of Applicant: Tom and Casey Gryboski
You or your representative may be present at the meeting of the commission, but attendance is not mandatory.
You will be notified of the time, date, and location of the meeting.
Mailing Address: 1039 Springdale Rd, Atlanta 30306
Daytime Telephone: 404-747-9225
Relationship of Applicant to Property Owner: Owner [X] Architect [] Contractor []
Other []

3. Age of Structure: Approximate date of construction for the primary structure on the property and any secondary structures affected by this project: 1926

4. Nature of Proposed Work:

- New Construction
Demolition
[X] Addition
New Freestanding Building
[X] Fence/Wall
Exterior Environmental Feature
Change
[X] Deck or Patio
Site Preparation/Clearance
Moving a Building
Sign Erection or Replacement
[X] Repairs or Alterations
Exterior Architectural Features
[X] Landscaping
Other

Please describe your proposed work as simply and accurately as possible. Use the attached submittal criteria checklist to guide you in your description. Be sure to indicate building and landscape materials to be used. Accurate drawings and photographs are required. (Use extra sheet, if necessary.)

see attached

IMPORTANT: This form must be completed before the Historic Preservation Commission can consider the approval of any material change to a Historic Property or within a Historic District. This form, along with supporting documents (plans, material, color samples, and photos), must be filed with the Historic Preservation staff, DeKalb County Planning Department, 330 West Ponce de Leon Avenue, Suite 500, Decatur, Georgia 30030. Four (4) copies of plans or renderings for any new structures must be filed.

All applicable items from the attached checklist of Submittal Criteria must be addressed. Incomplete applications will not be docketed for consideration by the Historic Preservation Commission.

FOR OFFICE USE ONLY

Date received: 7-31-08
Initials: DC
Sign given: [X] Yes _ No

Signature of Applicant

7/29/08
Date

15040

3/9/05

We propose resolving the severe structural issues on the house and front terrace. This will involve removal of much of the brick veneer and front terrace (see accompanying supporting letters). Most of the brick that is visible from the street is not original to the house (see brick expert letter) and much, if not all, of the brick veneer and the entire porch need to be removed to properly repair the structural issues (see engineer's letter). The house is to be fully renovated, windows and soffits replaced, and an addition added to the rear with attached garage. There is currently no plan to replace historic brick veneer along the south side of the house, but as noted in the engineer's letter, it may need to be removed. A pool will be added - the existing newly constructed house in the back is to be demolished and a more appropriately scaled pool cabana constructed. The front door and transom will be replaced with new units that have window lights in them (see accompanying plans).



July 28, 2008

Thomas Gryboski
1039 Springdale Road
Atlanta, Georgia 30306

**RE: 995 Springdale Road - Inspection of Exterior Brick & Front Porch Area
ESE # E08056**

Dear Tom,

Per your request, a representative from Estes Shields Engineering, Inc. visited the residential house, located at 995 Springdale Road, Atlanta, Georgia 30306. We visually inspected the foundation, the front porch area and recently completed exterior bricking on the left front and the northern side of the residence.

Findings

The front porch area and left front of the house has experienced severe sagging. This has caused extensive cracking in the concrete steps and supporting sides of the porch and in various places in the foundation of the house. It does not appear that any additional foundation repairs have been completed to prevent further sagging or deflection. It is our opinion that the porch should be removed and rebuilt. Additionally, in order to properly repair the foundation and plumb the house, the brick on the front and northern side of the house must be removed. Please note that, in conjunction with the extensive structural work required at the home, you must anticipate that the brick along the southern side of the home may need to be removed as well.

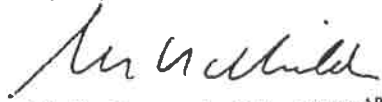
WARRANTY AND LIABILITY

Estes Shields warrants that its services are performed, within the limits prescribed by its Clients, with that level of care and skill ordinarily exercised by members of the same professions currently practicing in the same locality under similar conditions. No other warranty or representation, either expressed or implied is included in its proposals, contracts or reports.

It was a pleasure to work with you in this matter. If you have any questions, please do not hesitate to call.

Sincerely,

ESTES SHIELDS ENGINEERING, INC.


Martin D. Shields, P.E., LEED^{AP}
Principal



DeKalb County Historic Preservation Commission

Wednesday, January 21, 2009 - 7:00 P.M.

Staff Comments

Regular Agenda

E. 995 Springdale Road (DH), Kasey Gryboski. Demolish house, rebuild it according to plans previously submitted, and change design of front door. 15353

House constructed 1923. (18-001-06-003)

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

6/05 995 Springdale Road (DH), Jason O. Henderson, trustee. Build swimming pool and pool house, install wall around the backyard, remove several trees, and repair damage to main house and accessory building. Deferred from May. **Denial**

4/06 995 Springdale Road (DH), Eugene Debbs Phillips III. Replace windows, install privacy fence, modify rear roof, and remodel accessory building. 1854 **Part approved with modification, part denied**

5-06 995 Springdale Road (DH), Eugene Debbs Phillips III. Approval accessory building with buffers, terrace on top of sunroom behind the house, and add dormer on rear roof slope. 4627 **Approval as modified**

8-06 995 Springdale Road (DH), Eugene Debbs Phillips III. Expanded accessory building and screening plants. 8544 **Denial**

4-07 995 Springdale Road (DH), Eugene Debbs Phillips, III. Build wall around backyard, screen accessory building with cryptomeria plantings, build pool and pool house, extend the garage, build a granite courtyard with a wall fountain, add a gate to the courtyard from the drive entrance, and landscape well. 13381 **Denial**

8-08 995 Springdale Road (DH), Tom & Kasey Gryboski. Replace brick veneer, windows, and front door; build rear addition, demolish outbuildings, build cabana and install pool. 15040 **Approval as modified**

11-08 995 Springdale Road (DH), Kasey Gryboski. Construct brick walls on south side. 15116 **Approval**

If anyone wants to visit the property, please call the contractor Roy Aeschlimann at 404-216-5659 to schedule an appointment.

Applicant has provided documents from her contractor and from Palmer Engineering, both recommending demolition of the house because of safety issues and damage to the foundation and framing. She states the county inspector, Mike Green, agrees with these estimates. I will obtain a statement from Mr. Green.

Replacement of the foundation, framing and previously approved replacement of windows and brick leaves little of the historic building. Under the circumstances, demolition appears justified. The house will be reconstructed based on the plans previously approved.

Applicant's proposal for a similar front door was denied in August. Applicant has provided additional documentation of doors with multiple lights.

The guideline states: "In the case of a replacement for a deteriorated door, the new door should be similar to the original in design and materials."

Recommendation

The proposed demolition appears to meet the guidelines and the preservation planner recommends approval. The new door does not appear to meet the guidelines and staff recommends denial.



The Honorable Anton
Jones
Chief Executive Officer

August 20, 2008

DeKalb County Government Historic Preservation Commission

330 Ponce De Leon Avenue Suite 500
Decatur, GA 30030
404/371-2155 or 404/371-2835(Fax)

Thank You
Hester

CERTIFICATE OF APPROPRIATENESS

SITE ADDRESS	995 Springdale RD Atlanta, GA 30306
PARCEL ID	18-001-06-003
APPLICATION DATE	July 31, 2008
APPLICANT	Kasey Gryboski
MAILING ADDRESS	1039 Springdale Rd Ne Atlanta, GA 30306

THIS IS TO ADVISE YOU THAT THE DEKALB COUNTY HISTORIC PRESERVATION COMMISSION, AT ITS REGULARLY SCHEDULED PUBLIC MEETING ON AUGUST 18, 2008, REACHED THE FOLLOWING DECISION ON THIS APPLICATION:

ACTION: MODIFIED APPROVAL

1. Remove the front and left (north) side veneer, replacing it with brick that matches the original. The brick on the south side might also have to be removed, although they will not know for sure until the work is begun.
2. The front terrace is in poor condition and will also be replaced. The final result will duplicate the current terrace, with the exception that the decking may not be bluestone.
3. Replace front door and transom. The door will be a six panel wood door without windows.
4. Replace all windows.
5. Replace soffits.
6. Build rear addition. This will include an attached garage at the foot of the driveway. The 8' wall shown on the south side of the addition is not approved.
7. Demolish nonhistoric garage and outbuilding.
8. Install swimming pool, terrace, and cabana.
9. Install metal gate across driveway.
10. Realign front driveway. The new drive will be 10' wide and will be surfaced with plain concrete.
11. Remove four trees, all in the backyard.

DeKalb County Historic Preservation Commission

Monday, August 18, 2008 - 7:00 P.M.

Staff Comments

Regular Agenda

I. 995 Springdale Road (DH), Tom & Kasey Gryboski. Replace brick veneer, windows, and front door; build rear addition, demolish outbuildings, build cabana and install pool. 15040

House constructed 1923. (18-001-06-003)

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

6/05 995 Springdale Road (DH), Jason O. Henderson, trustee. Build swimming pool and pool house, install wall around the backyard, remove several trees, and repair damage to main house and accessory building. Deferred from May. **Denial**

4/06 995 Springdale Road (DH), Eugene Debbs Phillips III. Replace windows, install privacy fence, modify rear roof, and remodel accessory building. 1854 **Part approved with modification, part denied**

5-06 995 Springdale Road (DH), Eugene Debbs Phillips III. Approval accessory building with buffers, terrace on top of sunroom behind the house, and add dormer on rear roof slope. 4627 **Approval as modified**

8-06 995 Springdale Road (DH), Eugene Debbs Phillips III. Expanded accessory building and screening plants. 8544 **Denied**

4-07 995 Springdale Road (DH), Eugene Debbs Phillips, III. Build wall around backyard, screen accessory building with cryptomeria plantings, build pool and pool house, extend the garage, build a granite courtyard with a wall fountain, add a gate to the courtyard from the drive entrance, and landscape well. 13381 **Denied**

The previous owner of this property damaged the house. There was a pre-existing foundation problem centered on the left front corner. This was exacerbated by a tree falling on that corner of the house. The former owner replaced the left side of the front wall and the left side wall. The work was very poorly done. He also erected an outbuilding in the backyard and the wall on the left side without a CoA.

The new owners propose:

1. Remove the front and left (north) side veneer, replacing it with brick that matches the original. The brick on the south side might also have to be removed, although they will not know for sure until the work is begun. Letter from engineer in file.
2. The front terrace is in poor condition and will also be replaced. The final result will duplicate the current terrace, with the exception that the decking will be bluestone. Letter from engineer as noted above.
3. Replace front door and transom.
4. Replace all windows.
5. Replace soffits.
6. Build rear addition. This will include an attached garage at the foot of the driveway.
7. Demolish nonhistoric garage and outbuilding.
8. Install swimming pool, terrace, and cabana.
9. Install metal gate across driveway.
10. Realign front driveway. The new drive will be 10' wide and will be surfaced with plain concrete or exposed aggregate concrete.

I. 995 Springdale Road (DH), Tom & Kasey Gryboski
page two

11. Remove four trees. 34" water oak, 26" red oak, 22" magnolia, 19" hickory, all in the backyard.

Recommendation

The proposed change does not appear to have a substantial adverse impact on the district. This application appears to meet the guidelines and the preservation planner recommends approval. The exception may be the wall built on the left side of the house.

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.
- 6.1.2 *Architectural Details* (p52) Guideline - Stylistic details should be maintained and treated with sensitivity. The removal of such details or application of details inappropriate to the period or style of a house is strongly discouraged. Damaged elements should be repaired rather than replaced if at all possible. Historic details that have been lost or are beyond repair may be replaced with new materials, provided that their earlier presence can be substantiated by historical documentation and that the new materials match the original in composition, design, color, and texture.
- 6.1.3 *Entrances and Porches* (p53) Guideline - Original porches and steps should be retained. Repair of porches should not result in the removal of original materials (such as balusters, columns, hand rails, brackets, and roof detailing) unless they are seriously deteriorated. If replacement materials must be introduced, the new should match the old in design, color, texture, and, where possible, materials. Replacement of missing features should be substantiated, if possible, by documentary and physical evidence.
- 6.1.3 *Entrances and Porches* (p54) Guideline - Original doors should be retained unless deteriorated beyond repair. Screen and storm doors should not detract from the character of the house and should be designed to be compatible with original doors. In the case of a replacement for a deteriorated door, the new door should be similar to the original in design and materials.
- 6.1.4 *Windows* (p55) Guideline - Existing windows, including sashes, lights, lintels, sills, frames, molding, shutters, and all hardware should be retained and repaired through routine maintenance whenever possible. When deteriorated elements must be replaced, new elements should be compatible with the original in terms of material, design and hardware. Should it be necessary to replace an entire window, the replacement should be sized to the original opening and should duplicate all proportions and configurations of the original window.
- 7.2.8 *Individual Architectural Elements* (p73) Guideline - New construction and additions should be compatible and not conflict with the predominant site and architectural elements—and their design relationships—of existing properties in the area of influence.

I. 995 Springdale Road (DH), Tom & Kasey Gryboski
page three

- 7.3.1 *Additions* (p74) Guideline - Additions should not be added to the main facade of the building and should not appear to dominate the original structure. It is preferable to build new additions to the rear of a historic building, where it will have little or no impact on the streetscape facade. Design and materials should be compatible with the existing building. Avoid obscuring character-defining features of the historic building with the addition.
- 7.3.1 *Additions* (p74) Recommendation - While an addition should be compatible, it is acceptable and appropriate for it to be clearly discernible as an addition rather than appearing to be an original part of the building. Consider providing some differentiation in material, color, and/or detailing and setting additions back from the historic building's wall plane.
- 8.2 *Trees* (p78) Recommendation - The mature hardwood forest within the Druid Hills Local Historic District should be perpetuated through a district-wide replanting program. Trees should be replaced when mature trees are lost to age or damage or are removed for safety reasons. Replacement trees should be of identical or similar varieties to the original trees. A diversity of tree types is recommended to perpetuate the existing character of most tree groupings. Replacement trees of adequate size (1.5" caliper minimum) are recommended. Existing ordinances that provide for the protection and replacement of the district's tree resources should be applied to development activities within Druid Hills.
- 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.
- 9.5 *Parking* (p90) Guideline - Parking should be addressed in a manner that does not distract from the overall character of the district. Parking to serve private residential lots should be accommodated on-site, when at all possible, using the pathway of original drives and parking. Front yard parking should not be allowed unless it is a public safety issue. When front yard parking is necessary, it should be added in a manner that does not destroy the unbroken landscaped character of the front yard spaces in Druid Hills. Rear yard spaces should be considered for expansion of parking areas.
- 9.6 *Accessory Buildings* (p91) Guideline - New accessory buildings, such as garages and storage houses, are to be located in rear yard spaces and visually buffered from adjacent property owners and the public right-of-way. Accessory buildings that complement the architecture of the adjacent residence do not require the same level of buffering and may remain more visible within the local district. If the new building will be visible from the street, it should respect the established setbacks and orientations of the historic buildings in the area.
- 9.6 *Accessory Buildings* (p91) Recommendation - Recreational structures, such as tree houses and play houses, should be added only to rear yard spaces in a manner that is compatible with the architecture and siting patterns of the adjacent area.

Decision of the DeKalb County Historic Preservation Commission

Name of Applicant: _____ Tom & Kasey Gryboski _____

Address of Property: _____ 995 Springdale Road _____

Date(s) of hearing if any: _____ 8-18-08 _____

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 Historic Preservation Projects, including the Standards for Rehabilitation therein as a guidelines. The Preservation Commission finds that all relevant guidelines have been met.

Additional pertinent factors:

1. Remove the front and left (north) side veneer, replacing it with brick that matches the original. The brick on the south side might also have to be removed, although they will not know for sure until the work is begun.
2. The front terrace is in poor condition and will also be replaced. The final result will duplicate the current terrace, with the exception that the decking may not be bluestone.
3. Replace front door and transom. The door will be a six panel wood door without windows.
4. Replace all windows.
5. Replace soffits.
6. Build rear addition. This will include an attached garage at the foot of the driveway. The 8' wall shown on the south side of the addition is not approved.
7. Demolish nonhistoric garage and outbuilding.
8. Install swimming pool, terrace, and cabana.
9. Install metal gate across driveway.

1254 STILLWOOD

Decision of the DeKalb County Historic Preservation Commission

Name of Applicant: _____ Kathleen Curry _____
Address of Property: _____ 1254 Stillwood Drive _____
Date(s) of hearing if any: _____ September 18, 2017 _____
Case Number: _____ 21810 _____

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 Historic Preservation Projects, including the Standards for Rehabilitation therein as a guidelines. The Preservation Commission finds that all relevant guidelines have been met.

Additional pertinent factors:

Modify the CoA issued in February to allow demolition of the existing house and construction of the new house from the ground up rather than as a modification of the existing house. The plans will remain those approved in February 2017. Sufficient documentation has been provided to show that the house is "so unsound that rehabilitation is not possible".

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: 9/22/17

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



404.371.2155 (o)
404.371.4556 (f)
DeKalbCountyGa.gov

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

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director
Andrew A. Baker, AICP

Application for Certificate of Appropriateness

Date Received: _____ Application No.: _____

Address of Subject Property: 1254 Stillwood Drive Atlanta, GA 30306

Applicant: Kathleen Curry E-Mail: kcurry@homeworkarchitecturalstudio.com

Applicant Mailing Address: 3217 Lynnray Drive Atlanta, GA 30340

Applicant Phone(s): (404) 819-6150 Fax: _____

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

Owner(s): Scott Sampsel - Turnkey Property Investment Group, Inc. E-Mail: scott@turnkeypropertyinc.com

_____ E-Mail: _____

Owner(s) Mailing Address: 501 N Orlando Ave Suite #313-331 Winter Park, FL 32789

Owner(s) Telephone Number: 321-299-6137

Approximate age or date of construction of the primary structure on the property and any secondary structures affected by this project: 1925

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 received approval of our previously submitted Certificate of Appropriateness dated 1/26/17 to move forward with this project. As our contractor began work and requested an inspection from the Dekalb County building department, inspector Mike Green notified us he had serious concerns with the lack of any foundation, and the safety issues this presented moving forward. He recommended we demo the existing structure so that a proper solid poured foundation could be completed. We asked our architect and engineer to review this information and the engineer provided the attached report citing safety concerns and the lack of an adequate foundation. We need to demo the existing foundation, then proceed with the previously approved building plans. There does not appear to be any safe alternative to move forward with this project.

This form must be completed in its entirety before the Planning Department accepts it. The form must be accompanied by supporting documents (plans, material, color samples, photos, etc.). Provide eight (8) collated sets of the application form and all supporting documentation. If plans/drawings are included, provide eight (8) collated sets on paper no larger than 11" x 17" and three (3) additional sets at scale. All documents submitted in hard copy must also be submitted in digital form (.pdf format). All relevant items from the application checklist must be addressed. An application which lacks any of the required attachments shall be determined incomplete and will not be accepted.

K. R. Curry 8/29/17
Signature of Applicant/Date

Revised 1/26/17

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),

Scott Sampsel - Turnkey Property Investment Group, Inc

being (owner) (owners) of the property 1254 Stillwood Drive Atlanta, GA 30306

hereby delegate authority to Kathleen Curry and/or Ronald Davidson

to file an application in (my) (our) behalf.



Signature of Owner/Date

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, the Preservation Commission will issue a cease and desist order and you may be subject to other penalties including monetary fines and/or required demolition of the non-conforming work.

If your project requires that the county issue a Certificate of Occupancy at the end of construction, the preservation planner will need to inspect the completed project to ensure that the work has been completed in accord with the Certificate of Appropriateness. The review may be conducted either before or after your building inspection. If you will be requiring a Certificate of Occupancy, please notify the preservation planner when your project nears completion. 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 monetary 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. You will need to apply for a new certificate if you still intend to do the work.

Please contact the preservation planner, David Cullison (404/371-2155), if you have any questions.

MH STRUCTURES

MH Structures, LLC
1087 Waterbury Close
Powder Springs, GA 30127

August 28, 2017

404-317-0746
Email: matt@mhstructures.com
Website: mhstructures.com

Turnkey Investment Group, Inc.
Scott Sampsel
501 North Orlando Ave
Winter Park, Florida 32789
Property: 1254 Stillwood Dr NE, Atlanta, GA 30306

Dear Mr. Sampsel,

It has come to my attention that the contractor renovating the property mentioned above discovered that the existing brick on the house did not have a foundation; it was simply laid directly on the ground. Further investigation revealed that the brick was not tied to the house structure in any way. My understanding of the situation is that this was not acceptable to the building inspector and it was determined for safety that the brick must be removed. At this point the brick has been removed from the house.

The current foundation which consists of a few brick pilasters and footings are not adequate to support the new addition. As shown in the attached pictures, some of the existing brick pilasters do not even have concrete footings, and trying to work a new foundation around the existing foundation is not practical. In my opinion, the existing foundation for this house is exceptionally poor, even for the time period of the original construction.

The entire roof, all interior walls, and the entire floor framing is scheduled to be demolished based on the current permitted set of construction documents. Adding that the brick is no longer on the house, **all that will remain of the existing structure is an inadequate foundation and existing exterior wall studs. My professional engineering opinion is that the existing structure should be demolished and the house built from new construction.** This will allow for a safe foundation and a better framed structure to meet current building codes.

Sincerely,



Matt Hammond, PE
Structural Engineer
President / Owner
MH Structures, LLC



MH STRUCTURES

MH Structures, LLC
1087 Waterbury Close
Powder Springs, GA 30127

404-317-0746

Email: matt@mhstructures.com

Website: mhstructures.com



Figure 1 Void at bottom shows no footing



No soil support

Figure 2 Brick pilaster isn't supported on concrete footing. Pipe post added to the right, but the footing isn't supported fully on soil.

MH STRUCTURES

MH Structures, LLC
1087 Waterbury Close
Powder Springs, GA 30127

404-317-0746

Email: matt@mhstructures.com

Website: mhstructures.com



Figure 3 Excavation shows no footing for brick pilaster

DeKalb County Historic Preservation Commission

Monday, April 16, 2017 - 7:00 P.M.

Staff Report

New Construction Agenda

M. 1254 Stillwood Drive (DH), Chad Mattison. Build a new house and garage. 22209

Built 1925. (18 001 04 035)

This property is not in a National Register Historic District or in an identified character area.

11-16 1254 Stillwood Drive (DH), Kathleen Curry, architect – Kathleen Curry, LLC. Demolish damaged house. 21098 **For comment only**

2-17 1254 Stillwood Drive (DH), Kathleen Curry. Add a second story and a rear deck, add front steps and widen the driveway. 21344 **Approved with modification**

9-17 1254 Stillwood Drive (DH), Kathleen Curry. Demolish and replace a historic house. 21810 **Approved**

12-17 1254 Stillwood Drive (DH), Chad Mattison. Modify an existing CoA to build a new house and detached garage. 21992 **For comment only**

NOTE – Revised survey and site plan were received 4-12.

The applicant has addressed many of the concerns staff expressed in December.

This was a brick bungalow (photos in file). In February 2017 a CoA was approved to build an upper floor addition along with other changes. As the work progressed, the owners become aware of the poor condition of the foundation. They returned to the preservation commission in September 2017 and received a CoA to demolish the house and replace it with the same design that had been approved in February. The house has been partially demolished. Code enforcement has opened a case for having a dangerous property.

The HPC approved demolition of the house in September 2017, but the owners appear to have ignored it since then. That application was based on using the previously approved plan as the replacement. The applicant is now applying to replace the previously approved plan with the one in this application. If this application is denied, the plans that were originally approved in February 2017 as modifications and approved again in September 2017 as a new house, would still be the approved plans and could be built without further preservation commission review.

This property is at the highest point of the north side of Stillwood Drive. The grade at the base of the existing house is about 6' above the sidewalk, with a small lawn and a steep bank intervening. Both sides of any new house will be visible from the right-of-way.

Although most applications can be understood even when the lot is occupied by another house, the way the half-demolished house sits on the lot makes it difficult to visualize the effect of the proposed new construction.

The applicant proposes replacing the house with a two-story house that gives the appearance of a 1½-story house from directly in front. The two-story rear wing will probably be fully visible at an angle from the left and partially visible at an angle from the right. The whole house will be set above a crawlspace.

M. 1254 Stillwood Drive (DH), Chad Mattison
page three

Several short, nonhistoric wood retaining walls in the backyard will be removed. The applicant says they want to flatten out the backyard.

The lot coverage will be 3.3% more than the 35% allowed by the zoning code, but this should not affect the HPC review.

Recommendation

This application cannot be adequately reviewed because the half-demolished house sits on the lot makes it difficult to visualize the effect of the proposed new construction. The preservation commission approved demolition in September 2017 and there does not appear to be any impediment in applying for a demolition permit. Staff recommends the application be denied or deferred until the house is removed.

If the commission does not accept this recommendation, staff has concerns with the relative height of the left side wall of the rear addition, where the wall rises much higher than the window headers. Also, although staff recommended that the rear wing be clad with either false half-timbering throughout or brick on the ground floor and false half-timbering on the upper, seeing the false half-timbering on paper shows that that is not appropriate material, and the ground floor should be clad with brick.

DeKalb County Code Sec. 13.5-8. Certificate of Appropriateness

- (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. The Georgia Department of Transportation and contractors performing work funded by the Georgia Department of Transportation are exempt from provisions of this chapter. Local governments are also exempt from obtaining certificates of appropriateness but shall notify the preservation commission at least forty-five (45) days prior to beginning or undertaking any work that would otherwise require a certificate of appropriateness, so as to allow the preservation commission an opportunity to comment. 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.

Relevant Guidelines

- 7.1 *Defining the Area of Influence* (p64) Guideline - In considering the appropriateness of a design for a new building or addition in a historic district, it is important to determine the area of influence. This area should be that which will be visually influenced by the building, i.e. the area in which visual relationships will occur between historic and new construction.
- 7.2 *Recognizing the Prevailing Character of Existing Development* (p65) Guideline - When looking at a series of historic buildings in the area of influence, patterns of similarities may emerge that help define the predominant physical and developmental characteristics of the area. These patterns must be identified and respected in the design of additions and new construction.
- 7.2.1 *Building Orientation and Setback* (p66) Guideline - The orientation of a new building and its site placement should appear to be consistent with dominant patterns within the area of influence, if such patterns are present.



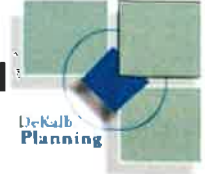
Michael L. Thurmond
Chief Executive Officer

**DEKALB COUNTY
HISTORIC PRESERVATION COMMISSION**

330 Ponce De Leon Avenue Drive Suite 500

Decatur, Ga 30030

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



CERTIFICATE OF APPROPRIATENESS

SITE ADDRESS	1254 Stillwood DR Atlanta, GA 30306
PARCEL ID:	18-001-04-035
APPLICATION DATE	August 31, 2017
APPLICANT	Kathleen Curry
MAILING ADDRESS	1254 Stillwood Drive Atlanta, GEORGIA 30306

THIS IS TO ADVISE YOU THAT THE DEKALB COUNTY HISTORIC PRESERVATION COMMISSION, AT ITS REGULARLY SCHEDULED PUBLIC MEETING ON SEPTEMBER 18, 2017, REACHED THE FOLLOWING DECISION ON THIS APPLICATION:

ACTION: APPROVAL

Modify the CoA issued in February to allow demolition of the existing house and construction of the new house from the ground up rather than as a modification of the existing house. The plans will remain those approved in February 2017. Sufficient documentation has been provided to show that the house is "so unsound that rehabilitation is not possible".

1302 STILLWOOD



DeKalb County Historic Preservation Commission

1300 Commerce Drive•Suite 400•Decatur, GA 30030
404/371-2155•404/371-2813 fax

August 1, 2006

CERTIFICATE OF APPROPRIATENESS

SITE ADDRESS: 1302 Stillwood Drive
ATLANTA, GA 30306
PARCEL ID: 18-001-04-043
APPLICATION DATE: 3-31-06

CORRECTED COPY

APPLICANT: Craig Davis
MAILING ADDRESS: 798 Drewry Street, NE
Atlanta, GA 30306

THIS IS TO ADVISE YOU THAT THE DEKALB COUNTY HISTORIC PRESERVATION COMMISSION, AT ITS PUBLIC MEETING ON APRIL 17, 2006, REACHED THE FOLLOWING DECISION ON THIS APPLICATION:

ACTION: APPROVAL

Demolish existing house. Build a new two-story house on this property, with the following modifications The front floor to be seven feet high (transom above it okay), and porch roof redesigned to match the door height; Front walk, steps and risers to be concrete, with the walkway to be four feet wide; dentils to extend around all four sides of the house, first floor elevation to be the same as the old house; the upstairs windows on the front façade to be the same height and size as the other upstairs windows and set symmetrically in relation to the downstairs windows. Plans showing these modification to be verifiec by the preservation planner.

Build free-standing garage as shown in the attached drawings.

All the above as shown on the attached drawings.

CORRECTED COPY

David Cullin

No appeals, DC



APPLICATION FOR CERTIFICATE OF APPROPRIATENESS



DeKalb County Historic Preservation Commission

1. Address of Property: 1302 Stillwood Dr.
 Owner: Craig Davis Owner Telephone: 404-784-1105
 Owner Address: 798 Drewry St NE, Atlanta, GA 30306

2. Name of Applicant: CRAIG DAVIS
 You or your representative may be present at the meeting of the commission, but attendance is not mandatory. You will be notified of the time, date, and location of the meeting.
 Mailing Address: Same
 Daytime Telephone: 404-784-1105
 Relationship of Applicant to Property Owner: Owner Architect Contractor Other

3. Age of Structure: Approximate date of construction for the primary structure on the property and any secondary structures affected by this project: 60 yrs.

4. Nature of Proposed Work:
- | | |
|--|-----------------------------------|
| <input checked="" type="checkbox"/> New Construction | - Site Preparation/Clearance |
| <input checked="" type="checkbox"/> Demolition | - Moving a Building |
| - Addition | - Sign Erection or Replacement |
| - New Freestanding Building | - Repairs or Alterations |
| - Fence/Wall | - Exterior Architectural Features |
| - Exterior Environmental Feature Change | - Landscaping |
| - Deck or Patio | - Other |

Please describe your proposed work as simply and accurately as possible. Use the attached submittal criteria checklist to guide you in your description. Be sure to indicate building and landscape materials to be used. Accurate drawings and photographs are **required**. (Use extra sheet, if necessary.)
Demo existing structure and build new house. Used #1309 & 1313 as the general basis for design, and several hours on the street for the front entranceway design. Includes a detached garage of stucco/batten board for visual interest and traditional double strip driveway. Brick is brown-tone with a rough ~~to~~ texture to give an aged appearance.

IMPORTANT: This form must be completed before the Historic Preservation Commission can consider the approval of any material change to a Historic Property or within a Historic District. This form, along with supporting documents (plans, material, color samples, and photos), must be filed with the Historic Preservation staff, DeKalb County Planning Department, 1300 Commerce Drive, Suite 400, Decatur, Georgia 30030-3221. Four (4) copies of plans or renderings for any new structures **must** be filed.

All applicable items from the attached checklist of Submittal Criteria must be addressed. Incomplete applications will not be docketed for consideration by the Historic Preservation Commission.

FOR OFFICE USE ONLY
 Date received: 3-31-06
 Initials: DC
 Sign given: Yes No 3:30

Craig Davis
 Signature of Applicant 3/31/06
 Date

1853
 3/1/01

PRELIMINARY

DeKalb County Historic Preservation Commission

Monday, April 17, 2006 - 7:00 P.M.

Staff Comments

Regular Agenda

T. 1302 Stillwood Drive (SH), Craig Davis. Demolish existing structure and build new house.

Constructed 1925. (18-001-04-043)

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

2-06 1302 Stillwood Drive (DH), Craig Davis. Demolish house. **Denied**

County tax record shows this house as having been built in 1925, but the brick façade appears to be much newer, possibly as recent as the 1970s. Because of this change the building lacks significance.

Applicant proposes demolishing this house and building a new house. The house is in poor condition, with foundation problems and uncorrected roof leaks, as well as a major odor problem caused by the previous owner's animals.

The new house is a two-story brick structure with a hipped roof. The style is a simple Colonial Revival. Windows are generally 9/1 on the ground floor and 6/1 on the second.

May need more details.

Recommendation

This proposal does not appear to have significant negative effects on the district. The proposal appears to meet the guidelines and staff recommends approval.

PRELIMINARY

T

Decision of the DeKalb County Historic Preservation Commission

Name of Applicant:

Craig Davis

Address of Property:

1302 Stillwood Dr

Date(s) of hearing if any:

4-17-06

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 Historic Preservation Projects, including the Standards for Rehabilitation therein as a guidelines. The Preservation Commission finds that all relevant guidelines have been met.

Additional pertinent factors:

Build new two-story house, demolishing existing house.
Build garage.

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

2015 NORTH DECATUR ROAD

DeKalb County Historic Preservation Commission

Wednesday August 8, 2001 - 7:00 P.M.

Y

Staff Comments

Regular Agenda

Y. 2015 North Decatur Road (DH), Charles Buckley. Demolish house.

Constructed 1930. (18-051-06-007)

This property is not located in a National Register Historic District or in an identified character area.

In June 2001 the DCHPC approved a CoA for this applicant for development of a new subdivision on the adjacent property. If present plans work out this property will be part of a land swap with John Willis Homes to be added to their development previously approved on the other adjacent property.

The applicant proposes demolishing this house.

This house was built about 1930. It was not part of the adjacent Emory Grove development. The house was probably originally a simple four room structure, but additions have been made to the left end and the rear. The house is not a good representative of any particular style or house type. It does not appear to have any architectural or historical significance.

There are several retaining walls on this property. The walls on the left (east) side of the driveway and behind the driveway in the rear appear to be better made than the ones on the right of the driveway.

The preservation planner recommends approval of the CoA with the restrictions that the applicant document all four sides of the house with good quality photographs for the record, and that the retaining walls to the left of the driveway and behind the driveway in the rear remain intact. The developer may not be able to work them into the new development, but at this time it is better to leave them in place in case he can.

Relevant Guidelines

7.3.3 Demolition and Relocation (p75) Guideline - Historic buildings and structures should not be demolished unless they are so unsound that rehabilitation is not possible. Historic buildings should not be moved off the property or relocated on the site, nor should other buildings be moved onto the site.

11.0 Nonhistoric Properties (p93) Guideline - In reviewing an application for a Certificate of Appropriateness for a material change to a nonhistoric building, the Preservation Commission should evaluate the change for its potential impacts to any historic development (architecture and natural and cultural landscapes) in the area of influence of the nonhistoric property. Guidelines presented in *Section 7.0: Additions and new Construction* are relevant to such evaluations.





DeKalb County Historic Preservation Commission

1300 Commerce Drive • Suite 400 • Decatur, GA 30030
404/371-2155 • 404/371-2813 fax

August 10, 2001

CERTIFICATE OF APPROPRIATENESS

SITE ADDRESS: 2015 NORTH DECATUR ROAD
ATLANTA, GA 30307
PARCEL ID: 18-051-06-007
APPLICATION DATE: 7/26/01
APPLICANT: Charles J. Buckley
MAILING ADDRESS: 2462 Glen Oaks Court
Atlanta, GA 30345

THIS IS TO ADVISE YOU THAT THE DEKALB COUNTY HISTORIC PRESERVATION COMMISSION, AT ITS REGULARLY SCHEDULED PUBLIC MEETING ON AUGUST 8, 2001, REACHED THE FOLLOWING DECISION ON THIS APPLICATION:

ACTION: APPROVAL WITH CONDITIONS

Demolition of the house, with the conditions that all four sides of the house must first be documented with good-quality photographs for the case record, and that the granite retaining walls along the east property line and behind the house be preserved.

Michaelson 8/10/01
Chairman Date

No appeals have been filed.
Dail Cullin
8/23/01

APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

DeKalb County Historic Preservation Commission



1. **Address of Property:** 2015 North Decatur Road, Atlanta, GA 30307
 Owner: Dorothy M. Hauser* Owner Telephone: (404) 378-5851
 Owner Address: 1896 Ridgewood Drive, Atlanta, GA 30307
 * formerly Dorothy G. Moore

2. **Name of Applicant:** Charles J. Buckley
 You or your representative may be present at the meeting of the commission, but attendance is not mandatory.
 You will be notified of the time, date, and location of the meeting.
 Mailing Address: 2462 Glen Oaks Court, Atlanta, GA 30345
 Daytime Telephone: (404) 320-7976
 Relationship of Applicant to Property Owner: Owner Architect Contractor
 Other Contract Purchaser

3. **Age of Structure:** Approximate date of construction for the primary structure on the property and any secondary structures affected by this project: 1935-1940

4. **Nature of Proposed Work:**

- | | |
|---|--|
| <input type="checkbox"/> New Construction | <input type="checkbox"/> Site Preparation/Clearance |
| <input checked="" type="checkbox"/> Demolition | <input type="checkbox"/> Moving a Building |
| <input type="checkbox"/> Addition | <input type="checkbox"/> Sign Erection or Replacement |
| <input type="checkbox"/> New Freestanding Building | <input type="checkbox"/> Repairs or Alterations |
| <input type="checkbox"/> Fence/Wall | <input type="checkbox"/> Exterior Architectural Features |
| <input type="checkbox"/> Exterior Environmental Feature | <input type="checkbox"/> Landscaping |
| <input type="checkbox"/> Change | <input type="checkbox"/> Other |
| <input type="checkbox"/> Deck or Patio | |

Please describe your proposed work as simply and accurately as possible. Use the attached submittal criteria checklist to guide you in your description. Be sure to indicate building and landscape materials to be used. Accurate drawings and photographs are required. (Use extra sheet, if necessary.)

Demolish rental house which is non-historic.

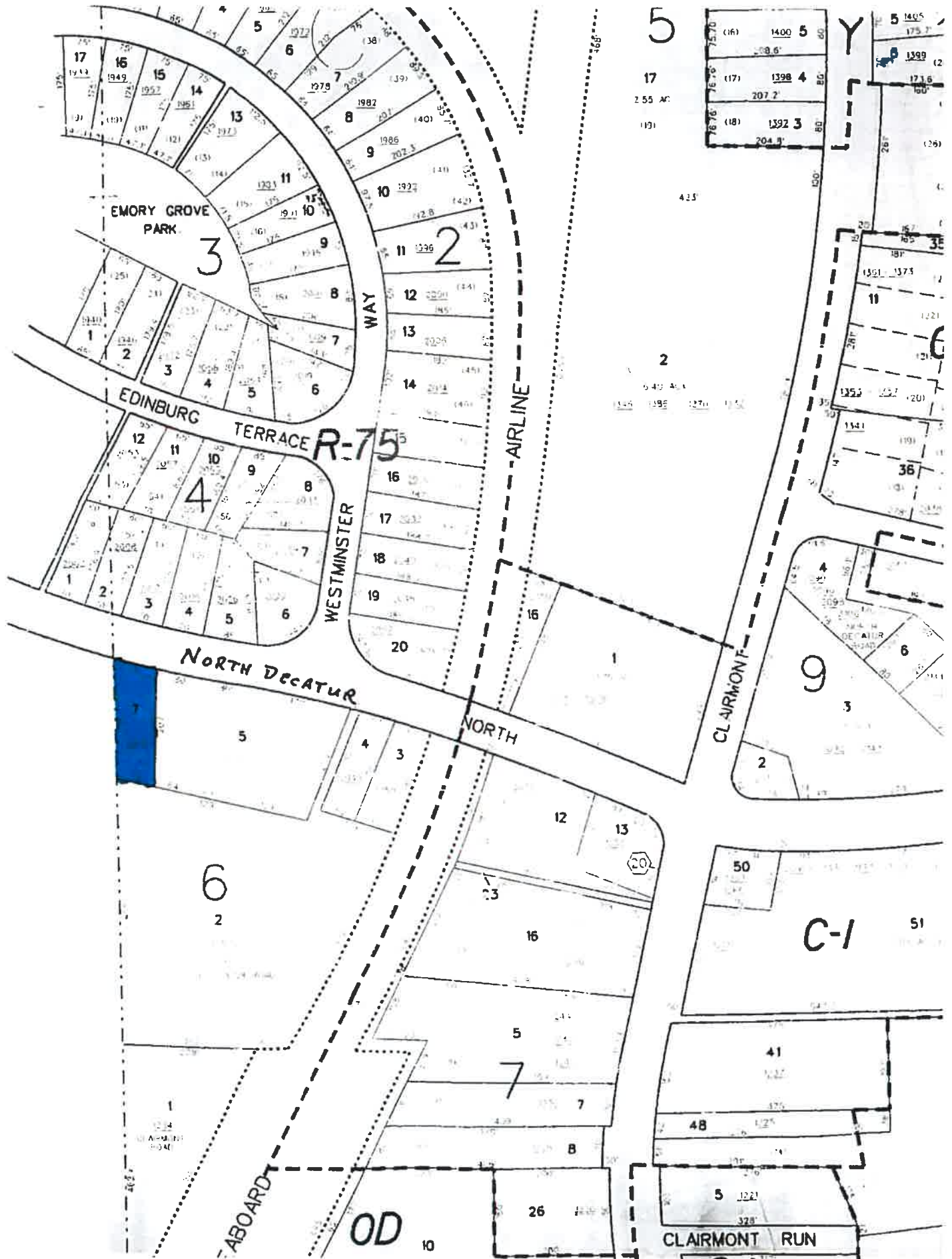
IMPORTANT: This form must be completed before the Historic Preservation Commission can consider the approval of any material change to a Historic Property or within a Historic District. This form, along with supporting documents (plans, material, color samples, and photos), must be filed with the Historic Preservation staff, DeKalb County Planning Department, 1300 Commerce Drive, Suite 400, Decatur, Georgia 30030-3221. Four (4) copies of plans or renderings for any new structures must be filed.

All applicable items from the attached checklist of Submittal Criteria must be addressed. Incomplete applications will not be docketed for consideration by the Historic Preservation Commission.

FOR OFFICE USE ONLY

Date received: 7-26-01
 Initials: DC
 Sign given: Yes No

Charles J. Buckley 7-26-01
 Signature of Applicant Date



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PHOTOS OF CONSTRUCTION ACROSS NORTH DECATUR ROAD









DATE: 19 June 2023

SUBJECT: APPEAL OF DECISION REGARDING CERTIFICATE OF APPROPRIATENESS APPLICATION, 1853 N. DECATUR ROAD (TAX PARCEL: 18-052-05-035)

Dear Members of the DeKalb County Historic Preservation Commission:

Regarding the appeal of the Commission's decision denying the demolition of the historical property at 1853 N Decatur Road, we would like to submit our objections to the demolition of a historic house and replacement with an overwhelmingly large building, which is out-of-character in our neighborhood, which will impact our right to sunlight, air flow, and view and that of our neighbors, and which is contrary to the Guidelines.

1. The request for the demolition of this historic contributing property is based on the intent of the owners to construct in its place an oversized and out-of-character replacement building, contradicting Guideline 13.0. It is not based on the rehabilitation of the existing structure with the intent of the historic preservation of this contributing property.
2. Engineers have failed to provide in their reports the appropriate technical evidence, such as soil composition analysis, beam and joist stress calculations, a tilt and deflection analysis, structure type, load patterns, precipitation and its effects on soil, etc., to determine that the property is unsound and rehabilitation is not possible (Guideline 7.3.3).
3. Furthermore, engineers have submitted a rehabilitation cost for purposes of a substantially large addition in the 3,000-5,000 square feet range, indicating that the historic property can be rehabilitated.
4. The house continues to be inhabited, signaling that the owners consider that the house is sound enough for habitation.
5. The certificate of appropriateness application states that it would cost \$268,000 to rehabilitate the house to allow for its expansion to up to 7,000 square feet. However, at issue is the rehabilitation of the existing house. The applicants should submit a cost estimate to rehabilitate of the house in its current footprint.
6. Economic feasibility analyses consider the cost of rehabilitation versus the cost of demolition plus the construction of a similar structure. Any other economic feasibility analysis is invalid and irrelevant, particularly that presented by the applicants, as indicated in our June 2022 letter to this Commission, herewith enclosed. The applicants' plan is based on the substantial increase of the house footprint, from about 1,900 square feet to up to 7,000 square feet.
7. The demolition of this historic property would be adverse to the historic preservation of our neighborhood and district. On this particular block of four houses on N Decatur Road, two contributing properties exist. The demolition of 1853 N Decatur Road would leave only one contributing property along this street segment, which is a considerable loss.
8. Moreover, the replacement building would visually affect the immediate area of influence (Guideline 7.1), impacting residents along N Decatur Road, Emory Circle and Ridgewood Avenue. The proposed oversized structure would overwhelmingly dominate this part of our historic

district. As planned, it would be considerably larger than the two neighboring Ridgewood homes – larger by 3,062 square feet in one case, and larger by 2,763 square feet in the other case.

9. The proposed replacement of a structure of about 1,900 square feet by a structure of up to 7,000 square feet seems contrary to the prevalent massing, proportion, rhythm, scale/height, among other aspects, relating to homes in our neighborhood (Guidelines 7.2.4, 7.2.5, 7.2.6, 7.2.7, 7.3.2). Also, the applicants' plans are incompatible with the University Park/Emory Highlands/Emory Estates Character Area (Guideline 13.0).
10. Furthermore, the application is deficient for it does not provide, for example, drawings showing the proposed structure height relative to neighboring properties, or drawings superimposing the proposed structure on the existing footprint.
11. Most importantly, the proposed oversized structure would adversely affect the:
 - a. the protection and preservation of flora, fauna and natural habitat,
 - b. the rain water drainage in the site and neighboring properties,
 - c. the light and air flow in surrounding properties, and,
 - d. the spatial relationships among our homes and landscapes.

We have documented such adverse impact in our June 2022 letter to this Commission, herewith enclosed, and are requesting your review of it. Moreover, in addition to our above objections, we have submitted others contained in letters to this Commission.

It should also be noted that the required public sign has been resting on the ground since the first day, invisible to residents and traffic in general (see below).



In closing, we object to the demolition of a historic house and replacement with an overwhelmingly large building, which is out-of-character in our neighborhood, which will impact our right to sunlight, air flow, and view and that of our neighbors, and which is contrary to the Guidelines. We hereby request that this Commission uphold its decision to deny the certificate of appropriateness proposing the demolition and new construction of 1853 N Decatur Road.

Respectfully yours,

Margarita Studemeister and Charles Vela, 520 Emory Circle, Atlanta, GA 30307

DATE: JUNE 19, 2023

SUBJECT: ADDENDUM TO APPEAL OF DECISION REGARDING CERTIFICATE OF APPROPRIATENESS APPLICATION, 1853 N. DECATUR ROAD (TAX PARCEL: 18-052-05-035)

Dear Members of the DeKalb County Historic Preservation Commission:

We are hereby requesting the rejection of the two petitions of the applicants, for demolition of a historic house and for a new construction. Our request is based on the following six objections, which are explained further below:

- 1) The engineering arguments are deficient and do not justify demolition.
- 2) The request to build a hugely oversized and out-of-character structure has not been heard and discussed by this Commission during a public hearing.
- 3) The applicants have failed to provide equivalency documentation regarding prior HPC decisions in demolition cases.
- 4) Regarding section 13.5-8(3), no evidence has been provided by the applicants to refute that 1853 N. Decatur Road is NOT a contributing historical property.
- 5) The applicants have provided faulty and shifting cost-benefit analyses.
- 6) The Board of Commissioners' instruction seems to have been made without a full review of the record in this case.

Explanation:

1. Demolition is requested because of risks associated with the replacement of the current foundation with a conforming foundation according to current standards. Based on the documents presented by the applicants, this request is not compliant with Guideline 7.3.3 regarding demolition.
 - a) The reports do not unequivocally conclude that the foundation is unsound and rehabilitation is impossible, allowing demolition of the property.
 - b) The risks identified by Harrington Engineers, Homeside Construction, and Padstone Engineering are based on foundation replacement and not on shoring or reinforcing a failing foundation, which is a possibility that had been identified by Homeside Construction. This approach is a common practice in the United States, including for houses without a concrete foundation, prior to a planned expansion of the premises.
 - c) While Padstone Engineering paid a visit to the site, it did not conduct a full engineering analysis. In fact, the firm did not identify the type of settling that the house had sustained; the potential continuation of such settling; and the potential risks and hazards of said settling.
 - d) While Harrington Engineers and Homeside Construction claimed that the house had no foundation and that it was placed directly on the soil, Padstone Engineering found a 2.5 to 3 inch thick concrete platform,; however, it could not ascertain if the concrete is reinforced.
 - e) Moreover, Padstone Engineering did not report any deterioration or cracks in the 2.5 to 3 inch thick platform discovered.

- f) Neither Harrington Engineers, Homeside Construction, nor Padstone Engineering have provided engineering analyses, including building codes, calculations, explanations, pictures, etc., as is customary in an engineering analysis. Stating something constitutes an unsubstantiated opinion not engineering facts and evidence mindful of construction codes and calculations.
- g) Regarding the remediation of the over spanned joist, as identified by all three firms, this can be done by adding parallel joists.

Thus, “Whether it is feasible to rehabilitate the property as currently constructed?”

Short answer: No evidence has been submitted by the applicants that rehabilitation is unfeasible.

CONCLUSION: The commission should NOT approve demolition if no conclusive engineering analysis report unequivocally determines that the house is “so unsound that rehabilitation is not possible,” including exploring techniques for shoring or reinforcing the existing foundation.

- 2. The Commissioners clearly stated that the applicants’ requests required a two-step process: 1) the approval or denial of a demolition request; and 2) the consideration of the appropriateness of the proposed replacement house. This latter step has not happened.

Prior to the commencement of the February hearing of this Commission, HPC staffer Rachell L. Bragg opined that the front facade of the house appeared to be more conforming with the current structure of the house. However, at no point during the official meeting did the Commissioners discuss nor vote to approve the construction of the hugely oversized and out-of-character structure.

CONCLUSION: The approval of a new construction as proposed by the applicants should be dismissed since the design has not been subjected to a discussion by the Commissioners regarding whether the proposal conforms to the Guidelines.

- 3. **Regarding prior decisions for demolition by the HPC.** No detailed engineering analysis reports for each previous demolition decision are provided by the applicants, and the information submitted is diverse in nature and detail and not uniform across the cases, making affirmations tentative at the very best. Furthermore, as stated before, the applicants have not provided the evidence that demolition is necessary.

A proper analysis should include a matrix with columns identifying each criteria and data to determine equivalencies. The applicants have not provided any such data for 1853 N Decatur Road and making assertions regarding equivalencies with past demolitions is impossible.

Thus, “Whether its decision is consistent with prior decisions of the Historic Preservation Commission involving similar properties?” Short answer: The applicants have not provided the necessary information and data to correctly provide an unequivocal answer about consistency.

CONCLUSION: There is no solid basis to conclude with certainty that the decisions to demolish are the same or equivalent.

- 4. **Regarding the factors in section 13.5.-8(3) and the Design Manual for the Druid Hills Local Historic District to the facts of this case.**

As the applicants rightly state Guideline 7.3.3 “limits the demolition of historic structures to those that are so unsound that rehabilitation is not possible”. However, none of the engineers have provided evidence to the fact that the property is so unsound that demolition is required or that rehabilitation is not possible. The engineers address the possible risks of damaging those elements of historical value in the property by rebuilding the foundation. None of them have provided an engineering analysis that concludes that the foundation requires rebuilding.

Furthermore, none of the engineers have provided evidence that shoring or reinforcing the foundation is not an alternative.

It is incumbent upon the interested parties (that is, the applicants) to demonstrate that the criteria applied to identify and declare the property in question as a historical contributing property was wrong. No such counter criteria have been submitted by the applicants.

In addition, the applicants’ replacement structure does not comply with Guidelines 7.2, 7.2.4, 7.2.5, 7.2.6, 7.2.7, 7.3.2, and 13.0. While the engineers consulted appear to be highly qualified in their respective areas of expertise, in researching their backgrounds and experience, there is no evidence that their expertise is in the area of historical preservation, restoration and rehabilitation. In fact, the engineers do not claim to have such expertise. Therefore, they may be unfamiliar with the particular techniques and they may lack the practical experience in addressing issues in this area of specialty.

Short answer: The applicants have not provided any evidence that contradicts the original HPC decision to declare 1853 N. Decatur Road a contributing historical property. Furthermore, the engineering arguments provided are incomplete and faulty and the replacement property would be hugely oversized and out of character for our historical area.

CONCLUSION: This historic contributing property should not be demolished.

5. Faulty and shifting cost-benefit analysis: The applicants have submitted faulty cost-benefit analysis. Initially, the engineers claimed that such an analysis was based on required remediation to allow for a house expansion of up to 7,000. Now, in the recently submitted documents, they have reversed themselves and claim that these costs are to rehabilitate the house in its current footprint. A sound economic feasibility analysis should consider the cost of rehabilitation versus the cost of demolition plus the construction of a similar structure. Any other economic feasibility analysis is invalid and irrelevant in the matter.

Furthermore, any cost analysis that does not take into consideration the intent to replace the current structure of less than 1900 square feet by one of up to 7,000 square feet, is a subterfuge to obtain the approval to demolish a historical property and replace it with an extremely oversized structure.

CONCLUSION: The original decision by this Commission denying the demolition should be sustained.

6. It has come to our attention that this hearing has been dictated by the Board of Commissioners. In reviewing the minutes of the BOC meeting, it seems that there was no discussion of the matter during the meeting and that an instruction was issued to this Historic Preservation Commission without a thorough review of the record and a due consideration to the long-standing concerns of the DeKalb County Historic Preservation Commission (HPC), of the residents, and of the Land Use Committee of the

Druid Hills Civic Association. Under such a scenario, we are deeply concerned that the deliberations during the June 20 hearing may be influenced by subjective factors and improper political pressures.

CONCLUSION: We recommend that the HPC abide by the facts and that the Commissioners in their decision-making not succumb to what appear to be subjective factors and improper political pressures.

Finally, we noticed that the addendum submitted by the applicants is dated June 14, 2023, yet the document had not been uploaded by June 16, 2023. We found the document on Monday, June 19, 2023. The submission of this addendum at this late stage is untimely.

Respectfully submitted,

Margarita Studemeister and Charles Vela

520 Emory Circle NE, Atlanta, GA 30307

DATE: JUNE 19, 2023

SUBJECT: ADDENDUM TO APPEAL OF DECISION REGARDING CERTIFICATE OF APPROPRIATENESS APPLICATION, 1853 N. DECATUR ROAD (TAX PARCEL: 18-052-05-035)

Dear Members of the DeKalb County Historic Preservation Commission:

We are hereby requesting the rejection of the two petitions of the applicants, for demolition of a historic house and for a new construction. Our request is based on the following six objections, which are explained further below:

- 1) The engineering arguments are deficient and do not justify demolition.
- 2) The request to build a hugely oversized and out-of-character structure has not been heard and discussed by this Commission during a public hearing.
- 3) The applicants have failed to provide equivalency documentation regarding prior HPC decisions in demolition cases.
- 4) Regarding section 13.5-8(3), no evidence has been provided by the applicants to refute that 1853 N. Decatur Road is NOT a contributing historical property.
- 5) The applicants have provided faulty and shifting cost-benefit analyses.
- 6) The Board of Commissioners' instruction seems to have been made without a full review of the record in this case.

Explanation:

1. Demolition is requested because of risks associated with the replacement of the current foundation with a conforming foundation according to current standards. Based on the documents presented by the applicants, this request is not compliant with Guideline 7.3.3 regarding demolition.
 - a) The reports do not unequivocally conclude that the foundation is unsound and rehabilitation is impossible, allowing demolition of the property.
 - b) The risks identified by Harrington Engineers, Homeside Construction, and Padstone Engineering are based on foundation replacement and not on shoring or reinforcing a failing foundation, which is a possibility that had been identified by Homeside Construction. This approach is a common practice in the United States, including for houses without a concrete foundation, prior to a planned expansion of the premises.
 - c) While Padstone Engineering paid a visit to the site, it did not conduct a full engineering analysis. In fact, the firm did not identify the type of settling that the house had sustained; the potential continuation of such settling; and the potential risks and hazards of said settling.
 - d) While Harrington Engineers and Homeside Construction claimed that the house had no foundation and that it was placed directly on the soil, Padstone Engineering found a 2.5 to 3 inch thick concrete platform,; however, it could not ascertain if the concrete is reinforced.
 - e) Moreover, Padstone Engineering did not report any deterioration or cracks in the 2.5 to 3 inch thick platform discovered.

- f) Neither Harrington Engineers, Homeside Construction, nor Padstone Engineering have provided engineering analyses, including building codes, calculations, explanations, pictures, etc., as is customary in an engineering analysis. Stating something constitutes an unsubstantiated opinion not engineering facts and evidence mindful of construction codes and calculations.
- g) Regarding the remediation of the over spanned joist, as identified by all three firms, this can be done by adding parallel joists.

Thus, “Whether it is feasible to rehabilitate the property as currently constructed?”

Short answer: No evidence has been submitted by the applicants that rehabilitation is unfeasible.

CONCLUSION: The commission should NOT approve demolition if no conclusive engineering analysis report unequivocally determines that the house is “so unsound that rehabilitation is not possible,” including exploring techniques for shoring or reinforcing the existing foundation.

- 2. The Commissioners clearly stated that the applicants’ requests required a two-step process: 1) the approval or denial of a demolition request; and 2) the consideration of the appropriateness of the proposed replacement house. This latter step has not happened.

Prior to the commencement of the February hearing of this Commission, HPC staffer Rachell L. Bragg opined that the front facade of the house appeared to be more conforming with the current structure of the house. However, at no point during the official meeting did the Commissioners discuss nor vote to approve the construction of the hugely oversized and out-of-character structure.

CONCLUSION: The approval of a new construction as proposed by the applicants should be dismissed since the design has not been subjected to a discussion by the Commissioners regarding whether the proposal conforms to the Guidelines.

- 3. **Regarding prior decisions for demolition by the HPC.** No detailed engineering analysis reports for each previous demolition decision are provided by the applicants, and the information submitted is diverse in nature and detail and not uniform across the cases, making affirmations tentative at the very best. Furthermore, as stated before, the applicants have not provided the evidence that demolition is necessary.

A proper analysis should include a matrix with columns identifying each criteria and data to determine equivalencies. The applicants have not provided any such data for 1853 N Decatur Road and making assertions regarding equivalencies with past demolitions is impossible.

Thus, “Whether its decision is consistent with prior decisions of the Historic Preservation Commission involving similar properties?” Short answer: The applicants have not provided the necessary information and data to correctly provide an unequivocal answer about consistency.

CONCLUSION: There is no solid basis to conclude with certainty that the decisions to demolish are the same or equivalent.

- 4. **Regarding the factors in section 13.5.-8(3) and the Design Manual for the Druid Hills Local Historic District to the facts of this case.**

As the applicants rightly state Guideline 7.3.3 “limits the demolition of historic structures to those that are so unsound that rehabilitation is not possible”. However, none of the engineers have provided evidence to the fact that the property is so unsound that demolition is required or that rehabilitation is not possible. The engineers address the possible risks of damaging those elements of historical value in the property by rebuilding the foundation. None of them have provided an engineering analysis that concludes that the foundation requires rebuilding.

Furthermore, none of the engineers have provided evidence that shoring or reinforcing the foundation is not an alternative.

It is incumbent upon the interested parties (that is, the applicants) to demonstrate that the criteria applied to identify and declare the property in question as a historical contributing property was wrong. No such counter criteria have been submitted by the applicants.

In addition, the applicants’ replacement structure does not comply with Guidelines 7.2, 7.2.4, 7.2.5, 7.2.6, 7.2.7, 7.3.2, and 13.0. While the engineers consulted appear to be highly qualified in their respective areas of expertise, in researching their backgrounds and experience, there is no evidence that their expertise is in the area of historical preservation, restoration and rehabilitation. In fact, the engineers do not claim to have such expertise. Therefore, they may be unfamiliar with the particular techniques and they may lack the practical experience in addressing issues in this area of specialty.

Short answer: The applicants have not provided any evidence that contradicts the original HPC decision to declare 1853 N. Decatur Road a contributing historical property. Furthermore, the engineering arguments provided are incomplete and faulty and the replacement property would be hugely oversized and out of character for our historical area.

CONCLUSION: This historic contributing property should not be demolished.

5. Faulty and shifting cost-benefit analysis: The applicants have submitted faulty cost-benefit analysis. Initially, the engineers claimed that such an analysis was based on required remediation to allow for a house expansion of up to 7,000. Now, in the recently submitted documents, they have reversed themselves and claim that these costs are to rehabilitate the house in its current footprint. A sound economic feasibility analysis should consider the cost of rehabilitation versus the cost of demolition plus the construction of a similar structure. Any other economic feasibility analysis is invalid and irrelevant in the matter.

Furthermore, any cost analysis that does not take into consideration the intent to replace the current structure of less than 1900 square feet by one of up to 7,000 square feet, is a subterfuge to obtain the approval to demolish a historical property and replace it with an extremely oversized structure.

CONCLUSION: The original decision by this Commission denying the demolition should be sustained.

6. It has come to our attention that this hearing has been dictated by the Board of Commissioners. In reviewing the minutes of the BOC meeting, it seems that there was no discussion of the matter during the meeting and that an instruction was issued to this Historic Preservation Commission without a thorough review of the record and a due consideration to the long-standing concerns of the DeKalb County Historic Preservation Commission (HPC), of the residents, and of the Land Use Committee of the

Druid Hills Civic Association. Under such a scenario, we are deeply concerned that the deliberations during the June 20 hearing may be influenced by subjective factors and improper political pressures.

CONCLUSION: We recommend that the HPC abide by the facts and that the Commissioners in their decision-making not succumb to what appear to be subjective factors and improper political pressures.

Finally, we noticed that the addendum submitted by the applicants is dated June 14, 2023, yet the document had not been uploaded by June 16, 2023. We found the document on Monday, June 19, 2023. The submission of this addendum at this late stage is untimely.

Respectfully submitted,

Margarita Studemeister and Charles Vela

520 Emory Circle NE, Atlanta, GA 30307

DATE: 14 July 2023

SUBJECT: CERTIFICATE OF APPROPRIATENESS APPLICATION, 1853 NORTH DECATUR ROAD (TAX PARCEL: 18-052-05-035)

Dear Members of the DeKalb County Historic Preservation Committee:

For the fourth time, we would hereby like to express additional concerns regarding the application to demolish a contributing historical property and to build a hugely oversized and out-of-character structure in our University Park/Emory Highlands/Emory Estates Character Area.

We are writing as owners of 520 Emory Circle, a property abutting the applicants' lot at address 1853 NORTH DECATUR ROAD (TAX PARCEL: 18-052-05-035). We have presented objections to the three past applications for a certificate of appropriateness.

To facilitate your review, our new objections are summarized in two parts:

- 1. Objections to the demolition**
- 2. Objections to the proposed new structure**

We encourage you to carefully review these objections, mindful of the Druid Hills Design Guidelines, as well as past concerns expressed in our previous letters.

Once again, we urge you to reject this new attempt to demolish a historic property and to replace it with a hugely oversized and out-of-character structure. If you as members of this Historic Preservation Commission have any doubts, your approval of the demolition/new construction application would have a significant and irreversible impact on the integrity of our University Park/Emory Highlands/Emory Estates Character Area. Therefore, we urge you to reject this demolition/new construction application.

Respectfully yours,

Margarita Studemeister and Charles Vela
520 Emory Circle, Atlanta, GA 30307

1. OBJECTIONS TO THE DEMOLITION

The applicants state that the foundation problem in their house is beyond rehabilitation; and that rehabilitation is risky and unsafe. They are seeking -- for the fourth time, with changing criteria each time -- the demolition of their contributing property in our University Park/Emory Highlands/Emory Estates Character Area.

1. The applicants' remediation proposal to address the non-conforming foundation constitutes the most extreme engineering solution, which requires the lifting of the house. Also the Homeside Construction report claims that this extreme solution has a high probability that over 50% of the existing footprint would require repairs. Based on our research and on conversations with rehabilitation firms, this claim is unsubstantiated. Moreover, it appears that much less extreme options to properly rehabilitate the structure exist and other owners of historic properties in our district seem to have opted for rehabilitation.
2. The technical reports do not state unequivocally that the house is "so unsound that rehabilitation is not possible." This Guideline implies unsoundness not only of a foundation but of the structure as a whole. Notably, Guideline 7.3.3 reads as follows: "*Historic buildings and structures should not be demolished unless they are so unsound that rehabilitation is not possible.*" After the denial of the demolition request earlier this year, two of the three technical reports had to be reinterpreted in an attempt to shore up the demolition argument of the applicants.
3. Essentially, demolition is not a solution but rehabilitation is. To allow this structure to be demolished would wipe out a piece of the historic district that could never be retrieved.

TECHNICAL REPORTS ARE CONFOUNDING

1. At the end of the revised report by **Homeside Construction**, supporting the applicants' request for demolition, the builder clarifies that addressing the foundation problem would require seeking an appropriate company for the job and that the estimate would be about \$25,000.
2. The revised report submitted by **Harrington Engineers** does not name the type of foundation in this house. It describes the exterior and interior foundations as unreinforced brick walls with no footings. It also states that the exterior brick walls are ungrouted, however, such a glaring problem is not confirmed in the **Padstone Engineering** report.
3. The **Padstone Engineering** report identifies the foundation type as brick stem wall foundation, one of the five most common types of foundations in the United States. Such foundations were frequently built for a sloping terrain, as is the lot of the applicants. It was built in 1941 in accordance to the building codes at the time; that is, unreinforced.
4. The **Padstone Engineering** report adds that the brick stem walls "*appear to rest on a thin unreinforced concrete pad about 2-1/2 to 3 inches thick with a width approximately the same as the stem walls immediately underlain by soil.*" No damage to the concrete pad was reported. This concrete pad was not observed, or remained unreported for some reason, by **Harrington Engineers** and **Homeside Construction**.

SOLUTIONS EXIST

1. In its revised report, **Harrington Engineers** proposes to remediate the exterior foundation walls by building new walls and footings. With regards to the interior foundation walls, the report offers two alternatives: building “*new cantilevered masonry retaining walls and footings ... flush with ... the existing brick walls,*” or building “*masonry piers on new footings perpendicular to the existing brick wall.*” To remediate the under-sized joists on the main floor or first level, the report proposes for deeper or additional joists to be added. Thus, this report proves that rehabilitation is feasible.
2. The **Padstone Engineering** report is deficient in examining possible remediation approaches, even those proposed in the **Harrington Engineers** report. Instead, it echoes the affirmation by Harrington Engineers and Homeside Construction, saying that remediation is not recommended. This affirmation brushes aside a proper review of any possible remediation options.
3. There are plenty of reputable foundation repair and construction companies in the Atlanta area with expertise and experience, and ready to provide solutions to the applicants. We called a couple of such companies and shared portions of the technical reports (without the names of the engineers). In response, their representatives questioned the demolition conclusion and stated that there are other possible approaches to rehabilitate the foundation. To be sure, the possibility of solutions other than demolition is acknowledged in the **Homeside Construction** report, at the estimated cost of \$25,000.

RISKS PRESENTED ARE UNCERTAIN

1. Without offering evidence regarding the likelihood and extent of damage, **Harrington Engineers** report states that the impact of remediating the exterior foundation walls is “*unpredicable*”. It also states that there is “*very little*” risk in the remediation of the interior brick basement walls. The report does not address mitigation measures that experts in the field apply in order to address the uncertain risk of further damage and distress on the house.
2. Similarly, without any evidence, the report by **Padstone Engineering** echoes the **Harrington Engineers** report when it generalizes that remediation would “*likely result in additional distress and damage to the home.*” The report also fails to describe mitigation practices to reduce the impact of remediation on the house.
3. We submit for consideration a case study (a structural evaluation of Allen House in Marlin, Texas), which can be viewed at https://historicalallenhouse.com/wp-content/uploads/2017/10/structural_report.pdf, to illustrate that the rehabilitation of a stem wall foundation is possible and feasible.

DEMOLITION HAS NOT BEEN SUBSTANTIATED

- The confounding and incomplete technical reports and the additional difficulty of ascertaining similarities from uneven technical reports in past demolition cases, support the rejection of the applicants’ request.
- Given the uneven technical reports in past demolition cases, one or more past decisions may have been inappropriate. To be sure, past errors should not be reproduced.

- Furthermore, remediation options for the non-conforming foundation exist and such options should be explored with experienced rehabilitation firms.
- If the members of this Historic Preservation Commission wish to seek an unbiased expert opinion, we recommend seeking a professional assessment. If this is not possible, we are willing to hire an engineering firm with expertise in foundation rehabilitation and hereby are requesting permission to access the property for such an independent assessment to be performed.
- In conclusion, we can say with confidence that this contributing structure should not be demolished because it does not meet the required criteria. That is, **the historic structure has not been determined to be “so unsound that rehabilitation is not possible.”**

2. OBJECTIONS TO THE PROPOSED NEW STRUCTURE

Notably, the design proposal is incomplete and cannot be properly evaluated. It lacks a number of important drawings, among others, to be sure:

- Drawing that shows all properties abutting 1853 N Decatur, including the buildings and lots of 526, 520 and 512 Emory Circle, and 1917 N Decatur Road. To correct the four application versions, please be aware that the main/front entrance as well as the front driveway to the property with address 526 Emory Circle is actually on N Decatur Road, with the address of 1861 N Decatur Road.
- Drawing that shows the roof pitch heights of the proposed structure in comparison with those of the houses abutting the applicants' lot and others in the area of influence, identifying those that are contributing properties.
- Drawing that shows the existing footprint and the footprint of the new structure, with all abutting properties clearly marked.
- Drawing showing the historic and non-historic properties in the area of influence.

Our objections are below and are discussed in terms of the Druid Hills Design Guidelines.

7.0 - Additions & New Construction Preserving Form & Layout

The preface (page 63) of the Druid Hills Design Guidelines emphasize the principle of compatibility with the historic character of the area, explaining that “[t]he underlying guideline for new construction and additions is to consider one’s neighbors and nearby structures and reinforce the existing historic character through sensitive, compatible design.”

The University Park/Emory Highlands/Emory Estates Character Area was developed with houses of modest scale, in the 1,300 – 2,300 square foot range. In stark contrast, the design proposed by the owners of 1853 N Decatur Road is hugely oversized¹ (4,733 square feet, per drawings) and therefore incompatible with homes in the area.

7.1 - Defining the Area of Influence. Guideline - In considering the appropriateness of a design for a new building or addition in a historic district, it is important to determine the area of influence. This area should be that which will be visually influenced by the building, i.e. the area in which visual relationships will occur between historic and new construction.

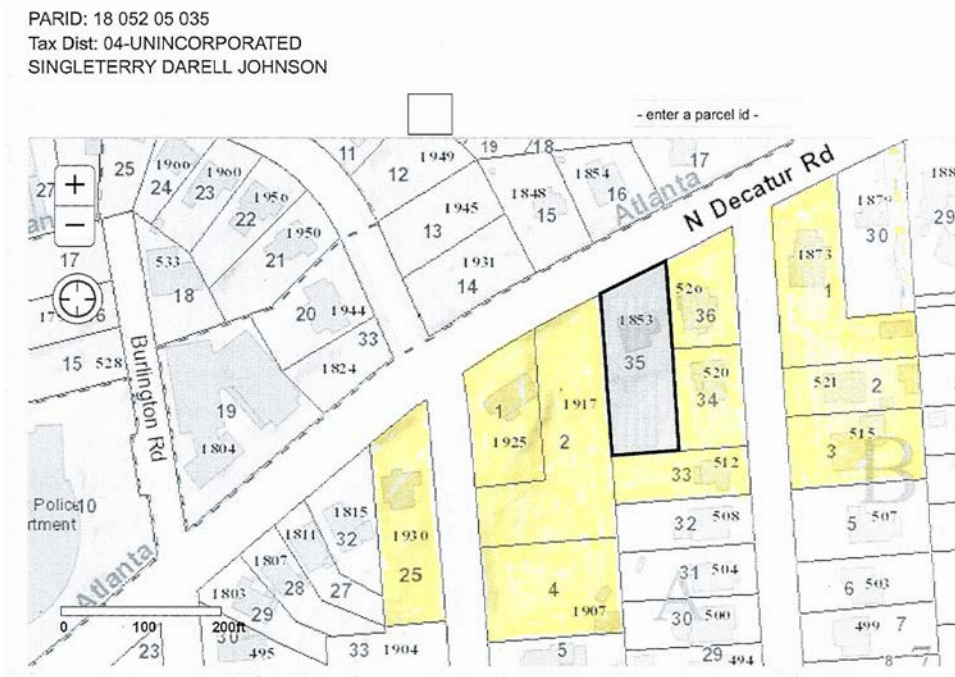
Also, notably, this Guideline explains that the area of influence may also include the back of a property, a streetscape, or several blocks.

Visually, by definition, the area of influence of the applicants' property encompasses 10 properties. The 1853 N Decatur house is visible at various angles from these 10 properties, and to the public at large, whether on foot or in vehicles, at various angles from sidewalks on N Decatur Road, Ridgewood Drive and Emory Circle. Such views comprise primarily the front (from N Decatur Road), sides (from N Decatur

¹ The documentation refers to three different sizes: 3,000-5,000 square feet, 4,733 square feet, and 5,000-7,000 square feet.

Road, Emory Circle and Ridgewood Drive) and back (from Emory Circle and Ridgewood Drive) of the new construction.

Below is a list of properties and a map highlighting the area of influence. Of these 10, 6 are historic contributing properties. [NB: The properties on the northern side of N Decatur Road are irrelevant to the application because they are not part of the historic district and therefore these guidelines do not apply.]



The area of influence encompasses the following properties:

1. 1827 N Decatur (1932) CONTRIBUTING²
2. 1873 N Decatur (1936) CONTRIBUTING
3. 1925 Ridgewood (2017)
4. 1917 Ridgewood (2017)
5. 1907 Ridgewood (2017)
6. 526 Emory Circle³ (1925) CONTRIBUTING
7. 520 Emory Circle (1986)
8. 521 Emory Circle (1935) CONTRIBUTING
9. 515 Emory Circle (1940) CONTRIBUTING
10. 512 Emory Circle (1940) CONTRIBUTING

² Shown on map as 1930 Ridgewood

³ The front entrance and driveway are on N Decatur, with address 1861 N Decatur Road

Guideline 7.2 - When looking at a series of historic buildings in the area of influence, patterns of similarities may emerge that help define the predominant physical and developmental characteristics of the area. These patterns must be identified and respected in the design of additions and new construction.

The applicants' design does not respect the design patterns of historic properties in the area of influence as defined above. Specifically, the design is incompatible particularly, in size, setback, massing, proportion, scale/height, possibly among other aspects, as detailed further below.

The applicants' design is based on the characteristics of new houses (1839 N Decatur Road and 1907 Ridgewood Drive, page A0.8), includes houses outside the area of influence (467 Burlington Road, 480 Emory Circle and 1891 Ridgewood Drive, page A0.8), and therefore is contrary to this Guideline.

7.2.1 Building Orientation and Setback – The orientation of a new building and its site placement should appear to be consistent with dominant patterns within the area of influence, if such patterns are present.

The applicants' new design has a deeper setback than other nearby historic houses. In fact, as applicants state, the setback is 45 feet, which is 10 feet deeper than the current historic structure, and 8 feet deeper than the N Decatur historic home next door, with address of 526 Emory Circle.

When the Druid Hills area was developed, the hydrological system was protected by F. L. Olmsted in his original design and by the later subdivision designers as well. Such development adapted to the natural topography, causing minimal disruption to the landscape. "Long rectangular lots with houses sited toward the front of their lots fostered the preservation of drainage ways and stream corridors within rear yard spaces."⁴

In the sense above, the deeper setback will deprive abutting properties of sunlight and air flow, and will disrupt the landscape and the view from the abutting properties. Moreover, the greatly expanded footprint will significantly change the landcover, thereby affecting the hydrology in the area of influence, particularly the water drainage and flow in the abutting properties. See also our comments under section **8.2 Trees** further down.

In such regard, the new construction will have a significant impact on the enjoyment of our property at 520 Emory Circle. It would block sunlight, disrupt the air circulation, and obstruct the view from our deck and the windows on the main and second floor of our home.

The significantly deeper setback would also dramatically depart from the historic development of the character area, and would also affect the local water drainage and disrupt the landscape.

⁴ Druid Hills Design Guidelines, p. 16

7.2.4 – Massing – The massing of a new building should be consistent with dominant massing patterns of existing buildings in the area of influence, if such patterns are present.

Massing is understood to be the structure in three dimensions (form and volume). In this sense, the modest façade belies the “exploding” massing (page 69 of the Guidelines). The structure is hugely elongated towards the back, and most importantly, visible from neighbors and the public at large along the three streets of the area of influence, from N Decatur Road, Ridgewood Drive and Emory Circle. Such massing is incompatible with that of historic properties in the area of influence. It is incompatible even with the new homes nearby.

Contrary to the applicants’ statement, one of the two garages is not “tucked under the home and behind the street facing façade” (page 5). It will be visible and conspicuous from the street, much like currently the carport on the lot is seen from the street and from other angles in the area of influence. Also, it will emphasize the perception of depth of the elongated structure due to the “exploding” massing towards the back. The façade will be insufficient to hide the garage in the back of the house and the perception of massiveness will prevail. In short, the proposed design will reveal a hugely oversized structure.

7.2.7 – Scale/Height – New construction in historic area should be consistent with dominant patterns of scale within the area of influence, if such patterns are present.

The proposed design calls for a house that is 4,733 square feet. It is hugely oversized when compared to most historic homes in the area of influence. See the table below, in relation to homes in the area of influence.

	Size (SF)	Proposed 1853 N Decatur Structure	
		SQ FT greater	% greater
1. 521 Emory Circle ⁵ (1935) CONTRIBUTING	1,503	3,230	215
2. 512 Emory Circle (1940) CONTRIBUTING	1,899	2,834	149
3. 520 Emory Circle (1986)	2,400	2,333	97
4. 526 Emory Circle (1925) CONTRIBUTING	2,674	2,059	77
5. 515 Emory Circle (1940) CONTRIBUTING	2,864	1,869	65

The scale and height of the overall design will overwhelm historic and non-historic properties in the area of influence.

⁵ Front entrance and driveway on N Decatur Road with address 1861 N Decatur Road

7.3.2 – New Construction and Subdivision Development. Guideline - To be compatible with its environment, new construction should follow established design patterns of its historic neighbors, including building orientation, setback, height, scale, and massing. Guideline – New construction should respect the historic character that makes the area distinctive, but it should not be a mere imitation of historic design.

The design of the proposed structure should be inspired on the historic properties in the area of influence. Instead, it is based on both historic and non-historic structures inside and outside of the area of influence.

8.2 Trees.

The removal of 6 of the 14 trees on the lot of the applicants, with no replacement plan, is of great concern. This removal appears necessary in order to build the hugely oversized and elongated structure, with a deeper setback. The loss of almost 45% of the existing tree seems contrary to the replacement recommendation in the Guidelines and is very worrisome.

These 6 trees provide a buffer that mitigates the air and noise pollution emitted by the unrelenting traffic along N Decatur Road, a major thoroughfare in this part of Atlanta. With their removal, properties in the area of influence will be significantly affected.

There are hydrological consequences of such significant landcover change in this area of influence. As commonly known, tree cover is quite effective at mitigating water runoff. Drainage at the intersection of abutting properties has been a concern among property owners. Neighbors of the applicants have had to improve the drainage ways and stream corridors on their properties (specifically, 1917 N Decatur Road and 1907 Ridgewood Drive). See photo below.



9.7 Residential Landscape Design

The applicants have failed to provide landscape plans and it is unclear whether the landscape plan will be based on historic traditions as recommended in the Guidelines, and mindful of the topography on site.

13.0 – University Park/Emory Highlands/Emory Estates Character Area: Compatibility. Guideline – New construction should be compatible with the predominant architectural styles of the area, English Vernacular Revival and colonial Revival, and should reference important building elements of these styles such as the projecting gables, prominent chimneys, and small side porches of English Vernacular and the accented entrances of both styles.

The proposed design introduces extraneous architectural elements that are inconsistent with the English Vernacular Revival and Colonial Revival styles. The design should be compatible with historic properties in the area of influence not only aesthetically but also with regard to building orientation, setback, height, scale, and massing, among other aspects. It should not overwhelm and it should not incorporate other styles that are extraneous in the area of influence, including those characterizing non-contributing properties.

Date: 17 July 2023

SUBJECT: CERTIFICATE OF APPROPRIATENESS APPLICATION, 1853 NORTH DECATUR ROAD (TAX PARCEL: 18-052-05-035)

Dear Members of the DeKalb County Historic Preservation Committee:

I would like to express my concerns regarding the application to demolish a contributing historical property and to build an oversized “McMansion” type home immediately next door to my house, a historic, contributing home with two addresses: 1) 1861 North Decatur Road, and 2) 526 Emory Circle.

The applicants continue to include inaccurate statements regarding my home in multiple places in their application. They claim both that it does not front / face North Decatur Road and that, due to this reason, it is not a contributing property to the block. Examples of these claims can be found in at least the following places in their submitted documentation:

1. On page two of the *Statement in Support of Application for Certificate of Appropriateness*.
2. It is again made on page seven of this same document.
3. Again we see the false claim on page 19, where the applicants also claim my back yard abuts the eastern side yard of the subject property. Not only is this false, but my wrap around porch extends along the length of that side yard and would be adversely impacted by a house of such scale and massing as is being proposed being built so close to my own home. My rear yard actually abuts 520 Emory Circle.
4. This claim is also made on page five of the *Letter re: Remand* dated June 14, 2023. The applicants claim that “the block face on North Decatur Road does not include any historic homes – only new construction...”

These claims are patently false. Built in 1925, my home’s front door and wide wrap-around porch both face North Decatur Road. My home which faces North Decatur Road is, without a doubt, a contributing structure. My primary driveway enters from Emory Circle which faces the side of my house; this is true. I also however have a driveway entering my property from North Decatur Road that has not been in use since I purchased the house in 2011 because I planted landscaping as a screen from the busy N. Decatur street. However, if you walk the sidewalk you will notice the curb cuts for this driveway into my front yard from North Decatur Road are still present.

Additionally, regarding the landscaping, the applicants claim you cannot see my house as you walk along the sidewalk on North Decatur Road. While I have been installing and nurturing the landscaping along

this stretch of my front yard for more than a decade in order to provide a modicum of privacy and a buffer from the street noise, one is still able to view the front of the house through the foliage when walking along the sidewalk on North Decatur Road.

Also, regarding the mention of heavy landscaping between my western side yard (inaccurately referred to as my rear yard on page 19 of the *Statement in Support of Application for Certificate of Appropriateness*) and the subject property's eastern side yard, there is in fact no landscaping on my side of the property line. There is vegetation as pictured on pages 68-69 of the application but this is overgrowth that has grown wild on its own and, again, because it is not on my side of the property line, I must assume it might be removed if a new house is installed. This will make a house of the scale and massing as proposed seem even more out of place directly next to my historic, contributing home.

Finally, regarding the mention and inclusion of photos of the ongoing "only new construction" of Emory graduate student housing across the street seems to me to be irrelevant as that side of the street is not included in the Historic District.

For these reasons I ask you to DENY the application before the HPC on 1853 N Decatur Road remand application.

Sincerely,

Renee Nelson

Homeowner, 1861 North Decatur Road / 526 Emory Circle

Druid Hills Civic Association- DeKalb Historic Preservation & Land Use Committee

RE: Objection to Application for C.O.A. – 1853 N Decatur Road Atlanta, GA 30307

ATTN: Historic Preservation Commission / David Cullison (Submitted 7.17.23)

Druid Hills Civic Association's Land Use Committee opposes this application for the following reasons as it will have a substantial adverse impact on the District. The applicants claim this historic home cannot be rehabilitated is erroneous, as it's based on the premise its not economically viable to renovate/repair the home. Like many homes in the area, foundations and flooring systems need re-supported or shored up over time. Underground piers and additional foundation columns or wall buttress techniques may well be required, but that's not a basis to demolish a historic home, just a cost of ownership. We support the neighbor's letter addressing specifics of the "experts" opinion.

For many years the home has been a rental and still today has someone living in the very basement they say is too far gone due to its physical condition, so its unsound yet they allow it to be inhabited by renters all this time? The fact the property now needs major repairs in order to expand/renovate it properly is not an excuse to demolish the home in favor of creating a lot for future home construction. Any homeowners can pay for reports from professionals or "experts" in order to support their position. If this approach is found acceptable by the Historic Preservation Commission, any home in the district can follow this playbook and would create a concerning precedent going forward. Arguments of economic viability are not to be considered is our understanding with respect to HPC. Additionally, demolition through neglect does not constitute a right to tear down a historic home within the District.

While we'd prefer not even address the new home design, given our core belief that HPC's original denial got it right and no demolition is warranted, regardless please consider the following guidelines this home design violates:

7.1 Defining the area of Influence.

Guideline- This area should be that which will be visually influenced by the building.

Comment: The area of influence includes a historic home as it's immediate neighbor, 526 Emory Circle, and is part of the Emory Highlands Character area dominated by historic homes.

7.2.: Building Orientation and Setback

Guideline- The orientation of a new building and its site placement should appear consistent w dominant patterns within the area of influence.

Comment: The oversized addition and the garage wing create an oversized home on the lot, completely out of characteristic of the Historic District and area of influence.

7.2.3 Shape & 7.2.4 Massing & 7.25 Proportion & 7.26 Rhythm

- Comment: This McMansion will not only not fit well within the Historic District due to its odd shape, massing and proportions; it will also create an undue burden on the immediate neighbors by looming over their existing homes. The proposed home extends much deeper into the lot than the neighbors, and can be seen from ND, Ridgewood Dr, and (probably) Emory Circle. There's simply too much home being put on the property.

For these reasons we ask you to DENY the application before the HPC on 1853 N Decatur Road remand application.

Sincerely,

Rob Kincheloe

DHCA – Chair of the DeKalb Historic Preservation & Land Use Committee

From: [Linda Dunlavy](#)
To: [Cullison, David](#); [Bragg, Rachel L.](#)
Cc: [Naomi Singleterry](#); djsingleterry@gmail.com; [Gus Harrington \(gus_harrington@yahoo.com\)](mailto:gus_harrington@yahoo.com)
Subject: FW: 1853 North Decatur Road Remand
Date: Saturday, July 15, 2023 5:55:05 PM
Importance: High

David and Rachel:

On Friday July 14, 2023, David forwarded to me a letter of opposition wherein a number of allegations were made by neighbors in opposition to demolition of the house at the above-referenced address. Gus Harrington, an engineer, retained by the applicants had the following comments on that letter which I ask you pass on to members of the HPC prior to the meeting Monday night. Thank you,

Linda

From: Gus Harrington <gus_harrington@yahoo.com>
Sent: Saturday, July 15, 2023 10:31 AM
To: Naomi Singleterry <naomi.singleterry@cfacorp.com>; djsingleterry@gmail.com; Linda Dunlavy <ldunlavy@dunlavylawgroup.com>
Cc: Angel Shockey <angel@jonespierce.com>; Brown <homesideconstruction@gmail.com>; Geoffrey Hebner <geoff@padstoneengineering.com>
Subject: Re: 1853 North Decatur Road Remand

The report referred to by the opposition is not totally applicable to our situation. The project is in Texas where the soils are drastically different than at our site. The report noted damage to perimeter "foundation walls" and these walls had footings under them, as noted in the report.

In Texas, there is a top layer of highly expansive soils, 3 to 6 ft thick. Generally all footings are founded below this layer in soils that are more stable. These soils swell and shrink and can cause the kind of damage shown in the report. The report does not address the condition of the footings or if they need repairing. In our case, we do not have footings supporting the foundation walls. The neighbor's letter refers to 2 to 3 inches of concrete below the walls as being capable of acting as a footing. This is not true. We do not pour sidewalks or even slabs to support residential air conditioning units that thin. Also, the report just states "repair" foundation walls and does not provide a definitive method of repair. Also, the cost figures in the report are out dated and would be considerably higher today.

My opinion is that you should not use this report from Texas to compare with the conditions here. The soils and geological conditions are drastically different between these two locations and solutions that would be recommend in Texas would also be different than would be recommended

here. Also, the problems identified here are not the same as those in Texas.

SUBJECT: Appeal of Decision of the Historic Preservation Commission
Concerning Property Located at 1853 North Decatur Road by Darrell &
Naomi Johnson Singleterry

ATTACHMENTS (PAGES)

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

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

4. *Staff Report (pages 11-14)*
5. *COA Application and Supporting Documents (pages 13-169)*
6. *Letter of Opposition (pages 170-171)*
7. *Response by Applicant to Opposition Letter (pages 172-174)*
8. *Response by Applicant to Staff Report (pages 175-185)*

Link to the recording of the February 21, 2023, Historic Preservation Commission meeting:

https://dekalbcountyga.zoom.us/rec/share/gRsKlGllIr5fpfi_spH1sberviyRS-

[t469TdV60Gvcg92kupJNuEOH2gSviYtiQ.YKY8T50k6ePghNL-](https://dekalbcountyga.zoom.us/rec/share/gRsKlGllIr5fpfi_spH1sberviyRS-t469TdV60Gvcg92kupJNuEOH2gSviYtiQ.YKY8T50k6ePghNL-)

Passcode: d=\$gk0G0

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: Darrell and Naomi Johnson Singleterry

Address of appellant: 1819 Fair Oaks Place, Decatur, GA 30033

Address of Property: 1853 North Decatur Road

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

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

Date(s) of hearing, if any: February 21, 2023

Date of Historic Preservation Commission decision: February 28, 2023

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.

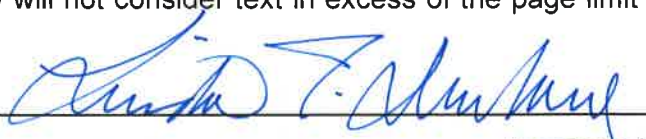
Grounds for appeal:

The Appellants contend that the HPC erred in at least four ways: 1) It abused its discretion in disregarding the only evidence on feasibility of rehabilitating the existing failing structure; 2) It abused its discretion when it applied an incorrect standard to assessing the demolition request; 3) The HPC's decision was arbitrary and capricious in light of prior decisions allowing demolition of historic properties ; 4) there was no credible evidence of how demolition would have a "substantial adverse effect on any specific historic property or the historic district as a whole; and 5)its written decision failed to "clearly set forth the reasons for the decision" as required by Section 13.5-8(8); and 4)

Appellants seek reversal of the HPC's denial of their application for demolition and remand to the HPC for consideration of and decision on their application for new construction.

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: 3/15/23

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.

SUPPLEMENTAL EXPLANATION IN SUPPORT OF APPEAL. Appellants seek reversal of the HPC

decision denying their application to demolish a house showing significant foundation and structural damage. The HPC decision was in error for the following reasons:

Arbitrary and capricious-disregard of only evidence on feasibility. The only evidence in the Record (Harrington and Homeside reports) as to the feasibility of rehabilitating the existing home shows that none of the exterior and interior brick foundation walls have footings supporting them; the foundation wall on the driveway side is cracked and deflected; the floor joists are over spanned; earth pressures and the unsupported foundation walls have caused this deflection and movement of the 1st and 2nd floors; prior remediation efforts failed and the walls continue to deflect. To address the structural defects, the foundation needs to be excavated; new foundation and footings poured (requires raising house on piers to get under it); existing plumbing, electrical and HVAC removed, rerouted, and reinstalled. Homeside estimates that the scope of work will cost north of \$268,000. Appellants paid \$400,000 in 2018 for the property; thus rehabilitation would cost at least 67% of that purchase price (2:09:09). The experts concluded resoundingly that rehabilitation was not economically feasible and risks further compromising the house. The fragility of this existing home, due to 80+ years with no footings and a compromised foundation, is an extenuating circumstance and crucial variable. After a thorough analysis, both experts advised that rehabilitation was an unsafe and nonviable option. Gus Harrington emphatically testified that the house was unsafe as-is and “dangerous”. (2:03:13 to 2:04:10). The Chair acknowledged that it was uncommon to find houses without any foundational supports like this one and the cost to correct would be “sizable” (2:24:25). Although there was considerable HPC speculation whether Homeside’s estimate was

reasonable and whether the exact scope of work was needed to “stabilize the home in its foot print”, no actual evidence was offered contrary to that of the Appellants’ experts (2:11:23),

Abuse of discretion-Incorrect standard in assessing demolition request. Guideline 7.3.3

specifically allows demolition of historic structures if “they are so unsound that **rehabilitation** is not possible”. Two expert reports addressing the Guideline were submitted. Homeside stated it would cost \$268K+ to try to correct the structural defects. Harrington detailed the scope of work needed and risks in attempting to make the house safe and return it to a state of utility. Both experts testified that “the homeowners need to reconstruct the foundation system for this house whether or not they add on to it.” (2:07:06-2:08:20)¹. In their reports, both experts advised rehabilitation was unsafe and not a viable option. However, throughout deliberation on the Appellants’ application, staff, community members, and Commissioners insisted that the evidence offered by the Appellants did not demonstrate what is needed to “stabilize the home within its footprint.” Stabilization is not the standard. It was an abuse of discretion to insist upon the application of a standard not in the Guidelines and not imposed previously on others.

Arbitrary and capricious- prior decisions allowing demolition of historic properties. Appellants

provided records of previously approved demolitions of historic homes indistinguishable from their application (i.e. 1254 Stillwood Drive had ‘demo approved’ in 2017 with the reason listed as ‘no footings’). *See chart on pages 16 and 17 of written justification.* The HPC ignored precedent, choosing instead to speculate on past approvals (2:24:01) and suggest those approvals were suspect. (2:13:24-2:14:09). The Application’s meeting of Guideline 7.3.3 is ignored due to the Commission’s general fear of “snowballing” (2:14:14). This resulted in

¹ This reference and those below are to the video recording approximate time/location.

holding Appellants to a higher standard, unjustifiably treating them differently than other applicants. Statements by HPC members reinforcing the arbitrary and capricious nature of the HPC decision can be found at 2:12:18, 2:13:09, 2:14:06, 2:13:34, 2:14:51, 2:24:01 and more.

There was no credible evidence of a “substantial adverse effect.” A COA must issue if the proposed change “would not have a **substantial adverse effect** on the aesthetic, historical, or architectural significance and value of the historic property or the historic district”. The Staff report, HPC written decision, and verbal statements at the 2.21 hearing are devoid of facts addressing or substantiating a conclusion that demolition would have a substantial adverse effect on historic property or the district. No effect is specifically identified, nor the degree of that effect. The nature of the deliberations and decision are unsubstantiated. The Zoom video reveals that the members and staff struggled with how the application purportedly had an adverse impact. (2:12:28 – 2:13:09). Staff, on page 2 of its written report, admits that “the demolition of this unique building may **not** have a substantial adverse impact on the district as a whole...” Without any evidence of this required effect, it was error to deny the application.

The written decision of the HPC failed to clearly set forth reasons for the denial. The boiler plate written decision denies the COA and a box is checked that there would be “a substantial adverse effect on the aesthetic, historic or architectural significance and value of the historic property or the historic district”. The only written explanation for this decision is “The application does not comply with Guideline 7.3.3 and would have a substantial adverse effect on the historic district”. However, this conclusion is unsupported and unsubstantiated. The conclusory references to a Guideline and mere parroting of the standard for COA denial in the ordinance do not amount to “clearly setting forth the reasons for the decision”.

February 22, 2023

NOTICE OF DENIAL

SITE ADDRESS: 1853 NORTH DECATUR RD
PARCEL ID: 18-053-05-035

APPLICANT: Linda I. Dunlavy, Dunlavy Law Group LLC
MAILING ADDRESS: 245 N Highland Ave NE
Suite 230, #905
Atlanta, GA 30307

THIS IS TO ADVISE YOU THAT THE DEKALB COUNTY HISTORIC PRESERVATION COMMISSION, AT ITS PUBLIC MEETING ON February 21, 2023 REACHED THE FOLLOWING DECISION ON THIS APPLICATION:

ACTION: DENIAL

The preservation commission determined that the demolition of the house does not comply with guideline 7.3.3 and would have a substantial adverse effect on the house and the historic district. This decision is in accord with the sections of the DeKalb County Code and the Druid Hills Design Manual listed below.

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

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

DEPARTMENT OF PLANNING & SUSTAINABILITY

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

The Design Manual for the Druid Hills Local Historic District

7.3.3 Demolition and Relocation (p75) Guideline - Historic buildings and structures should not be demolished unless they are so unsound that rehabilitation is not possible. Historic buildings should not be moved off the property or relocated on the site, nor should other buildings be moved onto the site.



Heather Shuster, Chair

2/28/23

Date

Decision of the DeKalb County Historic Preservation Commission

Name of Applicant: _____ Linda I. Dunlavy, Dunlavy Law Group, LLC _____

Address of Property: _____ 1853 N Decatur Rd _____

Date(s) of hearing if any: _____ February 21, 2023 _____

Case Number: _____ 1246298 _____

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 application does not comply with Guideline 7.3.3 and would have a substantial adverse effect on 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: 2/28/2023

Signature: _____



**Chair, DeKalb County
Historic Preservation Commission**

DeKalb County Historic Preservation Commission

Tuesday, February 21, 2022- 6:00 P.M.

Staff Report

New Construction Agenda

K. 1853 North Decatur Road, Linda I. Dunlavy, Dunlavy Law Group, LLC. Demolish and replace the house and other elements. 1246298

Built 1941. (18 052 05 035)

This property is in the University Park- Emory Highlands- Emory Estates National Register Historic District and in the University Park- Emory Highlands – Emory Estates Character Area.

- 04-03 1853 North Decatur Road (DH), Michael Dennard. Build a wooden deck at the side of the house. **Deferred until May.**
- 05-03 1853 North Decatur Road (DH), Michael Dennard. Build a wooden deck at the side of the house. Deferred from April. **Approved with stipulation.**
- 06-22 1853 North Decatur Road, Robert Platt. Demolish and replace the house and other elements. 1245887 **Deferred**
- 07-22 1853 North Decatur Road, Robert Platt. Demolish and replace the house and other elements. **Denied**
- 11-22 1853 North Decatur Road, Linda Dunlavy. Demolition of house. 1246161 **Withdrawn**

Summary

The applicant proposes to demolish the existing historic house and construct a new house. The applicant states there are several reasons to approve the demolition of the existing house:

1. The house is not architecturally significant.
2. It is not technically or economically feasible to stabilize the house to a standard that would allow the construction of a 3,000-5,000 square foot addition.
Harrington Field Inspection and Photos 12/23/23 (page 103 of Part 1) found that:
 - Foundation walls do not have footings
 - Over spanned floor joist
 - Crack in exterior foundation wall
 - Recommendation is to demolish and rebuild in order to achieve the goals of the homeowner**Project Scope & Estimate from Homeside Construction** (page 48 of Part 1) found that:
 - The cost to stabilize the existing structure for an addition: ~\$267,200
 - The cost to rehabilitate and add addition ~\$942,220-\$1,392,2250
 - An addition of the desired size would require the existing building to be brought up to current code because it would exceed 50% of the aggregate area of the building.
 - Does not recommend rehabilitation of existing residence due to expense and possible technical infeasibility.
3. Because Chapter 13.5-8 (3) of the DeKalb County Ordinance requires the HPC to use the Secretary of Interior's (SOI) Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings as a guideline and the SOI's Standards for Rehabilitation ([36 CFR 67](#)) takes economic feasibility into account when determining preservation strategies and demolitions, the HPC should take economic feasibility into account.
4. Other houses with similar degrees of structural damage have been approved for demolition.
5. The demolition of this house would not cause a significant adverse effect on the historic district.

Recommendation

Deny the application for demolition, based on the following conclusions. If demolition is approved, the build-back plan appears to be appropriate in setback, orientation, scale, height, proportion, rhythm and massing (Guidelines 7.2.3, 7.2.4, 7.2.5, 7.2.6, 7.2.7) and would not have a substantial adverse effect on the historic district.

1. The historic house is a contributing property within the University Park- Emory Highlands- Emory Estates National Register Historic District and in the University Park- Emory Highlands – Emory Estates Character Area. There is no requirement that contributing properties be architecturally designed in order to be deemed historic or a contributing property.
2. The Project Scope & Estimate from Homeside Construction did not evaluate the cost to stabilize the house within the existing footprint, but instead the scope of the project evaluated was “replace non-conforming foundation system and over spanned floor system at the 1st and 2nd floors in order to stabilize the existing structure such that it can bear the additional loads from additions desired by homeowners. Construct additional space of approximately 3000 to 5000 square feet to meet homeowners current and future living needs.” The Harrington Field Inspection and Photos (12/23/23) evaluated 3 options to achieve the current property owners’ goals: 1) Demolish and rebuild 2) Stabilize to allow an addition 3) Do nothing. Neither report adequately evaluates the option of stabilizing the existing structure within the existing footprint and without a proposed addition.
3. 36 CFR 67 describes Historic Preservation Certifications Under the Internal Revenue Code and is intended as a guide for property owners seeking Federal or State Historic Preservation Tax Credits. The more accurate reference is [36 CFR 68](#): The Secretary of the Interior’s Standards for the Treatment of Historic Properties or the [Technical Brief](#) of the same name. These documents make one reference to economic feasibility, the paragraph from 36 CFR 68 reads in full:
One set of standards - preservation, rehabilitation, restoration or reconstruction - will apply to a property undergoing treatment, depending upon the property's significance, existing physical condition, the extent of documentation available and interpretive goals, when applicable. The standards will be applied taking into consideration the economic and technical feasibility of each project.
The proposal is for demolition, not for a preservation treatment, therefore, this paragraph does not appear to apply. Review of the federal legislation and the technical briefs provide no references to demolition, therefore the Guideline 7.3.3 appears to be the only relevant guideline provided by local or federal regulation.
4. Each COA application is evaluated based on the submitted materials. The submitted materials do not appear to show that the existing structure is unable to be rehabilitated (Guideline 7.3.3).
5. The demolition of this building would not only have a substantial adverse effect on the building itself but, by removing a historic contributing building, on the district as a whole (Guideline 7.3.3).

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.

- 7.1 *Defining the Area of Influence* (p64) Guideline - In considering the appropriateness of a design for a new building or addition in a historic district, it is important to determine the area of influence. This area should be that which will be visually influenced by the building, i.e. the area in which visual relationships will occur between historic and new construction.
- 7.2 *Recognizing the Prevailing Character of Existing Development* (p65) Guideline - When looking at a series of historic buildings in the area of influence, patterns of similarities may emerge that help define the predominant physical and developmental characteristics of the area. These patterns must be identified and respected in the design of additions and new construction.
- 7.2.1 *Building Orientation and Setback* (p66) Guideline - The orientation of a new building and its site placement should appear to be consistent with dominant patterns within the area of influence, if such patterns are present.
- 7.2.2 *Directional Emphasis* (p67) Guideline - A new building's directional emphasis should be consistent with dominant patterns of directional emphasis within the area of influence, if such patterns are present.
- 7.2.3 *Shape: Roof Pitch* (p68) Guideline - The roof pitch of a new building should be consistent with those of existing buildings within the area of influence, if dominant patterns are present.
- 7.2.3 *Shape: Building Elements* (p68) Guideline - The principal elements and shapes used on the front facade of a new building should be compatible with those of existing buildings in the area of influence, if dominant patterns are present.
- 7.2.3 *Shape: Porch Form* (p68) Guideline - The shape and size of a new porch should be consistent with those of existing historic buildings within the area of influence, if dominant patterns are present.
- 7.2.4 *Massing* (p69) Guideline - The massing of a new building should be consistent with dominant massing patterns of existing buildings in the area of influence, if such patterns are present.
- 7.2.5 *Proportion* (p70) Guideline - The proportions of a new building should be consistent with dominant patterns of proportion of existing buildings in the area of influence, if such patterns are present.
- 7.2.6 *Rhythm* (p71) Guideline - New construction in a historic area should respect and not disrupt existing rhythmic patterns in the area of influence, if such patterns are present.
- 7.2.7 *Scale/Height* (p72) Guideline - New construction in historic areas should be consistent with dominant patterns of scale within the area of influence, if such patterns are present. Additions to historic buildings should not appear to overwhelm the existing building.
- 7.2.7 *Scale/Height* (p72) Guideline - A proposed new building should appear to conform to the floor-to-floor heights of existing structures if there is a dominant pattern within the established area of influence. Dominant patterns of cornice lines, string courses, and water tables can be referenced to help create a consistent appearance.
- 7.2.8 *Individual Architectural Elements* (p73) Guideline - New construction and additions should be compatible and not conflict with the predominant site and architectural elements—and their design relationships—of existing properties in the area of influence.
- 7.3.2 *New Construction and Subdivision Development* (p75) Guideline - To be compatible with its environment, new construction should follow established design patterns of its historic neighbors, including building orientation, setback, height, scale, and massing.
- 7.3.2 *New Construction and Subdivision Development* (p75) Guideline - New construction should respect the historic character that makes the area distinctive, but it should not be a mere imitation of historic design.

- 7.3.3 *Demolition and Relocation* (p75) Guideline - Historic buildings and structures should not be demolished unless they are so unsound that rehabilitation is not possible. Historic buildings should not be moved off the property or relocated on the site, nor should other buildings be moved onto the site.
- 8.2 *Trees* (p78) Recommendation - The mature hardwood forest within the Druid Hills Local Historic District should be perpetuated through a district-wide replanting program. Trees should be replaced when mature trees are lost to age or damage or are removed for safety reasons. Replacement trees should be of identical or similar varieties to the original trees. A diversity of tree types is recommended to perpetuate the existing character of most tree groupings. Replacement trees of adequate size (1.5" caliper minimum) are recommended. Existing ordinances that provide for the protection and replacement of the district's tree resources should be applied to development activities within Druid Hills.
- 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.
- 9.5 *Parking* (p90) Guideline - Parking should be addressed in a manner that does not distract from the overall character of the district. Parking to serve private residential lots should be accommodated on-site, when at all possible, using the pathway of original drives and parking. Front yard parking should not be allowed unless it is a public safety issue. When front yard parking is necessary, it should be added in a manner that does not destroy the unbroken landscaped character of the front yard spaces in Druid Hills. Rear yard spaces should be considered for expansion of parking areas.
- 9.5 *Parking* (p90) Guideline - Curb cuts should not be added or expanded in order to protect the character of the district's streets.
- 9.7 *Residential Landscape Design* (p91) Recommendation - For residential yards, created without the assistance of landscape designers, historic landscape plans for other residential lots within the district should be used for guidance. These plans can be interpreted to create a new landscape plan that is based on historic traditions. Care should be taken to select designs for yards of similar size containing houses of similar style and scale.
- 13.0 *University Park/Emory Highlands/Emory Estates Character Area: Compatibility* (p118) Guideline - New construction should be compatible with the predominant architectural styles of the area, English Vernacular Revival and Colonial Revival, and should reference important building elements of these styles such as the projecting gables, prominent chimneys, and small side porches of English Vernacular and the accented entrances of both styles.

STATEMENT IN SUPPORT OF
APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

Owners:

NAOMI SINGLETERRY AND DARELL SINGLETERRY

Property Location:

1853 North Decatur Road

**Request for Certificate of Appropriateness to
Demolish Existing Structures and Construction of New Residence**

Submitted for Applicant by:

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BACKGROUND

Subject Property. The Subject Property is located in the local Druid Hills Historic District at 1853 North Decatur Road (Tax parcel ID #18-052-05-035). The property is also within the University Park-Emory Highlands-Emory Estates Character Area. It is on the south side of North Decatur Road between Emory Circle and Ridgewood Drive. It is on the very northern edge of the local historic district. There are three other houses on the block face—526 Emory Circle (side yard fronts North Decatur and was built in 1925), 1917 Ridgewood Drive (built in 2017) and 1925 Ridgewood (built in 2017) Emory University land is immediately across North Decatur to the north and is currently being redeveloped by the demolition of older ranch style homes to make way for student housing. DJ and Naomi purchased the property in 2018. The couple were attracted to the area because both graduated from Emory and liked the prospect of living close to their alma mater. They also believed the property had potential for expansion to create their forever home. Four years and one newborn child (8 months old) later the house is too small for their needs, especially since they are planning to have one set of parents live with them in the near future. After investigation, regrettably they discovered that adding on to the existing house is not a viable option due to its significant structural issues.

Existing structures. The Subject Property is currently developed with a two-story wood frame house in the minimal traditional style built in 1941 with a partial basement. A metal carport adjacent to the home was built in 1983. The home itself is less than 1900 square feet. The existing residence and associated structures are in very poor condition. See attached photographs depicting home and associated structures along with those

photographs in the engineer's report. While listed as a "contributing structure", the home is not known to be designed by an architect to the best of the Singleterry's knowledge and does not otherwise appear to have significant architectural value. It was seemingly constructed by a builder on site using accepted building techniques of the day and poorly so. The foundation system of the home is non-conforming to current building codes and the floor systems for both the first and second floors are over spanned. None of the brick foundation walls have footings to support them and these walls are made of unreinforced, ungrouted brick. There are significant signs of instability and failure in the exterior foundation wall and transverse brick basement walls. While previous owners appear to have attempted to shore up walls in various locations, this shoring has been insufficient to prevent the continued deflection of the walls. To rehabilitate the existing structure such that it is stable and capable of supporting future additions, significant work would need to be done. The work needed is detailed in a Field Inspection Report by Harrington Engineers dated December 23, 2022, and the Homeside Construction Report and included contemporaneously with the COA application herein¹. In his report, Mr. Harrington, a licensed structural engineer, states that:

I have reviewed the estimate provided by Homeside Construction for work to rehabilitate the existing structure such that it can be safely added onto and am of the opinion that rehabilitation of the existing structure is not economically feasible and depending upon the fragility of the foundation walls (which will not be known until excavated) may not be technically feasible. I note that staff in its report submitted to the HPC in October of 2022, seemed to suggest that because my report of September 29, 2022, presented "an option ...to renovate/rehabilitate the house", that somehow I was of the expert opinion that renovation/rehabilitation was reasonably feasible. That is not the case and I wish to correct that impression. In my opinion, given the cost, the needed engineering, and the risk of irreparable damage to the existing structure by performing the necessary

¹ Mr. Harrington has submitted two previous reports to the HPC in prior applications, one dated June 26, 2022, and one dated September 29, 2022. The HPC sought more detail than that provided in the June report and staff clearly misconstrued and misunderstood the more detailed September report. Mr. Harrington submits this third report to clarify the September report and address staff's misunderstandings.

foundation work, it is NOT reasonably feasible to renovate/rehabilitate the existing home on the property.

Cost to renovate. To assess the economic viability of renovation, an estimate from Homeside Construction was secured. Homeside estimated that replacement of the non-conforming foundation system to prevent further deflection and destabilization of the house and correcting the over spanned floor system would cost a minimum (excluding costs for soil experts) of \$267, 220. This expenditure would merely restore the home to a stable condition and does not include the costs for adding onto the stabilized structure. Dennis Brown of Homeside opines that the cost for an addition to the stabilized residence could cost an additional \$675,000 to \$1,125, 000. While Mr. Brown provides the requested cost estimate he warns at the end of his report that:

Even though I provide this estimate for rehabilitation of the existing residence, please note that as a professional builder I do NOT recommend this route for the Singleterry's due to the massive expense involved, the possible technical infeasibility of adding on to the rehabilitated structure, and the unknown contingencies that may be encountered in attempting to shore up the unstable foundation of this home.

Details of Mr. Brown's cost estimate can be seen in the Project Scope and Cost Estimate from Homeside filed contemporaneously with the COA application. The tax appraisal for the house is currently \$284,100. In other words, it would cost more to rehabilitate the house than it is currently valued. Relevant tax records are included with the COA application. The combination of the Harrington Engineers report and the Cost Estimate demonstrate that even if the home could practically be rehabilitated, the cost to cure deficiencies to bring the existing structure to code, stabilize it, and to make it safe for long term habitation would be equal to, or in excess of, the current fair market value of the home. As such, the Applicant is requesting a Certificate of Appropriateness to construct a beautiful new home compatible with the Character Area and immediate

neighboring homes and to demolish the existing structures on site—the house and the carport.

NEW CONSTRUCTION



Applicant seeks a Certificate of Appropriateness to build a new residence on the Subject Property as per the plans submitted with this application and drawn by Bryan Jones of Jones Pierce Studios, Architect. The new home proposed is a one and a half-story home designed in the English Vernacular Revival style with Tudor leanings. It is set back from the front property line 45 feet—10 feet more than the existing home and 8 feet more than the adjoining home at 526 Emory Circle. The width of the proposed home is similar to that of the existing home on site. The plan provides for drive under garages at the side and rear of the home. In order to keep parking out of the front yard, the garages were designed to tuck under the home and behind the street facing façade. The primary cladding on all sides will be brick with cementitious material infills. The roof will be high-definition architectural shingles on most of the home with metal seamed rood on the rear porch. It has a proposed ridge height of approximately 32 feet from the

front door threshold to the ridge of the predominant and a 12:11 pitch side gable main roof. Steeper pitched 12:14 front facing nested gables terminate into the primary roofline, indicative of the style and consistent with that of its predominantly two-story neighbor at 1925 Ridgewood. The plans contemplate a day light basement (Terrace level) with an in-law suite containing a bedroom, kitchenette, bathroom, flex space, exercise room and an unconditioned rear terrace patio with access to a recessed grill and associated chimney. Two garages with sufficient space for four cars will also be on the Terrace level. The existing curb cut on the property will remain with the driveway running behind the front façade on the western side of the property to provide for side entry into the recessed garages.

Most windows will be casement or fixed with true simulated divided lights (a mix of 4 x2, 3 x 2, or 2 x2). Windows will be trimmed with a course of brick top and bottom. A brick chimney flanks the front entry which is comprised of a double soldier course arched opening into a recessed porch with stain grade full glass French doors with arched side lights and an arched transom. The tree protection plan provides for the removal of five trees, all within the buildable area. All significant trees outside of the buildable envelope will be retained. The driveway curve was specifically designed to stay out of the critical root zone of the 41-inch hickory in the side yard of 1917 Ridgewood. Currently the home at 526 Emory Circle is screened with heavy vegetation from the east side of the Subject Property. Heavy vegetative screening will remain with only two trees proposed for removal.

In designing the proposed new home, the architect purposefully drew from the design of homes in the immediate University Park/ Emory Estates/ Emory Highlands neighborhood and that of the existing home on the Subject Property. He also looked specifically at the Guidelines at 13.0 for University Park/ Emory Highlands/ Emory Estates Character Area. He particularly noted the sample photograph on page 117 and the specified Building Characteristics on that page. *See sheet A.21 of the proposed plans.* The proposed house appears to incorporate all of the listed characteristics. Mr. Jones -picked up the large front gable with a smaller nested gable on the front façade of the existing home and that at 1925 Ridgewood and elsewhere in the neighborhood. *See supplemental photos used by architect for inspiration and design.* The design takes advantage of the existing sloping topography which allows for the provision of a modest front façade with the majority of the home tucked behind it.

Applicant notes that the new house plans are in keeping with the character of the Druid Hills Historic District and will have no substantial adverse effects on the District. On the contrary, the new home will make a positive contribution to this section of North Decatur Road and to the District as a whole. The area of influence for the new home is the southern block face of North Decatur Road and, where visual relationships may occur between the proposed new home and the historical residence at 526 Emory Circle (see included “Historic Property Map” and Guideline 7.1). However, it must be noted that the home at 526 Emory Circle is largely not visible from North Decatur Road or the Subject Property due to the planting of heavy vegetation on the north and west sides of that

property.² The orientation of that home is to Emory Circle not North Decatur Road. The plans for the proposed new home on the Subject Property meet the Guidelines for new construction as follows:

7.2.1 Building Orientation and Set Back

The front and side setbacks are consistent with those within the area of influence. The proposed home will actually be set back 10 feet more than the existing home and approximately 8 feet more than the home at 526 Emory Circle. The home at 1917 Ridgewood (fronting North Decatur) is a bit of an outlier, being set back 81 feet. The proposed front yard setback is consistent with the requirements in an R-75 zoning district and compatible with the homes in the immediate as-built environment. The side and rear yard setbacks are also consistent with the pattern in the area of influence.

7.2.2 Directional Emphasis

There is no dominant pattern of vertical or horizontal emphasis within the very small area of influence. 526 Emory Circle is a two-story Colonial Prairie Style home; 1917 Ridgewood is a two-story Colonial and 1925 Ridgewood (a/k/a 1839 North Decatur) is an English Vernacular Revival with two-story and 1 ½ story elements. The proposed new home's overall shape, size, and placement of various elements and openings on the façade make it compatible with the directional emphasis of the existing homes on the block face and elsewhere within the immediate neighborhood. Its design is not inconsistent with any dominant pattern of emphasis within the area of influence.

² While visual relationships will occur between the proposed home and the new student housing on the opposite side of North Decatur Road from the Subject Property, that housing is outside of the historic district and is obviously not historical.

7.2.3 Shape

The shape of the home is iconic English Vernacular with multiple building elements including steeply pitched front gables of varying size, chimneys, and varying roof forms. The roof pitches, while steeper than some of the homes within the area of influence, are compatible with their neighbors. Building elements and shapes used on the front facade, including windows and door openings, are similar to those found elsewhere in the University Park/Emory Highlands/ Emory Estates Character Area. See photographs.

7.2.4 Massing

The height and width of the proposed new home are very similar to the existing home on the Subject Property. The structures in this Character Area exhibit a wide variety of house shapes, forms and mass. The proposed new home is compatible with those shapes, forms, and massing with side gabled primary roof and more steeply pitched street facing cross gables. The proposed new home has a modest front façade that respects the predominant 1 ½ story scale of primarily English Vernacular homes in the area. The design tucks the majority of the living space behind this modest façade along with the ten-foot additional setback from the front property line reduces the perception of size and form feel from the street. As such, the massing of the proposed home is compatible with massing of homes within the Character Area and the Area of Influence.

7.2.5 Proportion

Once again, there is no dominant pattern of proportion in the existing housing stock within the area of influence. However, the proposed home is similar in proportion

to the existing home on the site at 1925 Ridgewood which also contains 1 ½ story elements, similar roof pitch, an asymmetrical front façade with multiple building elements such as projecting gables, dormers, chimneys, and variety of window arrangements. The height and width of the proposed home are like that of the existing home on the Subject Property and the new design picks up design elements from the existing such as scale and relationship of the various elements to each other. The individual elements of the new home are proportional to each other and to the structure as a whole. *See Block Face photos included in submission.*

7.2.6 Rhythm

Both symmetrical and asymmetrical rhythms are present within the area of influence. The proposed new home respects and does not disrupt the rhythms present.

7.2.7 Scale/Height

The new home appears to be consistent with the floor-to-floor heights of other homes within the area of influence. While the floor-to-floor heights may be slightly less than that found in two story homes found in the Character Area, they are not inconsistent with the relatively new construction at 1917 and 1925 Ridgewood. See Block Face Study included with architectural drawings. The proposed roof pitch is similar to that found at 1925 Ridgewood.

7.2.8 Individual Architectural Elements

Individual design characteristics and materials from homes within the area of influence have been utilized and integrated into the proposed new home. As such, roofs, walls, windows, entrances, details and materials are compatible with historic structures within the area of influence. Brick as a primary material was purposefully chosen as

predominant in the Character Area and of this style house. The brick chimneys capped with decorative chimney pots further enhance the style. Where the side gable swoops low to cover the main level, a radiused roof line is employed. A four-course stepped brick detail terminates the eaves at the gable ends *See Block Face study and photos of homes within the Character Area.*

PROPOSED DEMOLITION

The Applicant desires to take the current failing structure and demolish it along with the carport, concrete pads, driveway and walkways on site.

BASIS FOR THE DEMOLITION PROPOSAL

As noted above, like many homes in Druid Hills the house on the Subject Property was not designed by a professional but simply built using accepted building techniques of the day, techniques which the engineer notes in his report “would not be acceptable today”. As such, many of the elements of the existing home are seriously deficient relative to current building codes and standards. These serious deficiencies, include, but are not limited to, the absence of footings for the foundation, over spanned flooring systems for the first and second floors, overly stressed and deflecting foundation walls.

Applicable standards for demolition.

Historic Preservation Ordinance and Secretary of Interior Standards.

Section 13.5-8(5) specifically allows for the demolition of buildings, structures, sites or objects within a local historic district. Section 13.5-8 (3) of the Historic Preservation Ordinance (HPO), specifically requires the HPC:

When considering applications for existing buildings, the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guideline for Preserving,

Rehabilitating, Restoring and Reconstructing Historic Buildings, shall be used as a guideline. All local guidelines must be adopted in accordance with federal guidelines.

In other words when considering a demolition application, the HPC must consider the Secretary of Interior's -Standards for Rehabilitation and Standards for Historic Preservation Projects (36 CFR 67) and the Guidelines adopted for the Druid Hills Historic District must be read in that context and in conformity with the Secretary's Standards.

The National Parks Website addresses the Secretary's Standards, in relevant part, as follows:

The Standards for Rehabilitation (codified in 36 CFR 67 for use in the Federal Historic Preservation Tax Incentives program) address the most prevalent treatment. "Rehabilitation" is defined as "the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values... The Standards are to be applied to specific rehabilitation projects in a reasonable manner, **taking into consideration economic and technical feasibility.**

(Emphasis supplied).

So, even though the Druid Hills Guideline for demolition at 7.3.3 does not mention economic or technical feasibility, it must be interpreted to provide for a feasibility analysis to be "in accordance with federal guidelines". To ignore the costs of a needed rehabilitation would be legal error. For this reason, Applicant provides the cost estimate of Homeside Construction to assist the HPC in evaluating the economic feasibility of rehabilitating the existing residential structure on the Subject Property. The Applicant also provides the reports of Homeside Construction and Harrington Engineers to assist in the assessment of the technical feasibility of rehabilitating the existing residential structure.

Section 13.5.8(3) also requires consideration of- historical and architectural value and significance, architectural style, scale, height, setback, landscaping, general design, arrangement, texture and materials of architectural features, and pertinent features of other properties in the immediate neighborhood and Section 13.5-8(7) requires (“shall approve”) the HPC to approve a COA application if the proposed material change would not have a substantial adverse effect on the...significance and value of the historic property or the historic district.”

In evaluating a request for demolition, the HPC is also required to determine if the existing structure is “so unsound that rehabilitation is not possible.” Guideline 7.3.3. Applicant submits that this **guideline** must be interpreted and applied against the backdrop of the admonition from the Secretary of the Interior that economic and technical feasibility must be evaluated and in a reasonable manner. Finally, any COA consideration must take into account the overarching legal standard under local and state law that the proposed change would not have a **substantial adverse effect** on historic property or the historic district as a whole.

Application of Standards to current COA application.

Secretary of Interior Standards. Under the Secretary’s Standards, demolition should occur only if rehabilitation is not reasonably attainable technically and economically. The rehabilitation of the residence on the Subject Property is clearly not economically feasible and is not reasonably attainable technically. The Homeside Construction report shows that renovation/rehabilitation of the house would require replacement of the non-conforming foundation system and the over spanned flooring systems on the first and second floors. Additionally, the report notes that in order to

rehabilitate the existing structure to make it stable enough to bear the additional loads for planned renovation expanding the living space, compliance with current electrical, mechanical and residential building codes would be required. Dennis Brown, CEO of Homeside Construction estimates that rehabilitation would cost a minimum of \$267, 200, almost as much as the current tax appraisal for the residence³. Mr. Brown concludes that the massive expense of rehabilitation makes it- economically infeasible. Moreover, he concludes that the unknown contingencies that may be encountered in attempting to shore up the unstable foundation may make rehabilitation not reasonably attainable technically.

The conclusions of Mr. Brown are VERY similar to the conclusions reached by experts in other COA applications for demolition that the HPC has clearly found persuasive support for demolition approval. For example, the HPC approved an application to demolish a historic residence at 1097 Dan Johnson Road, in part based on the report of engineer Michael Quinn who stated “considering the extent of the foundation work and associated dangers, as well as the likelihood of bringing the entire house into current Code compliance, it may be safer and more cost effective to raze the existing structure and rebuild on a new foundation.” The estimated cost to cure the foundation and other defects for 1097 Dan Johnson Road was \$156,000. Nonetheless, the HPC approved demolition on February 6, 2012, conditioned upon HABS drawings.

Documentation of this approval and supporting documents are included with this submittal. Similarly, the HPC approved demolition of the residence at 995 Springdale Road based on engineering reports recommending demolition because of damage to the foundation and framing in January of 2009 as documented in a report from MH

³ The County Tax Assessor notes that the home is 90% economically obsolete.

Structures noting that there were no footings for the foundation walls and that the existing floor beams would not be able to support new construction. Similar to the Harrington Engineers report for the Subject property the MH Structures report noted that “Due to questionable construction methods and delicate state of the structure, it is possible that parts of the exterior wall and brick could be lost unintentionally in the construction process...Due to the extent of the existing foundation issues, I do not recommend proceeding with the renovation.” *See MH Structures report provided contemporaneously with this submittal.*

B.W. Harrington, Jr., P.E., in his Field Inspection Report concerning rehabilitation of the existing residential structure on the Subject Property notes that “none of the exterior and interior brick foundation walls have footing supporting them...without footings, the structural integrity of the home is threatened” and notes that “the pressure of the soils and weight of the structure’ have caused a diagonal crack in the foundation wall that has migrated through the foundation wall and is visible from the interior and exterior of the foundation wall. The unsupported foundation walls have deflected over time. He also notes that the floor system is supported by these unsupported foundation walls and have caused the floor to move in the direction of the transferred forces. He provides photographic documentation of these matters. In his report he provides an analysis of three options for the homeowners: 1) Rehabilitation; 2) Demolition; and 3) Do- nothing. He concludes that rehabilitation is risky, economically and technically unfeasible; do nothing will likely cause continued deterioration due to continued settlement and lateral movement of the foundation causing additional structural problems; demolition is the most “realistic and viable solution”.

Guideline 7.3.3. The HPC has approved demolition of numerous structures within the District since its inception in 1996, thereby expressly finding, as to historic structures that they are “so unsound that rehabilitation is not possible”. These structures include historic structures similar to the residence on the Subject Property. The chart below summarizes the historic residences approved for demolition in the District:

SAMPLED DEMOLITIONS IN HISTORIC DISTRICT⁴

Address	Year Built	Demo Approved	Reasons
519 Durand Drive	1935	October 2006	fire
995 Springdale	1923	January 2009	Damage to framing and foundation
1185 the ByWay	1941	Court order demolition 2009	Mold and structural damage
1254 Stillwood	1925	2017	No footings
1169 Lullwater	1929	August 2005	Mold, floor joists and foundation could not take additional loads
1302 Stillwood	1925	August 2006	Structural defects; lacks significance; foundation problems
1595 Emory Road	1929	November 2001	Extreme structural and neglect
2015 North Decatur	1930		Nonsignificant; poor condition
1100 Dan Johnson	1930s	2012	Not significant architecturally
2049 North Decatur	1930		Nonsignificant; poor condition
1097 Dan Johnson	1940	2012	Significant foundation issues- no footings

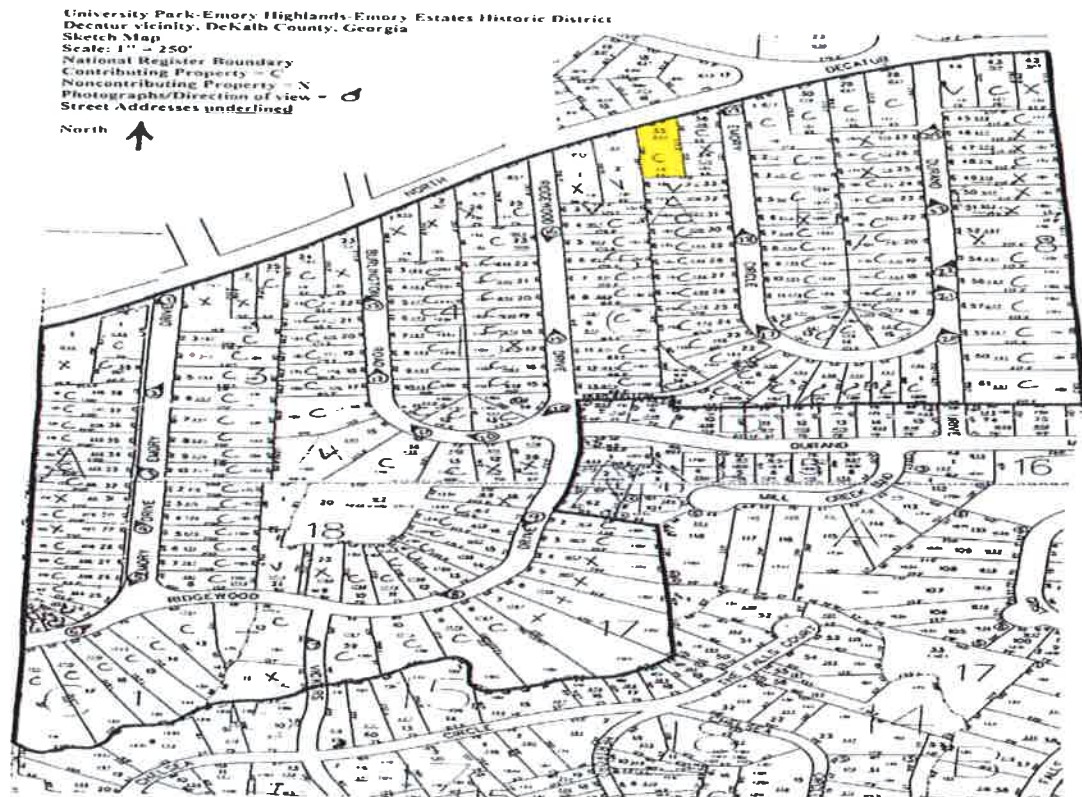
⁴ There are likely other approved demolitions since there is no searchable data base to assure complete information maintained and accessible to the public in DeKalb County Planning Department.

Of the documented approvals Applicant was able to locate, 32 demolitions have been approved by the HPC since 1999; 11 were of historic residences. Demolition of several of the historic structures (i.e., 1097 Dan Johnson, 1302 Stillwood, 1254 Stillwood, and 995 Springdale) were approved on very similar, if not indistinguishable grounds and based on similar evidence to that presented by the Applicant in support of its demolition request herein—structural and foundation problems; no footings.

As noted above, similar to the historic homes above approved for demolition, the home on the Subject Property suffers from profound structural problems and its current condition militates against requiring rehabilitation and preservation. Mr. Harrington indicates that to properly attach the house to the foundation, the brick foundation should be removed and replaced with new foundation walls bearing on newly poured footings. This may be accomplished in sections by bracing the floor system and wall above, excavating both sides of the wall, removing the wall, pouring a new footing, and building a new wall. Due to the structural condition of the home, and the need for major reworking of the systems within the home to bring it up to current code, Applicant submits that this home is not of a character worthy or even capable of effective rehabilitation and preservation. The current condition of the home as reflected in the reports make it clear that the house is so unsound that rehabilitation is not reasonably possible. As such, the Application meets the Guidelines for demolition and, pursuant to the Historic Preservation Ordinance, the HPC is required (“shall approve the application”) to approve the demolition request. To deny the request would be

inconsistent with previous approvals, not consistent with the Secretary of Interior Standards, -and would result in an arbitrary and capricious decision.

HPO Section 13.5-8. Taking into consideration any historical or architectural value of the existing residence and significance, architectural style, scale, height, setback, landscaping, general design, arrangement, texture and materials of architectural features, and pertinent features of other properties in the immediate neighborhood, it is clear that the proposed demolition would not have a substantial adverse effect on the...significance and value of the historic property or the historic district per Section 13.5-8(7). The Subject Property-, as can be seen below, abuts a contributing property at 526 Emory Circle and is itself designated as contributing.



However, there are no contributing structures on the block face of North Decatur Road other than on the Subject Property. 526 Emory Circle fronts on Emory Circle with its rear yard abutting the eastern side yard of the subject property and, as evident from the photos submitted with this application cannot be seen from the Subject Property due to topography and dense vegetation between the two properties. Across North Decatur Road aging homes are in the process of demolition by Emory University for the construction of student housing and the other two lots within the same block as the Subject Property contain homes newly constructed at 1925 Ridgewood Drive (built in 2017) and 1917 Ridgewood Road (f/k/a 1847 North Decatur Road and built in 2017). *See Tax Records filed with this application.* Of the homes fronting North Decatur Road in the same block of the Subject Property, only 1925 Ridgewood and the Subject Property can be seen by the walking public and due to the speed of traffic along North Decatur Road and the sharp drop in topography from the road, the residence on the Subject Property is not realistically visible to the motoring public along North Decatur Road. The Applicant recognizes that staff in its report in October of 2022 takes a different view of the home's significance and contribution to the District than the Applicant. However, Applicant nonetheless asserts that it cannot be said that removal of the home on the Subject Property would have **“a substantial adverse effect on the...significance and value of the historic property or the historic district.”** Without such a substantial adverse effect being demonstrate, per Section 13.5-8(7), the Applicant is entitled to the issuance of a COA for demolition of the existing residential structure as requested.

CONCLUSION AND REQUEST

Based on the foregoing and for all the reasons set forth above, the DeKalb County Historic Preservation Commission should grant the Applicant's request for a Certificate of Appropriateness so that the existing structures on the Subject Property can be demolished and a beautiful new home constructed on the Subject Property in conformity with the architectural drawings provided with this submission. Pursuant to Section 13.5-8(2) of the Historic Preservation Ordinance, the Applicant requests a public hearing on this COA application not confined to the 5 minutes of presentation time generally allowed. This is the only opportunity for the Applicant to submit evidence to the HPC in support of its application for the record and to confine this opportunity to a mere 5 minutes is a denial of due process under the law.

PRESERVATION OF CONSTITUTIONAL RIGHTS

The Applicant respectfully submits that, should the DeKalb County Historic Preservation Commission refuse to grant the requested Certificate of Appropriateness, such an action would be unconstitutional as a taking of property, a denial of equal protection, an arbitrary and capricious act, and a denial of due process of law under the United States Constitution and the Constitution of the State of Georgia.

Refusal to issue the requested Certificate of Appropriateness would deprive the Applicant of any alternative reasonable use and development of the Subject Property without just compensation and would be insubstantially related to the health and welfare of the public while substantially harming the Property owners.

Applicant specifically objects to the standing of any party that opposes this Application for Certificate of Appropriateness.

This 27th day of January- 2023.

Respectfully submitted,



Linda I. Dunlavy
Applicant and
Attorney for Owners

Linda I. Dunlavy
Dunlavy Law Group, LLC
(404) 371-4101 Office Phone
(404)664-0895 Mobile Phone
245 North Highland Avenue,
Suite 230 #905
Atlanta, Georgia 30307
ldunlavy@dunlavylawgroup.com



404.371.2155 (o) | 178 Sams Street
404.371.4556 (f) | Decatur, GA 30030
DEKALBCOUNTYGA.GOV

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director
Andrew A. Baker, AICP

Application for Certificate of Appropriateness

Date Received: _____ Application No.: _____

Address of Subject Property: 1853 North Decatur Road

Applicant: Linda I. Dunlavy, Dunlavy Law Group, LLC E-Mail: ldunlavy@dunlavylawgroup.com

Applicant Mailing Address: 245 North Highland Ave NE, Suite 230, #905, Atlanta 30307

Applicant Phone(s): 404-371-4101 /404-664-0895 Fax: _____

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

Owner(s): Naomi Johnson Singleterry E-Mail: NSJohnson8@gmail.com

Darell Johnson Singleterry E-Mail: djsingleterry@gmail.com

Owner(s) Mailing Address: 1819 Fair Oaks Place, Decatur, GA 30033

Owner(s) Telephone Number: 302-858-6484

Approximate age or date of construction of the primary structure on the property and any secondary structures affected by this project: 1941

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:

Demolition of the existing home on the property and approval of new construction drawings for a single family residence.

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

DEPARTMENT OF PLANNING & SUSTAINABILITY

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

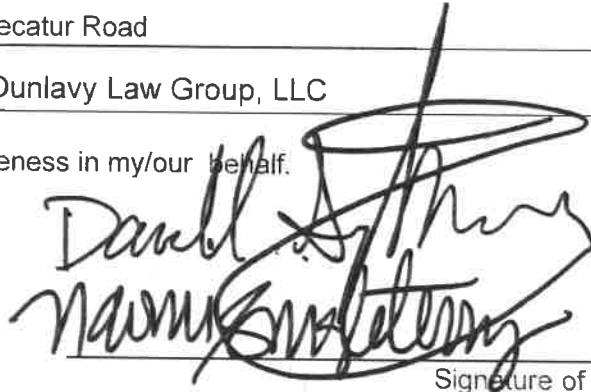
This form is required if the individual making the request is **not** the owner of the property.

I/We, Naomi Johnson Singleterry and Darell Johnson Singleterry

being owner(s) of the property at 1853 North Decatur Road

hereby delegate authority to Linda I. Dunlavy, Dunlavy Law Group, LLC

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



Signature of Owner(s)

1-22-2023

Date

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.

SUBJECT PROPERTY MAPS



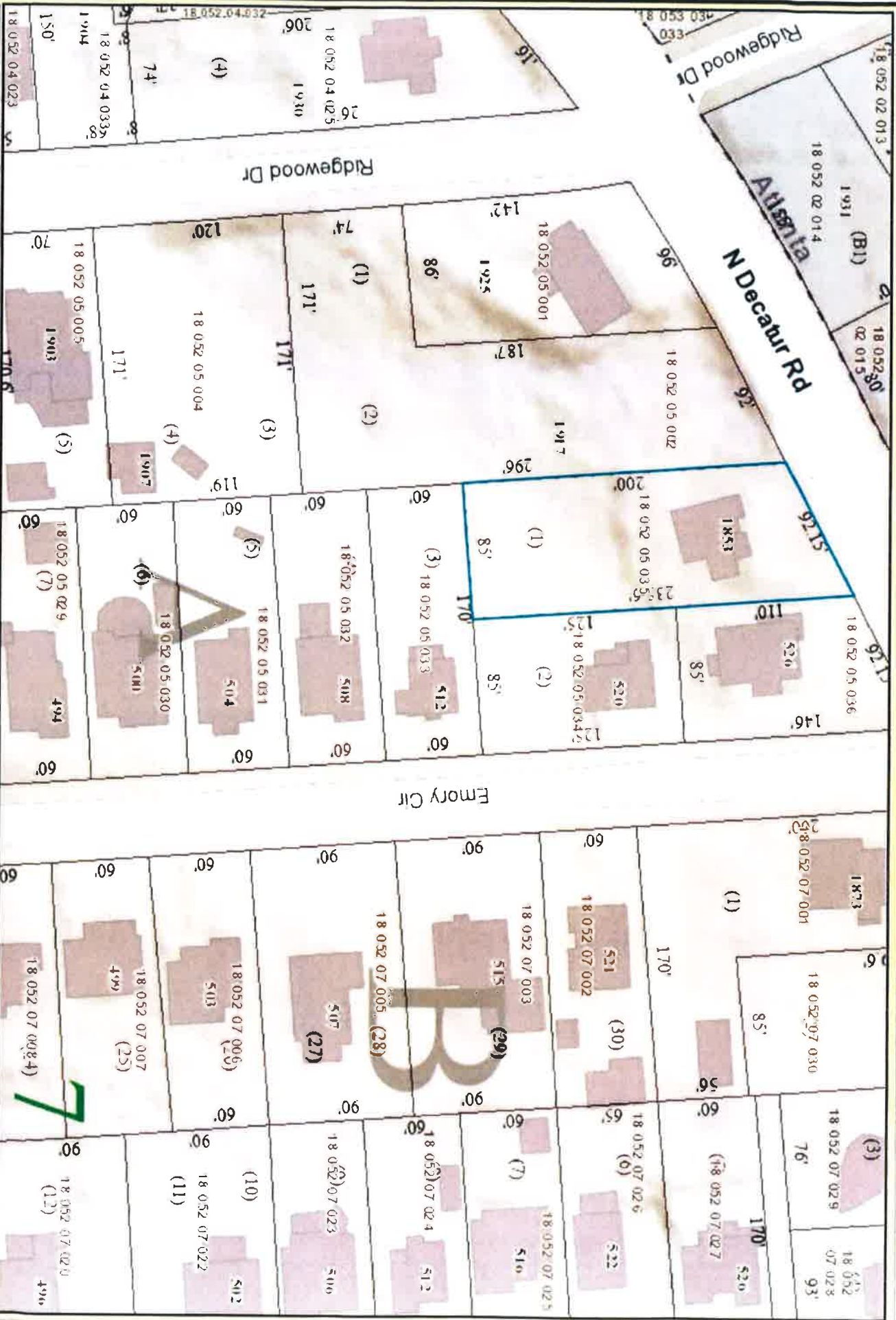
Dekalb County Parcel Map



Date Printed: 1/26/2023



Dekalb County GIS Disclaimer:
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Dekalb County Parcel Map



Date Printed: 8/29/2022



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TAX RECORDS



[Property Appraisal Home](#)
[Real Estate Search](#)
[Personal Property Search](#)
[Advanced/Sales Search](#)
[Map Search](#)

Profile	PARID: 18 052 05 035 Tax Dist: 04-UNINCORPORATED SINGLE TERRY DARELL JOHNSON	1853 DECATUR RD NE N
Value History	Residential Structure	
Appeals History	Building #	1
Appeal by Year	Land Class	R3 - RESIDENTIAL LOT
Current Values	Stories	1.5
Commercial	Construction	1 - FRAME
Detached Improvements	Style	15 - TRADITIONAL
Land	Living Area	1,893
Map	Quality Grade	025
Pictometry	Condition	AV
Permits	Year Built	1941
Photos	Remodeled Year	
Residential Structure	Effective Year	
Sales	Bedrooms	5
Sketch	Full Baths	3
Exemptions	Half Baths	0
	Total Fixtures	13
	Fireplaces	1
	AC	4 - CENTRAL WITH A/C
	Basement	1 - SEE ADDITIONS
	Unfinished Area	
	Finished Basement Living Area	
	Functional Obsolescence	
	Economic Obsolescence	90
	% Complete	100

1 of 1

- Actions
- Printable Summary
 - Printable Version

Additions

Addition Number	Description	Area
0	---	854
1	BSMT UNDER DWELLING--	854
3	-COMP ATTIC FIN-	634
4	-OVERHANG-	8
5	-ADD FRAME FULL STORY AFO/AFT--	142
6	FINISH BASEMENT--	750
7	-FULL STORY FRAME--	255
8	PATIO--	72
9	FINISH BASEMENT--	255
10	PATIO--	102
11	-OPEN PORCH--	12

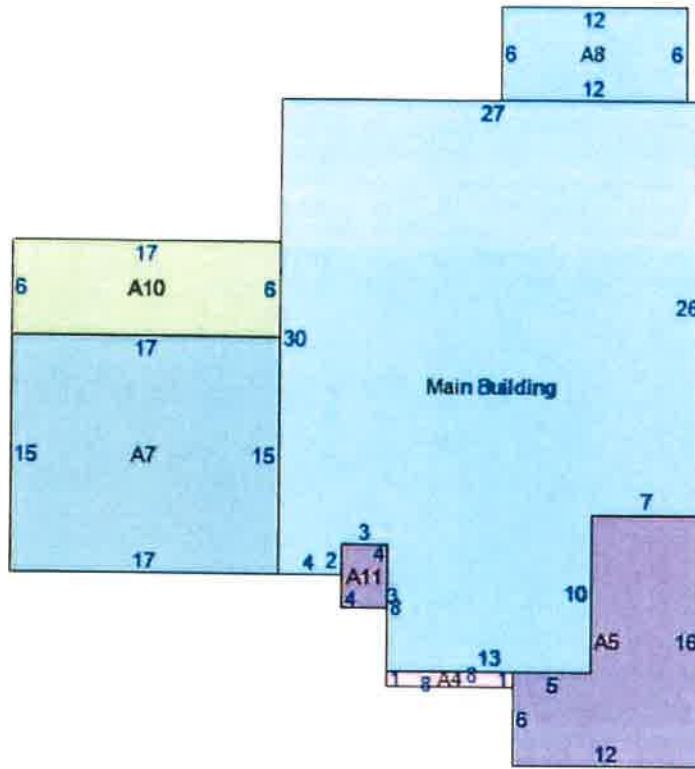


PARID: 18 052.05 035

Tax Dist: 04-UNINCORPORATED

SINGLETERRY DARELL JOHNSON

1853 DECATUR RD NE N



Item	Area
Main Building	854
- 90:BSMT UNDER DWELLING	854
ALUM/F'GLS - CPA:ALUM/F'GLS CP	440
A10 - 88:PATIO	102
A11 - 84:OPEN PORCH	12
- 52:COMP ATTIC FIN	634
A4 - 45:OVERHANG	8
A5 - 10A:ADD FRAME FULL STORY AFO/AFT	142
- 96:FINISH BASEMENT	750
A7 - 10:FULL STORY FRAME	255
A8 - 88:PATIO	72

- 96:FINISH BASEMENT

255

Printed on Monday, August 29, 2022, at 10:45:44 AM EST

2018	Assessment Notice	1	\$359,400
2019	Assessment Notice	1	\$429,200
2020	Appeal to Board of Assessors	1	\$402,900
2020	Assessment Notice	1	\$434,800
2021	Assessment Notice	1	\$402,900
2022	Assessment Notice	1	\$402,900

Notices

Tax Year	Hearing Type	Subkey	Notice Type	Mail Date
2013	Board of Equalization	1	BOE Decision Form	09/17/2013
2013	Board of Equalization	1	BOE Appointment Letter	08/26/2013
2013	Appeal to Board of Assessors	1	Appeal No Changes - Real Estate	08/22/2013
2013	Appeal to Board of Assessors	1	Res Review Form	07/11/2013
2015	Appeal to Board of Assessors	1	30 Day Letter	09/09/2015
2015	Appeal to Board of Assessors	1	Appeal Value Changes- Real Estate	09/03/2015
2015	Appeal to Board of Assessors	1	Res Review Form	07/20/2015
2020	Appeal to Board of Assessors	1	306C	08/04/2020
2020	Appeal to Board of Assessors	1	Appeal Value Changes- Real Estate	07/30/2020
2020	Appeal to Board of Assessors	1	Res Review Form	07/03/2020
2022	Assessment Notice	1	Res Review Form	05/27/2022

Detached Improvements

Card #	Description	Year Built	Grade	Width	Length	Area
1	CPA : ALUM/F'GLS CP	1983	C	20	22	440

Land

Land Type	G - SITE
Land Code	2 - SITE VALUE
Square Feet	0
Calculated Acres	0
Deeded Acres	.4
Parcel ID	18 052 05 035
Address	1853 N DECATUR RD NE
Unit	
City	ATLANTA
Zip Code	30307-
Neighborhood	0931
Class	R3 - RESIDENTIAL LOT
Land Use Code	101-Residential 1 family
Super NBHD	
Zoning	R75 - SF RES DIST

Residential Structure

Building #	1
Land Class	R3 - RESIDENTIAL LOT
Stories	1.5
Construction	1 - FRAME
Style	15 - TRADITIONAL
Living Area	1,893
Quality Grade	025
Condition	AV

Year Built	1941
Remodeled Year	
Effective Year	
Bedrooms	5
Full Baths	3
Half Baths	0
Total Fixtures	13
Fireplaces	1
AC	4 - CENTRAL WITH A/C
Basement	1 - SEE ADDITIONS
Unfinished Area	
Finished Basement Living Area	
Functional Obsolescence	
Economic Obsolescence	90
% Complete	100

Additions

Addition Number	Description	Area
0	---	854
1	BSMT UNDER DWELLING---	854
3	--COMP ATTIC FIN-	634
4	--OVERHANG-	8
5	-ADD FRAME FULL STORY AFO/AFT--	142
6	FINISH BASEMENT---	750
7	-FULL STORY FRAME--	255
8	PATIO---	72
9	FINISH BASEMENT---	255
10	PATIO---	102
11	-OPEN PORCH--	12

Sales

Sale Date	Price	Tran Code	Grantor	Grantee	Instrument	Book / Page
06/16/2022	0	4 - Affiliated/Related Parties	SINGLETERRY JR DARELL	SINGLETERRY DARELL JOHNSON	LW - LIMITEDWARRANTY DEED	30407 / 00638
01/25/2018	407,500	0 - Valid Sale FMV	HOOMAN YASAMIN	SINGLETERRY DARELL JR	LW - LIMITEDWARRANTY DEED	26721 / 00358
05/18/2015	0	HA - Sales from Bank - Appeal Value	HAYDEN PATRICK LANCE	HAYDEN PATRICK LANCE	WD - WARRANTY DEED	24963 / 00105
05/18/2015	200,000	HA - Sales from Bank - Appeal Value	GEORGIA OWN CREDIT UNION	HAYDEN PATRICK LANCE	LW - LIMITEDWARRANTY DEED	24963 / 00087
01/06/2015	0	F - Foreclosure or Bankruptcy	DENNARD MICHAEL E	GEORGIAS OWEN CREDIT UNION	DP - DEED UNDER POWER	24742 / 00723
02/28/1991	135,000	0 - Valid Sale FMV	LOWENDICK H DURANCE	DENNARD MICHAEL E	WD - WARRANTY DEED	06899 / 00634
12/01/1987	135,000	0 - Valid Sale FMV	LOWENDICK CAROLYN K	LOWENDICK H DURANCE	WD - WARRANTY DEED	06020 / 00186
05/12/1987	0	5 - Old Code No Longer Used	KENNEDY LILA A	LOWENDICK CAROLYN K	EX - EXECUTORS DEED	05842 / 00310
06/02/1978	0	0 - Valid Sale FMV			AD - ADMINISTRATORS DEED	03813 / 00436

Sale Details

Sale Date	06/16/2022
Price	\$0
Deed Book	30407
Deed Page	00638
Plat Book	
Plat Page	100 1 DOG
Buyer 1	SINGLETERRY DARELL JOHNSON
Buyer 2	SINGLETERRY NAOMI JOHNSON
Seller 1	SINGLETERRY JR DARELL
Seller 2	JOHNSON NAOMI S



Property Tax Information Results

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[Parcel ID](#) 18 052 05 001
[Pin Number](#) 0910180
[Property Address](#) [1925 RIDGEWOOD DR NE](#)
 Property Type Real Estate
 Tax District 04 - UNINCORPORATED

Jan. 1st [Owner](#) Last Name, First Name
[Co-Owner](#) HARTLEY RANDALL
 Current [Owner](#) HARTLEY RANDALL
[Co-Owner](#)

Owner Address 1925 RIDGEWOOD DR NE
 ATLANTA GA 30307-1160
 Care of Information

**** CHANGE MAILING ADDRESS ****

[Exemption Type](#) H1F - BASIC
 EXEMPTION WITH
 FREEZE
[Tax Exempt Amount](#) \$7,578.14

Exemption Type
 Value Exemption Amount \$0.00

[Deed Type](#) WARRANTY DEED
[Deed Book/Page](#) 26432 / 00211
[Plat Book/Page](#) / 10 0

[NBHD Code](#) 0931
[Zoning Type](#) R75 - SF RES DIST
 Improvement Type 15-TRADITIONAL
[Year Built](#) 2017
 Condition Code AVERAGE
 Quality Grade VERY GOOD
 Air Conditioning YES
 Fireplaces 1
 Stories 1.7
 Square Footage 4,237 Sq. Ft.
 Basement Area 1,764 Sq. Ft.
 % Bsmt Finished 0 Sq. Ft.
 Bedrooms 4
 Bathrooms 4.5
[Last Deed Date](#) 8/11/2017
 Last Deed Amount \$995,000.00

Taxable Year 2022
 Millage Rate 0.04389
 1st Installment Amount \$7,169.66
 2nd Installment Amount \$6,829.38
 DeKalb County Taxes Billed \$13,999.04
 DeKalb County Taxes Paid \$0.00
 DeKalb County Taxes Due \$13,999.04

Total Taxes Billed \$13,999.04
 Total Taxes Paid (\$0.00)
 Total Taxes Due \$13,999.04

[Tax Bill Details](#)

-- Choose a Tax Year -- ▾

[Get Tax Payoff Info.](#)

CURRENT YEAR PAYMENTS

DeKalb County Tax
 Commissioner
 Collections Division
 PO Box 117545
 Atlanta, GA 30368-7545

PRIOR YEAR PAYMENTS

DeKalb County Tax
 Commissioner
 Collections Division
 PO Box 100004
 Decatur, GA 30031-7004

Prior Years Tax

*** Please note that payment posting information may be delayed due to batch processing***

DeKalb County Tax

TaxYear	Total Owed	Total Paid	Total Due	Adjusted Bill Due Date
2022	\$13,999.04	\$0.00	\$13,999.04	
2021	\$13,999.18	\$13,999.18	\$0.00	
2020	\$13,666.66	\$13,666.66	\$0.00	
2019	\$14,516.20	\$14,516.20	\$0.00	
2018	\$12,667.78	\$12,667.78	\$0.00	
2017	\$11,396.45	\$11,396.45	\$0.00	
2016	\$6,535.52	\$6,535.52	\$0.00	
2015	\$6,104.46	\$6,104.46	\$0.00	

[Tax Sale File Number](#)

FiFa-GED Book/Page

Levy Date

[Sale Date](#)

[Delinquent Amount Due](#)

[Click here to view property map](#)

Additional Property Information

Taxable Year	2022
<u>Land Value</u>	\$220,000
<u>Building Value</u>	\$963,500
<u>Misc. Improvement Value</u>	\$0
<u>Total Value</u>	\$1,183,500
<u>40% Taxable Assessment</u>	\$473,400

Information as of 10/28/2022
For additional information on the data above,
contact the Property Appraisal Department at 404-371-
2471



Property Tax Information Results

Any errors or omissions should be reported for investigation. No warranties, expressed or implied, are provided for the data herein, its use, or its interpretation.

Attention:

Our records indicate that a mortgage company or tax service is scheduled to pay the taxes for 2022. Would you like to continue with this payment?



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[Click here for the request form](#)

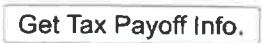


Parcel ID	18 052 05 002
Pin Number	0910198
Property Address	1917 RIDGEWOOD DR
Property Type	Real Estate
Tax District	04 - UNINCORPORATED
Last Name, First Name	
Jan. 1 st Owner	ZYGLIS MICHELLE
Co-Owner	ZYGLIS JASON
Current Owner	ZYGLIS MICHELLE
Co-Owner	ZYGLIS JASON
Owner Address	1917 RIDGEWOOD DR ATLANTA GA 30307
Care of Information	
** CHANGE MAILING ADDRESS **	
Exemption Type	H1F - BASIC EXEMPTION WITH FREEZE
Tax Exempt Amount	\$5,293.89
Exemption Type	
Value Exemption Amount	\$0.00
LIMITEDWARRANTY DEED	
Deed Type	
Deed Book/Page	26469 / 00417
Plat Book/Page	/ 100 1
NBHD Code	0931
Zoning Type	R75 - SF RES DIST
Improvement Type	15-TRADITIONAL
Year Built	2017
Condition Code	AVERAGE
Quality Grade	VERY GOOD
Air Conditioning	YES
Fireplaces	1
Stories	2
Square Footage	3,938 Sq. Ft.
Basement Area	1,842 Sq. Ft.
% Bsmt Finished	0 Sq. Ft.
Bedrooms	4
Bathrooms	4.5

Taxable Year	2022
Millage Rate	0.04389
2nd Installment Amount	\$7,375.03
DeKalb County Taxes Billed	\$14,750.06
DeKalb County Taxes Paid	\$7,375.03
DeKalb County Taxes Due	\$7,375.03
Total Taxes Billed	\$14,750.06
Total Taxes Paid	\$7,375.03
Total Taxes Due	\$7,375.03
DeKalb County Taxes	
First Payment Date	9/17/2022
First Payment Amount	\$7,375.03
Last Payment Date	9/17/2022
Last Payment Amount	\$7,375.03



-- Choose a Tax Year -- ▾



CURRENT YEAR PAYMENTS

DeKalb County Tax Commissioner
 Collections Division
 PO Box 117545
 Atlanta, GA 30368-7545

PRIOR YEAR PAYMENTS

DeKalb County Tax Commissioner
 Collections Division
 PO Box 100004
 Decatur, GA 30031-7004

Prior Years Tax
 *** Please note that payment posting information may be delayed due to batch processing***

DeKalb County Tax	TaxYear	Total Owed	Total Paid	Total Due	Adjusted Bill Due Date
	2022	\$14,750.06	\$7,375.03	\$7,375.03	
	2021	\$14,091.96	\$14,091.96	\$0.00	
	2020	\$14,102.30	\$14,102.30	\$0.00	
	2019	\$13,936.60	\$13,936.60	\$0.00	
	2018	\$13,242.04	\$13,242.04	\$0.00	
	2017	\$11,100.62	\$11,100.62	\$0.00	
	2016	\$1,983.81	\$1,983.81	\$0.00	
	2015	\$1,952.30	\$1,952.30	\$0.00	

[Tax Sale File Number](#)

[FiFa-GED Book/Page](#)

[Levy Date](#)

[Sale Date](#)

[Delinquent Amount Due](#)

Last Deed Date 8/31/2017
Last Deed Amount \$999,000.00

[Click here to view property map](#)

[Additional Property Information](#)

[Property Value & Billing Assessment](#)

<u>Taxable Year</u>	2022
<u>Land Value</u>	\$220,000
<u>Building Value</u>	\$902,700
<u>Misc. Improvement Value</u>	\$0
<u>Total Value</u>	\$1,122,700
<u>40% Taxable Assessment</u>	\$449,080

Information as of 10/28/2022

For additional information on the data above,
contact the Property Appraisal Department at 404-371-
2471



Property Tax Information Results

Any errors or omissions should be reported for investigation. No warranties, expressed or implied, are provided for the data herein, its use, or its interpretation.



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[Click here for the request form](#)

[Parcel ID](#) 18 052 05 036
[Pin Number](#) 0910457
[Property Address](#) [526 EMORY CIR NE](#)
 Property Type Real Estate
 Tax District 04 - UNINCORPORATED

Jan. 1st [Owner](#) Last Name, First Name
[Co-Owner](#) NELSON RENEE V
 Current [Owner](#) NELSON RENEE V
[Co-Owner](#)

Owner Address 90 FAIRLIE ST NW 902
 ATLANTA GA 30303
 Care of Information

** CHANGE MAILING ADDRESS **

[Exemption Type](#) H1F - BASIC EXEMPTION WITH FREEZE
[Tax Exempt Amount](#) \$4,905.02

Exemption Type Value Exemption Amount \$0.00

[Deed Type](#) QUIT CLAIM DEED
[Deed Book/Page](#) 26894 / 00775
[Plat Book/Page](#) 0 / 0

[NBHD Code](#) 0931
[Zoning Type](#) R75 - SF RES DIST
 Improvement Type 15-TRADITIONAL
[Year Built](#) 1925
 Condition Code VERY GOOD
 Quality Grade GOOD
 Air Conditioning YES
 Fireplaces 0
 Stories 2
 Square Footage 2,674 Sq. Ft.
 Basement Area 1,260 Sq. Ft.
 % Bsmt Finished 0 Sq. Ft.
 Bedrooms 4
 Bathrooms 3
[Last Deed Date](#) 3/17/2018
 Last Deed Amount \$0.00

Taxable Year 2022
 Millage Rate 0.04389
 2nd Installment Amount \$4,284.66
 DeKalb County Taxes Billed \$8,569.32
 DeKalb County Taxes Paid \$4,284.66
 DeKalb County Taxes Due \$4,284.66

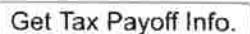
Total Taxes Billed \$8,569.32
 Total Taxes Paid \$4,284.66
 Total Taxes Due \$4,284.66

DeKalb County Taxes

First Payment Date 9/17/2022
 First Payment Amount \$4,284.66
 Last Payment Date 9/17/2022
 Last Payment Amount \$4,284.66



-- Choose a Tax Year -- ▾



CURRENT YEAR PAYMENTS

DeKalb County Tax Commissioner
 Collections Division
 PO Box 117545
 Atlanta, GA 30368-7545

PRIOR YEAR PAYMENTS

DeKalb County Tax Commissioner
 Collections Division
 PO Box 100004
 Decatur, GA 30031-7004

Prior Years Tax
 *** Please note that payment posting information may be delayed due to batch processing***

DeKalb County Tax				<u>Adjusted Bill</u>
<u>TaxYear</u>	<u>Total Owed</u>	<u>Total Paid</u>	<u>Total Due</u>	<u>Due Date</u>
2022	\$8,569.32	\$4,284.66	\$4,284.66	
2021	\$8,569.48	\$8,569.48	\$0.00	
2020	\$7,396.88	\$7,396.88	\$0.00	
2019	\$7,336.56	\$7,336.56	\$0.00	
2018	\$7,331.08	\$7,331.08	\$0.00	
2017	\$6,920.50	\$6,920.50	\$0.00	
2016	\$6,791.94	\$6,791.94	\$0.00	
2015	\$6,991.36	\$6,991.36	\$0.00	

[Tax Sale File Number](#)
[Fifa-GED Book/Page](#)
 Levy Date
[Sale Date](#)
[Delinquent Amount Due](#)

[Click here to view property map](#)

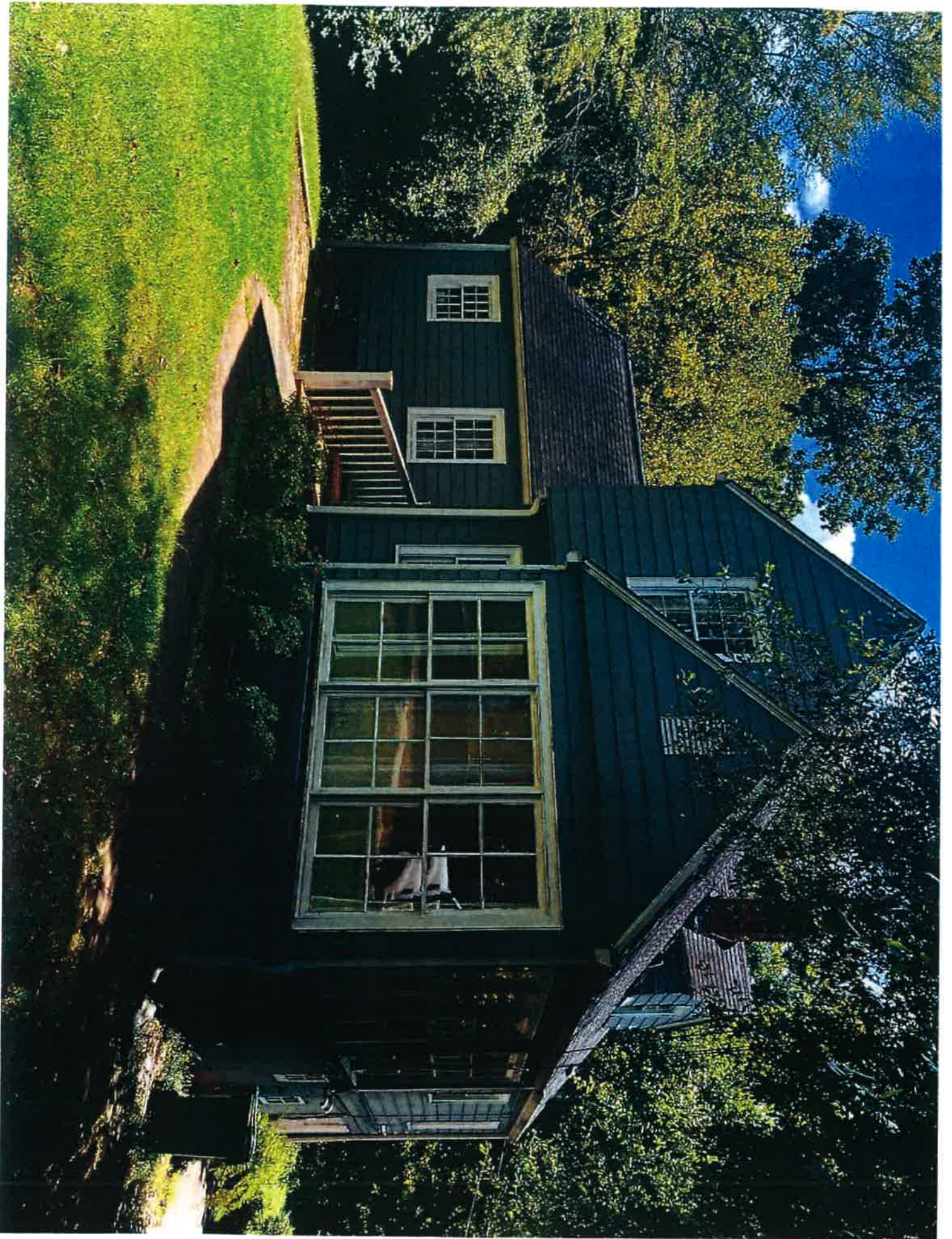
Additional Property Information

<u>Property Value & Assessed Value</u>	
Taxable Year	2022
<u>Land Value</u>	\$119,328
<u>Building Value</u>	\$626,473
<u>Misc. Improvement Value</u>	\$0
<u>Total Value</u>	\$745,800
<u>40% Taxable Assessment</u>	\$298,320

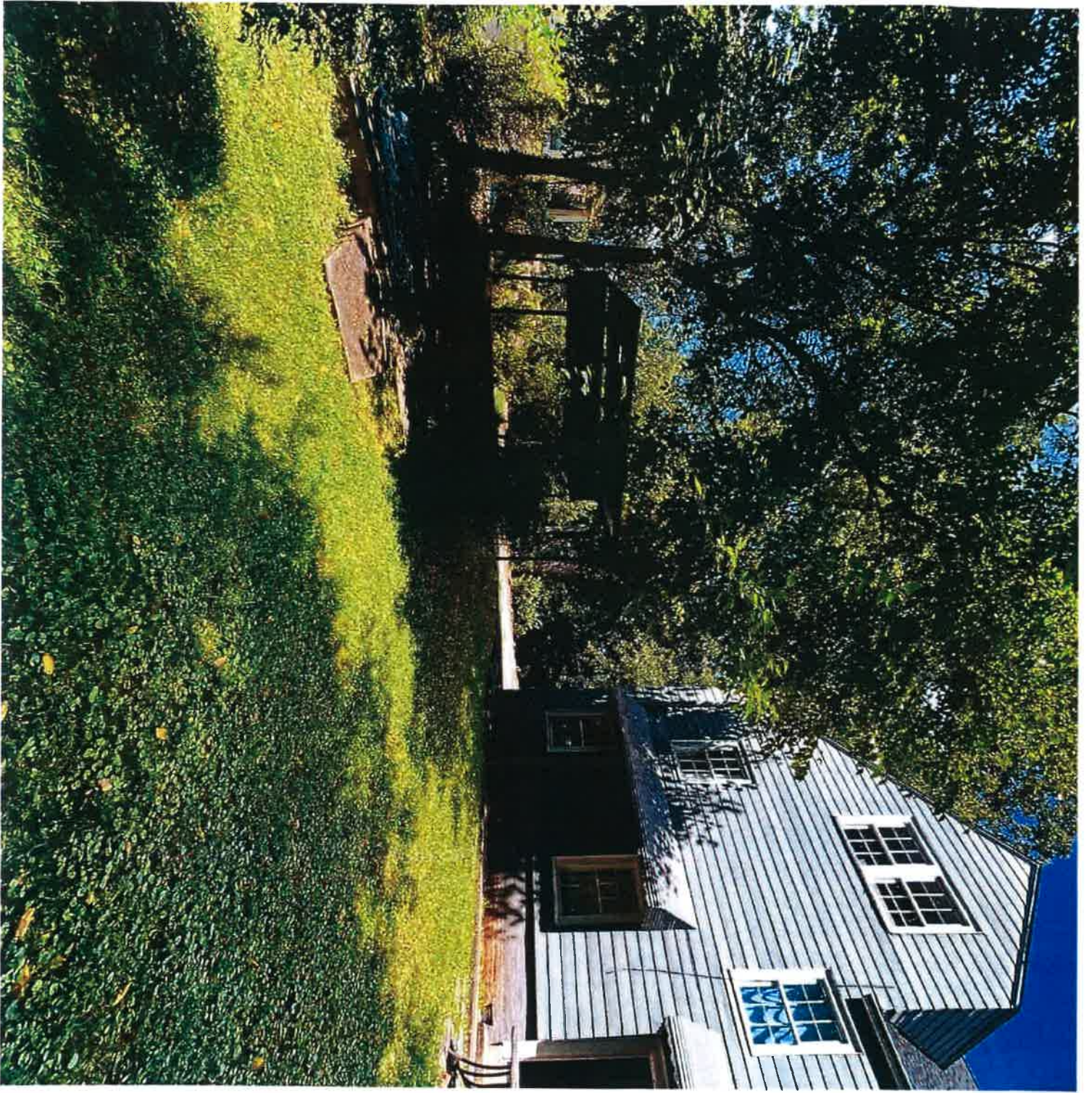
Information as of 10/28/2022

For additional information on the data above,
contact the Property Appraisal Department at 404-371-
2471

SUBJECT PROPERTY-1853 NORTH DECATUR ROAD











526 EMORY CIRCLE

526 Emory circle



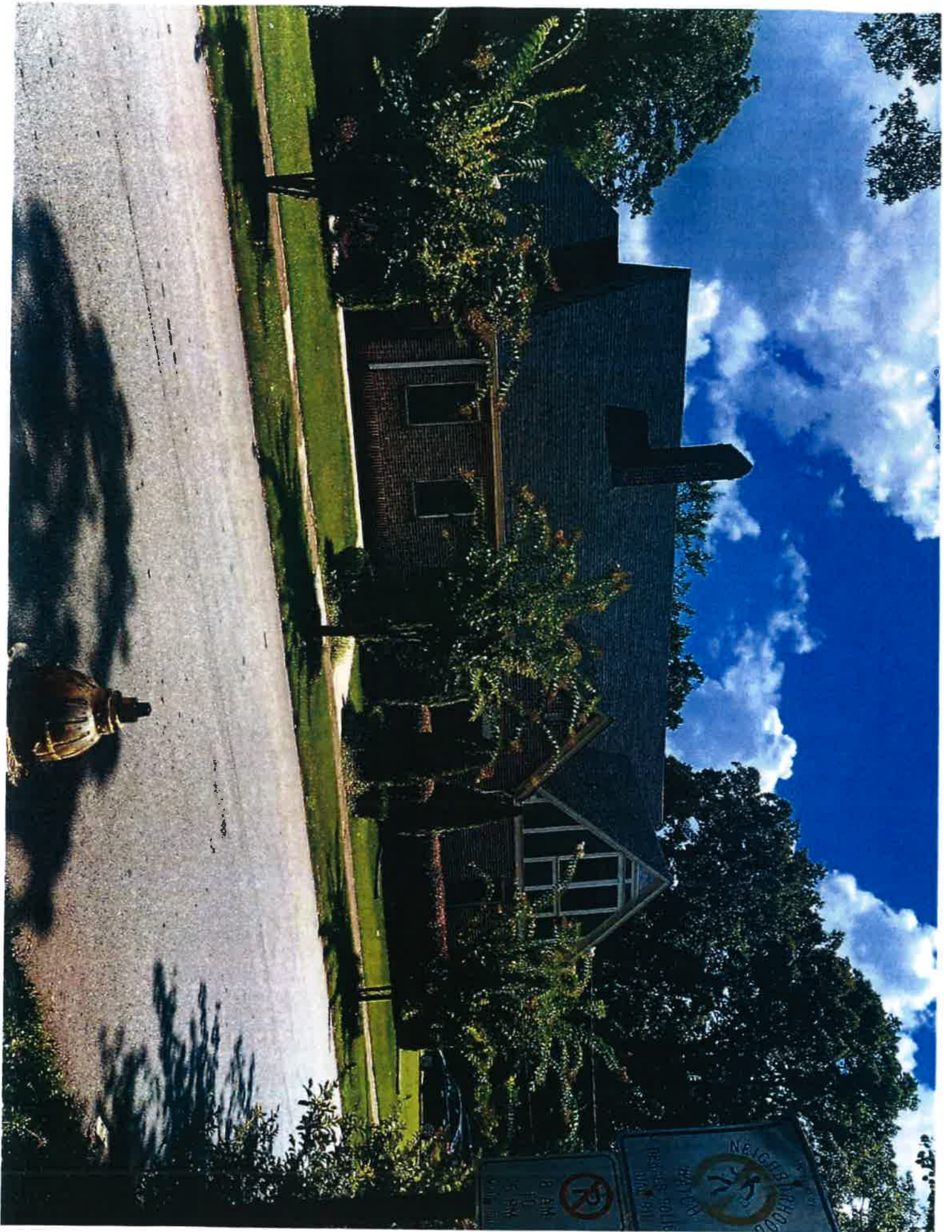
01/26/2022

ACROSS ROAD FROM SUBJECT PROPERTY ON NORTH DECATUR ROAD





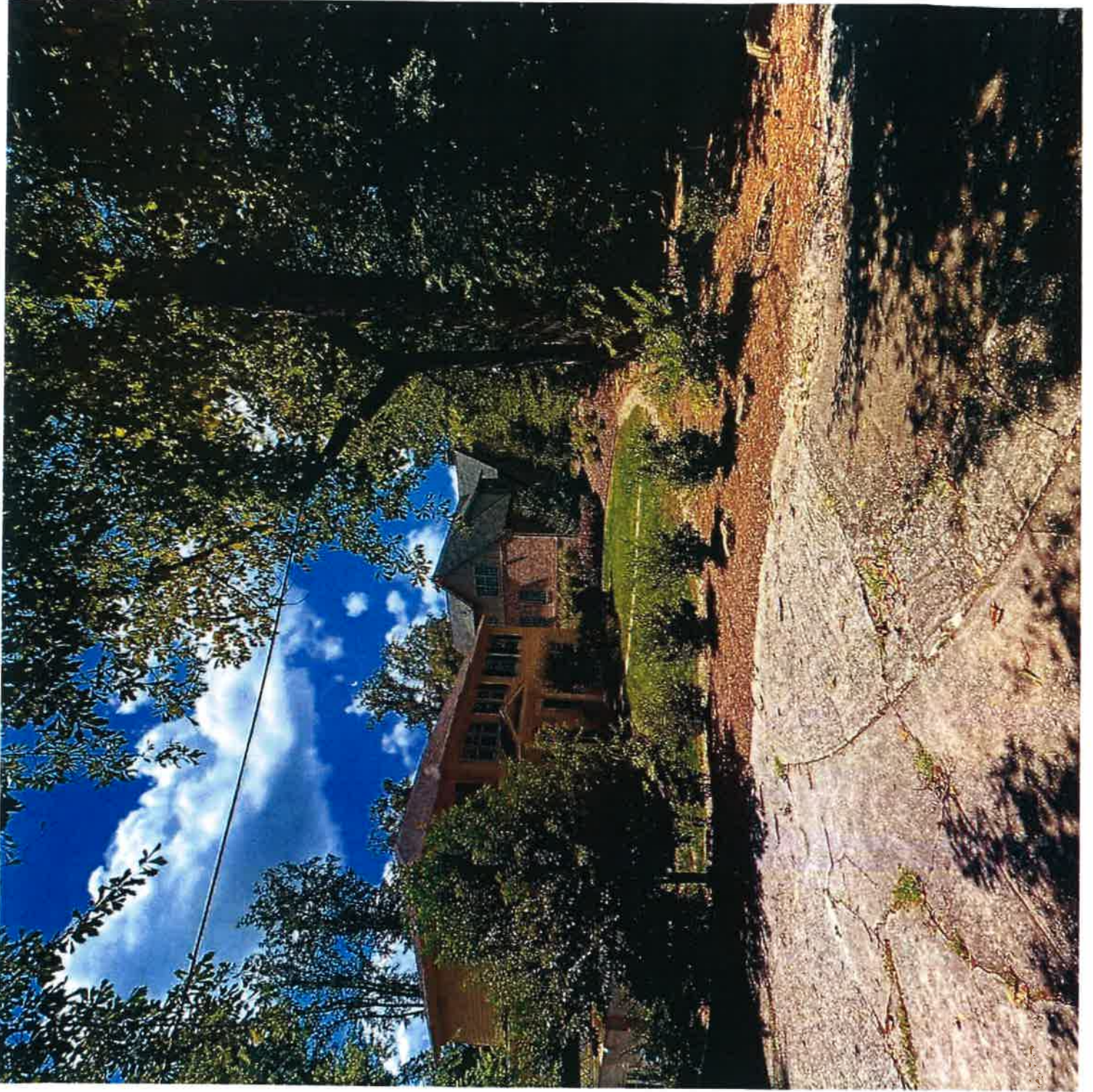
1873 NORTH DECATUR ROAD



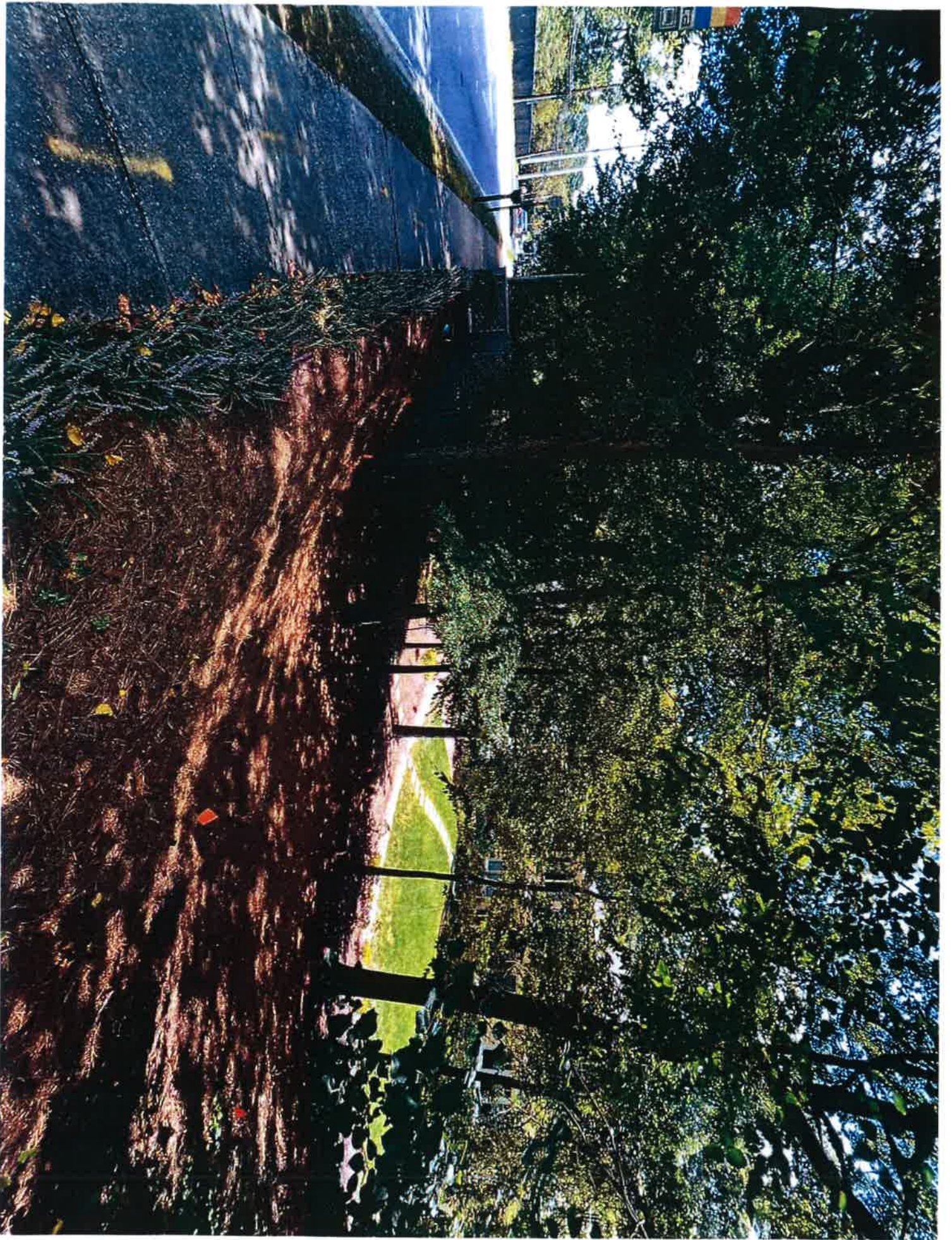
VEGETATION BETWEEN SUBJECT PROPERTY AND 526 EMORY CIRCLE



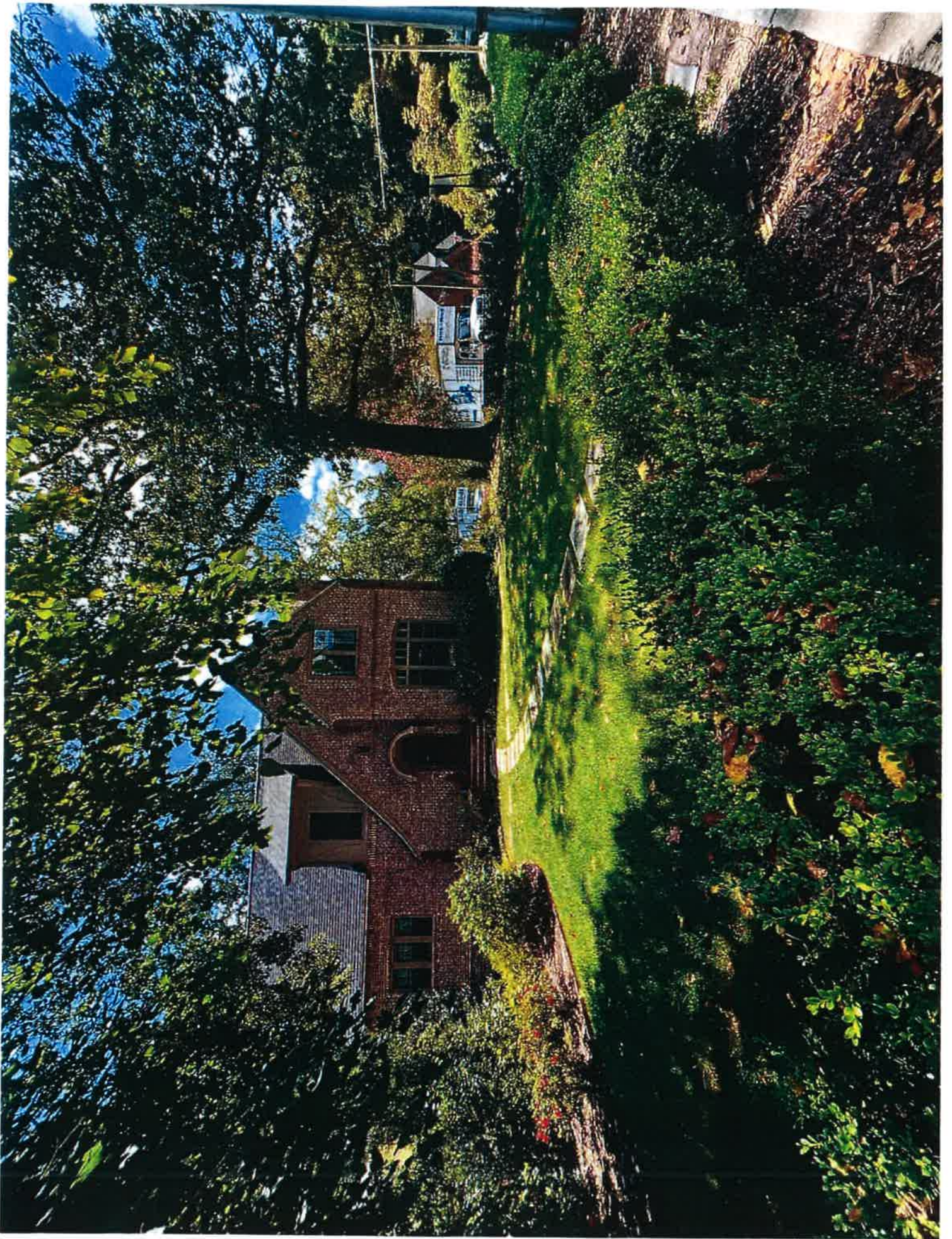
**VIEW FROM SIDE YARD OF SUBJECT PROPERTY TOWARDS 1917 AND 1925
RIDGEWOOD ROAD**



**VIEW OF FRONTAGE ALONG NORTH DECATUR ROAD FROM 1925 RIDGEWOOD
ROAD TOWARDS SUBJECT PROPERTY**



1925 RIDGEWOOD ROAD



CONTRIBUTING PROPERTIES MAP

University Park-Emory Highlands-Emory Estates Historic District
Decatur vicinity, DeKalb County, Georgia


Sketch Map

Scale: 1" = 250'

National Register Boundary

Contributing Property = C

Noncontributing Property = X

Photographs/Direction of view = 

Street Addresses underlined

North



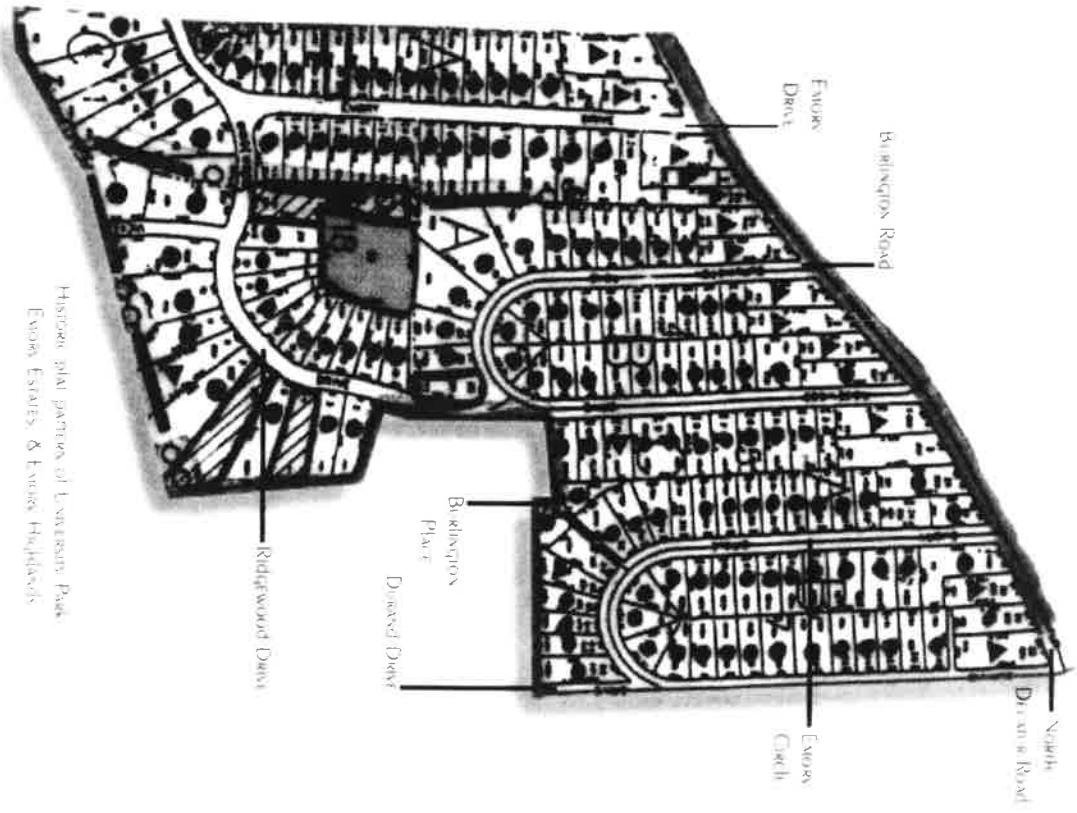
CHARACTER AREA GUIDELINES AND ANALYSIS

13.0 UNIVERSITY PARK / EMORY HIGHLANDS / EMORY ESTATES CHARACTER AREA

The University Park, Emory Highlands, and Emory Estates subdivisions are located on the south side of North Decatur Road and east of Emory University in the northeast quadrant of the local historic district. The area consists of three sections: (1) University Park along Emory and Ridgewood Drives, (2) Emory Highlands along Burlington Road and Ridgewood Drive, and (3) Emory Estates along Emory Circle and Durand Drive. A National Register nomination request for these neighborhoods is currently pending.

These neighborhoods were planned and developed during the late 1910s and 1920s and reflected the growing need for affordable suburban housing easily accessible by the automobile. While adjacent to the large Druid Hills suburb, these subdivisions were placed on small parcels of land. All of these factors resulted in a dense development pattern with streets placed closely together, small lots, and little open space, a much different situation from that in neighboring Druid Hills. The land was sold to the Druid Hills Company in 1916 but was then sold again to another developer, W. D. Thompson. The area was planned and laid out in three phases—University Park in 1916, Emory Highlands in 1923, and Emory Estates in 1925. O. F. Kaufman was responsible for the layout of both University Park and Emory Highlands; C. A. Nash was responsible for the layout of Emory Estates. This is the only neighborhood within the local district known to be associated with this civil engineer. Emory Highlands and Emory Estates were probably developed by the same developer, Augustine Sams.

The area is characterized by U-shaped streets, hilly terrain, uniform building setbacks, sidewalks, and a variety of landscaping. Overall, the development is small-scale with small lots and front yards and modestly-sized houses. The architecture of these neighborhoods reflects, at a modest scale, the early-twentieth-century movement toward revival styles such as English Vernacular Revival, Colonial Revival, and Dutch Colonial Revival as well as the modernistic movement of the Craftsman style. Many of the houses have driveways and garages for the increasingly popular automobiles of the early-twentieth century. The houses were constructed from the 1920s into the 1940s.



Historic plan portions of University Park, Emory Estates, & Emory Highlands

CHARACTER-DEFINING FEATURES

LANDSCAPE CHARACTERISTICS:

Front Setback

- ☞ 25' - 35' range; setbacks in Emory Estates somewhat higher - in 30' - 50' range

Side Setback

- ☞ 10' - 20' range

Typical Lot Size

- ☞ 50' - 70' x 150' - 200'; with a few oversized exceptions at curves and in areas of severe topography; 2 acres - 3 acres

Typical Building Size

- ☞ 1,300 - 2,300 square foot range; majority in the 1,800+ square foot range

Streetscape

- ☞ streetscape cross section illustrates the typical patterns and dimensions: asphalt street, granite curb, planting space, sidewalk, front yard
- ☞ sidewalks on both sides of street throughout - 4' in width
- ☞ planting space ranges from 6' - 8'; Emory Drive within University Park is 6' wide and contains large hardwoods; combination of large and small trees used in 8' wide space on Ridgewood Drive within Emory Highlands; small trees predominant on Durand Drive within Emory Estates

Other

- ☞ drives and parking - lots typically contain paved access drive; parking within residential lots as well as on-street; street widths range from 20' - 24' providing limited space for on-street parking



Typical streetscape

located in

Emory Estates

illustrates street

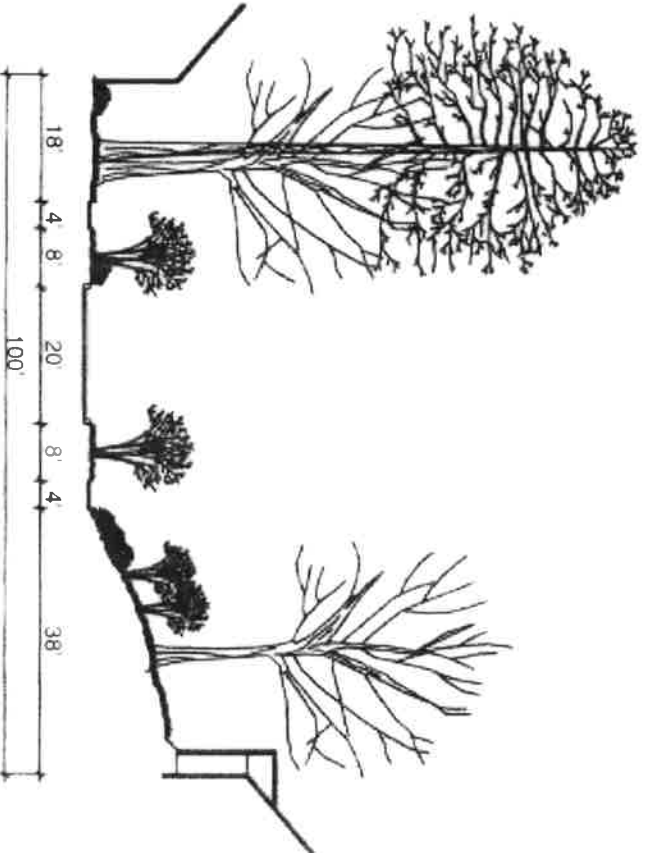
topography

street widths range

from 20' - 24'

providing limited space for on-

- ☞ traffic islands - two traffic islands within character area; one at intersection of Durand Drive and Emory Circle contains small tree; other island at intersection of Ridgewood Drive, Burlington Road, and Durand Mill Drive has concrete surface
- ☞ front yard spaces - Severe terrain, particularly in the Emory Estates and Emory Highlands neighborhoods, results in residential structures elevated above the roadways. Front yard spaces in such situations are too steep for the maintenance of a lawn. For that reason, ground cover vegetation is predominant



Durand Drive
Emory Estates

Building Characteristics:

Scale

- 1-1 1/2 story

(good example of English Vernacular Revival style)

Type

- single-family detached dwellings

Style

- primarily English Vernacular Revival and Colonial Revival; Craftsman also represented especially in University Park area



Material

- primarily brick veneer exterior; limited weatherboard siding and asbestos; weatherboard most common in University Park; granite used as accent material around entrances and porches and in chimneys

Roof Form

- predominant side gable main roof with cross hips and gables; English Vernacular Revival examples display steeply pitched front-facing gables

Roof Pitch

- moderate pitches main side gable; steeply-pitched projecting bays

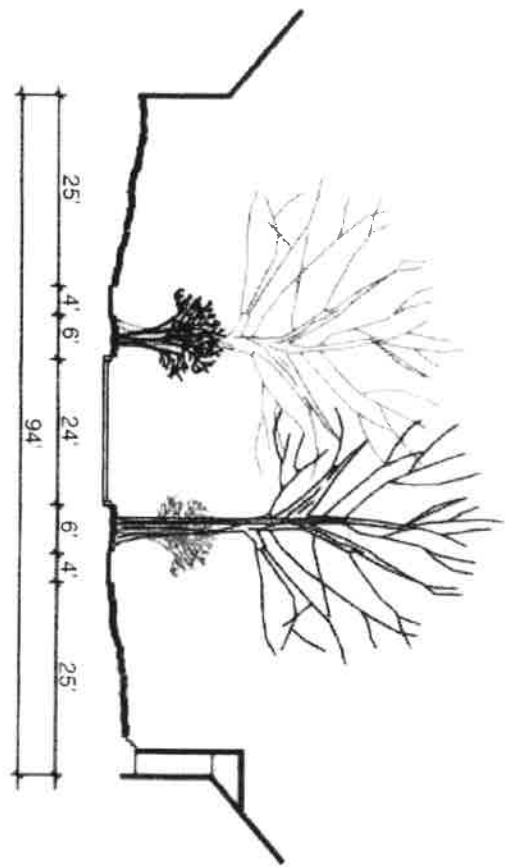
Massing

- asymmetrical front facade with multiple building elements such as projecting gables and entrances, dormers, chimneys, and variety of window arrangements; some Colonial Revival examples with symmetrical facades

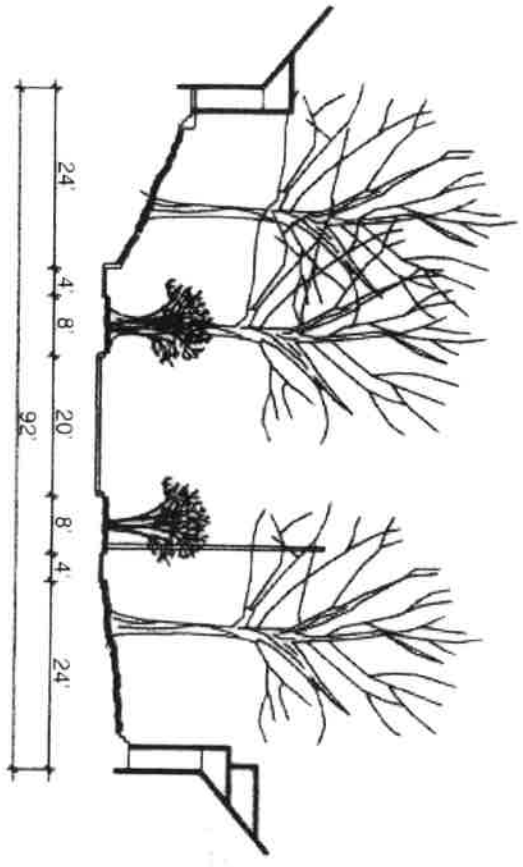
Directional Emphasis

- main block of building - horizontal
- front-facing gables - vertical

Street view illustrating emphasis



Emory Drive
University Park



Ridgewood Drive
Emory Highlands

Details

- ☞ foundations - water table with solid brick foundations; isolated granite foundations, primarily in Emory Highlands
- ☞ chimneys - Chimney placement varies; ridge-line, interior roof slope and front exterior all common
- ☞ porches - small front corner porches characteristic of the area
- ☞ entrances - frequently accented w/ decorative surrounds such as granite/fieldstone detailing, sidelights, other wood trim
- ☞ windows - double-hung sash, 6/6 and 6/1, most common but other treatments well-represented such as other sash combinations with decorative glazing patterns/multi-paned; casement also present throughout

INTRUSIONS:

Porch Infill

- ☞ Inappropriate porch enclosures detract from overall integrity of area



Some of the porch enclosures that detract from the overall integrity of the area.

New Construction

- ☞ New properties have been built without regard for prevailing scale, setback, and materials.



New construction that does not conform to prevailing practices, materials, and setbacks.

Traffic Islands

- ☞ Traffic island at Ridgewood Burlington and Durand Mill has been surfaced with concrete; this is not the historic treatment.

Adjoining Development

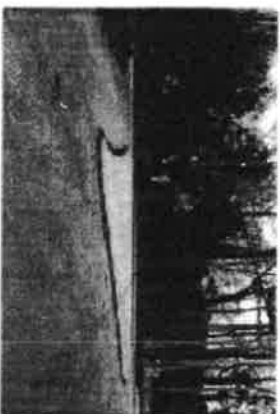
- ☞ Emory University's continued high rise expansion and development has had an adverse effect on the historic resources and the district's visual integrity.

On-Street Parking

- ☞ Emory also appears to be having an adverse effect on the area created by extensive on street parking.

Guideline - New construction should be compatible with the predominant architectural styles of the area, English Vernacular Revival and Colonial Revival, and should reference important building elements of these styles such as the projecting gables, prominent chimneys, and small-side porches of English Vernacular and the accented entrances of both styles.

Guideline - Traffic islands should be maintained as landscaped features and should not be paved.



Concrete traffic island at intersection of Ridgewood Drive, Burlington Road, and Durand Mill Drive. Paved and does not have a landscaped area.

HOME CONSTRUCTION ESTIMATE/COST
FOR REHABILITATION REPORT

1-23-23



P.O. BOX 335 LOCUST GROVE, GA 30248 · HOMESIDECONSTRUCTION@GMAIL.COM

PROJECT SCOPE & ESTIMATE

Location: 1853 N. Decatur Road Atlanta, GA 30307

Scope: Replace non-conforming foundation system and over spanned floor system at the 1st and 2nd floors in order to stabilize the existing structure such that it can bear the additional loads from additions desired by homeowners. Construct additional space of approximately 3000 to 5000 square feet to meet homeowners current and future living needs. I have reviewed the attached Harrington Report and based upon the report the following work needs to be done in order to rehabilitate the existing structure to make it stable enough to bear the additional loads from a planned renovation expanding the living space more than 50% (to about 5000 to 7000 square feet total space) per the recommendations contained in Alternative #2 and these alterations would be required before any addition to the house could be safely made.

- Erosion control site management.
- Excavation of area necessary to access existing foundation to replace exterior walls, footings, deteriorated and compromised concrete floors. Installation of steel beams under framed house during excavation. Removal of driveway and walkways are needed to access these areas. Extracted dirt to be stored offsite and returned once walls have been replaced. **
- Additional footings and piers to secure shoring of the existing frame walls and floor system.
- Remove and re-route mechanical systems to allow for new joist additions.
- Waterproof and add new drain system, backfill foundation walls, landscape all disturbed areas back to pre-construction conditions.
- Paint renovated areas to match existing structure.



P.O. BOX 335 LOCUST GROVE, GA 30248 · HOMESIDECONSTRUCTION@GMAIL.COM

- Deeper and/or additional joist to be added to safely span to the original supports so that the temporary shoring can be removed and to ensure continuous load transfer from upper floors and roof to the foundation.
- Estimate is subject to change upon hidden or concealed conditions and consequential damage to interior from construction activity and shifting of walls and foundation during excavation.

****Estimate does not include hiring of experts for the foundation work. We will need to work with soil scientist and other experts to make sure excavation being performed properly and dirt properly compacted around newly poured foundation. I estimate those costs to be no less than \$25,000.00.**

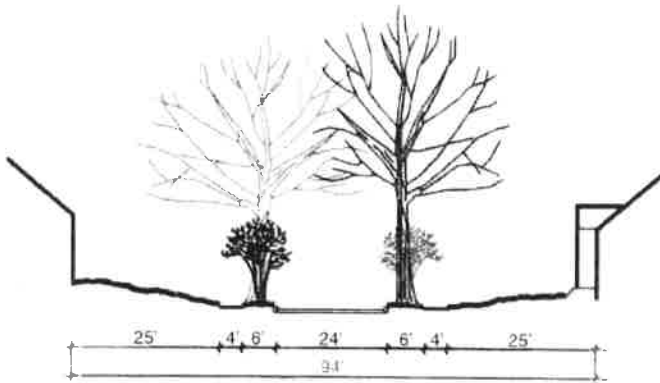
Projected cost of addition between 3000 and 5000 square feet at the rate of \$225 per square foot, \$675,000 – \$1,125,000. Due to the additional required space being more that 50% of the aggregate area of the building, this will require compliance of existing electrical and mechanical systems with current International Residential Codes.

Total Estimate for rehabilitation: \$267,220.00**

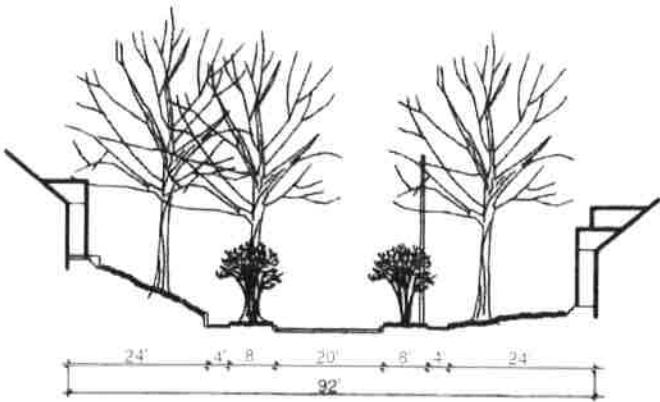
Total Estimate for rehabilitation + additional desired space \$942,220-\$1,392,220

Even though I provide this estimate for rehabilitation of the existing residence, please note that as a professional builder I do NOT recommend this route for the Singleterry's due to the massive expense involved, the possible technical infeasibility of adding on to the rehabilitated structure, and the unknown contingencies that may be encountered in attempting to shore up the unstable foundation of this home.

Dennis Brown, CEO



Emory Drive
University Park



Ridgewood Drive
Emory Highlands

Building Characteristics:

Scale

- ix 1.5-2 story



Type

- ix single-family detached dwellings

Style

- ix primarily English Vernacular Revival and Colonial Revival, Craftsman also represented, especially in Lowergate Park area

Material

- ix primarily brick veneer exterior; limited weatherboard siding and asbestos weatherboard most common in University Park; granite used as accent material around entrances and porches and in chimneys

Roof Form

- ix predominant side-gable main roof with cross hips and gables; English Vernacular Revival examples display steeply-pitched projecting gables

Roof Pitch

- ix moderate pitches; main side-gable, steeply-pitched projecting bays

Massing

- ix asymmetrical front facade with multiple building elements such as projecting gables and entrances, screens, chimneys, and variety of window arrangements; some Colonial Revival examples with symmetrical facades

Directional Emphasis

- ix main block of building front
- ix front-facing gables in English Vernacular Revival examples; these include projecting bays and chimneys



RECORDS OF PRIOR SIMILAR DEMOLITION REQUESTS



The Honorable Burnell
Elliott
Chief Executive Officer
March 8, 2012

**DeKalb County Government
Historic Preservation Commission**

330 Ponce De Leon Avenue Suite 500
Decatur, GA 30030
404/371-2155 or 404/371-2835(Fax)



CERTIFICATE OF APPROPRIATENESS

SITE ADDRESS: 1097 Dan Johnson RD
Atlanta, GA 30307

PARCEL ID: 18-002-06-019

APPLICATION DATE: February 6, 2012

APPLICANT: Daniel J. Matthews Trust

MAILING ADDRESS: C/O Dunlavy Law Group 1026 B Atlanta Avenue
Decatur, GA 30030

THIS IS TO ADVISE YOU THAT THE DEKALB COUNTY HISTORIC PRESERVATION COMMISSION, AT ITS REGULARLY SCHEDULED PUBLIC MEETING ON FEBRUARY 21, 2012, REACHED THE FOLLOWING DECISION ON THIS APPLICATION:

ACTION: MODIFIED APPROVAL

Demolish the existing house and attachments such as paving and retaining walls. Prior to demolition the house must be documented with as-built drawings and photographs to the satisfaction of the county preservation staff.

Construct a new house in roughly the same location as the old house, but oriented more toward the street. The house will be end gabled, one story over the garage on the right end and 1½ story (with a shed dormer) on the left end. The middle section will be a full two stories. A lower secondary gable will project from the center section. The topography slopes down to the left, so that end will sit on a higher brick foundation on the front and will have a walk-in basement on the rear. The right half of the house will sit very close to the ground.

Most of the house will be clad with wood lap siding. The area around the projecting entrance will be veneered with granite. A round topped door and a small arched window will be set in the front of the entry area. An arched roof will be supported by brackets over the door. The floor of the front stoop will be concrete. The windows will be wood and will have true divided lights (TDL) with 7/8" muntins. Wooden louvered shutters will flank most of the windows on the front and ends and some of the windows at the rear. Brackets will be installed in the eaves on the front of the

middle part of the house. A granite chimney topped by a terra cotta chimney pot will rise from just behind the ridge near the center of the house. A side loading garage will occupy the right end of the house, with cantage house type overhead doors. A wooden deck will be attached to the rear.

The driveway will curve to a turnaround/parking area at the left side of the house. Part of this area will be supported by a retaining wall that faces the rear of the property and will not be visible from the street. Maximum height of the retaining wall is to be about 4.5'. A wooden railing will be installed at the top of the retaining wall. The driveway and front walk will be paved with concrete. The driveway will be 10' wide and the front walk will be 4' wide. Two pines and a 38" oak will be removed.

DeKalb County Historic Preservation Commission

Tuesday, February 21, 2012 - 7:00 PM

Staff Comments

New Construction Agenda

R. 1097 Dan Johnson Road (DH), Daniel J. Matthews Trust c/o Dunlavy Law Group.
Demolish and replace house. 17647

Constructed 1940. (18-002-06-019)

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

This house is the oldest one on this street. The street was laid out around 1940 on a plot that was not part of the original Druid Hills subdivision. The property owner refused to sell this portion of his property. Most of the property is still in the Matthews family.

The applicant says the property is not in a National Register Historic District or a identified character area, but she is mistaken. It is in the Druid Hills National Register District and in the Druid hills Character Area 1. During the initial survey of the district for the local nomination this street was identified as an intrusion.

Applicant has provided a structural engineers report describing the house as so unsound rehabilitation is not practically possible. A cost study says even if the house could be restored the cost would be much more than the value of the property.

Recommendation

Although built in the historic period, the house is not a significant structure and does not contribute to the district. The proposed demolition does not appear to have a substantial adverse effect on the district, appears to meet the guidelines, and the preservation planner recommends approval.

At this time staff has not had enough time to study the proposed new construction.

Relevant Guidelines

2.1 Defining the Area of Influence (p64) Guideline - In considering the appropriateness of a design for a new building or addition in a historic district, it is important to determine the area of influence. This area should be that which will be visually influenced by the building, i.e. the area in which visual relationships will occur between historic and new construction.

R. 1097 Dan Johnson Road (DH), Daniel J. Matthews Trust c/o Dunlavy Law Group
page two

- 7.1 *Defining the Area of Influence (p64) Guideline* - In considering the appropriateness of a design for a new building or addition in a historic district, it is important to determine the area of influence. This area should be that which will be visually influenced by the building, i.e. the area in which visual relationships will occur between historic and new construction.
- 7.2 *Recognizing the Prevailing Character of Existing Development (p65) Guideline* - When looking at a series of historic buildings in the area of influence, patterns of similarities may emerge that help define the predominant physical and developmental characteristics of the area. These patterns must be identified and respected in the design of additions and new construction.
- 7.2.1 *Building Orientation and Setback (p66) Guideline* - The orientation of a new building and its site placement should appear to be consistent with dominant patterns within the area of influence, if such patterns are present.
- 7.2.2 *Directional Emphasis (p67) Guideline* - A new building's directional emphasis should be consistent with dominant patterns of directional emphasis within the area of influence, if such patterns are present.
- 7.2.3 *Shape: Roof Pitch (p68) Guideline* - The roof pitch of a new building should be consistent with those of existing buildings within the area of influence, if dominant patterns are present.
- 7.2.3 *Shape: Building Elements (p68) Guideline* - The principal elements and shapes used on the front facade of a new building should be compatible with those of existing buildings in the area of influence, if dominant patterns are present.
- 7.2.3 *Shape: Porch Form (p68) Guideline* - The shape and size of a new porch should be consistent with those of existing historic buildings within the area of influence, if dominant patterns are present.
- 7.2.4 *Massing (p69) Guideline* - The massing of a new building should be consistent with dominant massing patterns of existing buildings in the area of influence, if such patterns are present.
- 7.2.5 *Proportion (p70) Guideline* - The proportions of a new building should be consistent with dominant patterns of proportion of existing buildings in the area of influence, if such patterns are present.
- 7.2.6 *Rhythm (p71) Guideline* - New construction in a historic area should respect and not disrupt existing rhythmic patterns in the area of influence, if such patterns are present.
- 7.2.7 *Scale/Height (p72) Guideline* - New construction in historic areas should be consistent with dominant patterns of scale within the area of influence, if such patterns are present. Additions to historic buildings should not appear to overwhelm the existing building.
- 7.2.7 *Scale/Height (p72) Guideline* - A proposed new building should appear to conform to the floor-to-floor heights of existing structures if there is a dominant pattern within the established area of influence. Dominant patterns of cornice lines, string courses, and water tables can be referenced to help create a consistent appearance.
- 7.2.8 *Individual Architectural Elements (p73) Guideline* - New construction and additions should be compatible and not conflict with the predominant site and architectural elements—and their design relationships—of existing properties in the area of influence.
- 8.2 *Trees (p78) Recommendation* - The mature hardwood forest within the Druid Hills Local Historic District should be perpetuated through a district-wide replanting program. Trees should be replaced when mature trees are lost to age or damage or are removed for safety reasons. Replacement trees should be of identical or similar varieties to the original trees. A diversity of tree types is recommended to perpetuate the existing character of most tree groupings. Replacement trees of adequate size (1.5" caliper minimum) are recommended. Existing ordinances that provide for the protection and replacement of the district's tree resources should be applied to development activities within Druid Hills.

R. 1097 Dan Johnson Road (DH), Daniel J. Matthews Trust c/o Dunlavy Law Group
page three

- 9.5 ~~Parking (p90) Guideline~~ - Parking should be addressed in a manner that does not distract from the overall character of the district. Parking to serve private residential lots should be accommodated on-site, when at all possible, using the pathway of original drives and parking. Front yard parking should not be allowed unless it is a public safety issue. When front yard parking is necessary, it should be sited in a manner that does not destroy the unbroken landscaped character of the front yard spaces in Druid Hills. Rear yard spaces should be considered for expansion of parking areas.
- 9.7 ~~Residential Landscape Design (p91) Recommendation~~ - For residential yards, created without the assistance of landscape designers, historic landscape plans for other residential lots within the district should be used for guidance. These plans can be interpreted to create a new landscape plan that is based on historic traditions. Care should be taken to select designs for yards of similar size containing houses of similar style and scale.



DeKalb County Department of Planning & Sustainability

Burrell Ellis
Chief Executive Officer



APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
DeKalb County Historic Preservation Commission

- 1. Address of Property: 1097 Daniel Johnson Road
Owner: Jon Rvaniss Bums
Owner Address: c/o Dunlavy Law Group, LLC
2. Name of Applicant: Daniel J. Matthews Trust c/o Dunlavy Law Group, LLC
3. Age of Structure: Approximate date of construction for the primary structure on the property and any secondary structures affected by this project: 1940
4. Nature of Proposed Work:
X New Construction
X Demolition
X Site Preparation/Clearance
X Moving a Building
X Sign Erection or Replacement
X Repairs of Alterations
X Exterior Architectural Features
X Landscaping
X Other

Please describe your proposed work as simply and accurately as possible. Use the attached submittal criteria checklist to guide you in your description. Be sure to indicate building and landscape materials to be used. Accurate drawings and photographs are required. (Use extra sheet, if necessary.)
Demolition of principal structures, walkways, driveway, garage, and trees needed. New home construction on same site.
SEE ATTACHED FOR WORK DETAILS

IMPORTANT: This form must be completed before the Historic Preservation Commission can consider the approval of any material change to a Historic Property or within a Historic District. This form, along with supporting documents (plans, material, color samples, and photos), must be filed with the Historic Preservation staff, DeKalb County Planning Department, 330 West Ponce de Leon Ave, Suite 500, Decatur, Georgia 30030. Five (5) copies of plans or renderings for any new structures must be filed. One set of plans must be reduced to 11" x 17" or smaller.
All applicable items from the attached checklist of Submittal Criteria must be addressed. Incomplete applications will not be docketed for consideration by the Historic Preservation Commission.

FUR OFFICE USE ONLY
Date received: 2-6-12
Initials: DC
Sign given: Yes No
Signature of Applicant: [Signature]
Date: 2/1/12
17647
Rev 7/20/2011

* as Trustee of Daniel J. Matthews Trust (See Deed Attached)

ORIGINAL

STATEMENT IN SUPPORT OF
APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

Applicant:

JON EVANLEE DAUM, as TRUSTEE OF DANIEL J. MATTHEWS TRUST

Property Location:

1097 Dan Johnson Road

**Request for Certificate of Appropriateness to
Demolish Existing Structures
And To
Construct A New Residence**

Submitted for Applicant by:

Linda I. Dunlavy
Dunlavy Law Group, LLC
1026 B Atlanta Avenue
Decatur, Georgia 30030
(404) 371-4101 Phone
(404) 371-8901 Facsimile
ldunlavy@dunlavylawgroup.com

INTRODUCTION

The Subject Property, known as 1097 Dan Johnson Road ("Subject Property"), is owned by the Daniel J. Matthews Trust (the "Trust"). Warranty Deed is included with the Application Package. Jon Evanlee Daum is the Trustee of the Trust. It is not located within a National Register Historic District, nor is it in an identified character area. On the contrary, the Subject Property is located at the end of the cul-de-sac on an intrusion street, east of Oakdale between the ByWay and North Decatur Roads. Dan Johnson is currently developed with 12 homes, seven of which were constructed prior to the period of significance (1946 and earlier) at 1097, 1098, 1100, 1112, 1128, 1109 and 1133 Dan Johnson Road. Four of the remaining homes were built between 1946 and 1950 (1108, 1116, 1137 and 1113). One home at the northeast intersection of Vilenah Lane and Dan Johnson Road (1141 Dan Johnson Road) was constructed in 2003/2004 after receipt of a COA for demolition of the pre-existing home and approval of the new construction by the HPC. The Subject Property contains a home built in approximately 1940 with related structures, drives and walkways. See included existing conditions site plan. The existing residence and its associated structures are in extremely poor condition.

HISTORY

The Subject Property has been in the Johnson/Matthews family since 1863, as part of a larger land grant stemming from the Indian Land Grants after the Revolutionary War. By 1890, the holdings of the Johnsons had been reduced to approximately 10 acres, a major part of which is now owned by the Daniel J. Matthews Trust. Daniel J. Matthews is a direct descendant of the original grantee and the grandson of Dan Johnson, the namesake for the road on which the Subject Property is located. Daniel J. Matthews is

the late husband of Jon Evanlee Daum, Trustee of the Trust. The ten acres owned by the Johnson family in 1890 was made into a small subdivision comprised of Vilenah Lane and Dan Johnson Road. Vilenah was named after Dan Johnson's wife. The home on the Subject Property was the first house erected on Dan Johnson Road in approximately 1940. Ms. Daum has lived at 1097 Dan Johnson Road since 1989. Due to the constant water intrusion into the home and her reaction to the mold resulting from such intrusion (she suffers from emphysema), Ms. Daum moved from 1097 Dan Johnson Road in mid-September 2011. She is residing temporarily at 1098 Dan Johnson Road. Ms. Daum wishes to build a new home on the 1097 site after demolition of the existing residence and its associated structures (drive, walkways, walls and steps). See attached photographs depicting associated structures. She has retained Phillip Clark Fine Custom Builders, Inc., for construction of the new residence pursuant to designs of Architect, Linda D'Orazio MacArthur. See, included new construction site plan and architectural drawings.

A structural engineer's report, secured from Michael Quinn and Associates, shows that the home at 1097 Dan Johnson Road is so unsound that rehabilitation is not practically possible. Moreover, a cost to cure report indicates that even if the home could practically be rehabilitated, the cost to cure deficiencies to bring the existing structure to code and to make it habitable would far exceed the fair market value of the home. As such, the Applicant is requesting a Certificate of Appropriateness to demolish the existing structures on site and to construct a new residence compatible and consistent with other residences in the area of influence.

PROPOSED DEMOLITION AND NEW CONSTRUCTION

The Applicant desires to take the current aging structure and demolish it along with the garage, concrete pads and other structures on the site. The existing house is a two-story wood frame home set on a brick masonry partial crawl space/basement foundation. It is approximately 2500 square feet with an attached garage. In addition to the home and the garage, the Applicant proposes to demolish the concrete driveway, the stone walkways, steps and several stone walls on site. The new construction for the Subject Property is proposed as per the plans of Linda D'Orazio MacArthur and filed contemporaneously herewith.

BASIS FOR THE DEMOLITION PROPOSAL

Applicant notes that although the existing home was built during the period of significance (prior to 1946), like many homes in Druid Hills the structure was not designed by a professional but simply built using accepted building techniques of the day. As such, many of the elements of the existing home are seriously deficient relative to current building codes and standards. These serious deficiencies, include, but are not limited to, inadequate footings, overly stressed foundation walls, and non-existent foundation anchorage. Moreover, the house is not a good representative of any particular style or house type and does not appear to have any architectural or historical significance.

In evaluating the request for demolition the HPC needs to determine if the existing structure is "so unsound that rehabilitation is not possible". Guideline 7.3.3. "Buildings and structures that are proposed for demolition. . . should be thoroughly

evaluated for historic and architectural merit and importance to the character of the site and district. If significant, alternative uses that permit continued preservation should be thoroughly investigated.” Because of the lack of historic or architectural significance of the existing residence, the Applicant submits that “alternative uses that permit continued preservation” need not be explored by the HPC.

The HPC has approved demolition of numerous structures within the District since its inception in 1996. These structures include historic and non-historic structures. The chart below summarizes the residences approved for demolition in the District:

SAMPLED DEMOLITIONS IN HISTORIC DISTRICT¹

Address	Year Built	Demo Approved	Reasons
267 Chelsea Circle	1958	Mar-05	nonhistoric
315 Vickers Drive		Jun-05	
519 Durand Drive	1935	Oct-06	fire
1000 Clifton	1953		nonhistoric
1164 Clifton Road	1952		
1009 Springdale	1952	Jan-05	nonhistoric
995 Springdale	1923	Jan-09	Senous structural
1169 Lullwater	1929	Aug-05	mold
1185 The ByWay	1942	Jan-10	mold, structural
1203 The ByWay	1953	Nov-01	nonhistoric
1209 The ByWay	1947	Nov-01	nonhistoric
1247 University	1948	Dec-05	
1282 Briardale	1950	Aug-06	nonhistoric
1287 The ByWay	1950	Apr-03	nonhistoric
1288 Briardale Lane		Jul-04	
1256 Briardale	1960s		Nonhistoric GWHI cottages
1302 Stillwood	1925	Aug-06	profound structural
1314 University		Mar-05	
1444 Oxford Road		Aug-06	
1595 Emory Road	1929	Nov-01	Extreme structural

¹ There are likely other approved demolitions since there is no searchable data base to assure complete information maintained and accessible to the public in DeKalb County Planning Department.

			and neglect
1739 Coventry		Mar-05	
1741 Coventry		Mar-05	
1745 Coventry		Jan-05	
2015 North Decatur	1930		Nonsignificant; poor condition
2049 North Decatur	1930		Nonsignificant; poor condition
1141 Dan Johnson	1955	Dec-99	nonhistoric

One large new home (5200+ square feet) has been built to the immediate east of the Subject Property at 1141 Dan Johnson Road. It is the first new home since the inception of the District to be built on Dan Johnson. It was done so with the express approval of the HPC, which allowed demolition of the preexisting structure (a 1955 ranch style home) on the site. The COAs for the demolition and new construction of this home are included in the Application package.

The home on the Subject Property is in deplorable condition. Similar to the historic homes above approved for demolition, it suffers from profound structural problems and its current condition militates against requiring rehabilitation and preservation. Two reports documenting this condition are filed contemporaneously with this written justification.

The first expert report in support of demolition is a structural report from Michael Quinn and Associates wherein he evaluates the "suitability of the existing structure for ...renovation". Mr. Quinn, a licensed professional engineer, notes that the "house is in disrepair and has been poorly maintained". He also observes that the "floor joists and rim band bear directly on the brick walls.. and there is no connection of the wood framing to the foundation." Because of this existing dangerous condition, Mr. Quinn indicates that "to properly attach the house to the foundation, the brick foundation should be removed

and replaced with either a concrete or concrete masonry wall bearing on a new footing. This may be accomplished in sections by bracing the floor system and wall above, excavating both sides of the wall, removing the wall, pouring a new footing, and building a new wall." Mr. Quinn notes seven other structural issues relating to the existing structure, including mold throughout the home, and concludes "[c]onsidering the extent of the foundation work and associated dangers, as well as the likelihood of bringing the entire house into current Code compliance, it may be safer and more cost effective to raze the existing structure and rebuild on a new foundation."

The second report submitted is that of the Cornerstone Inspection Group. Chuck LeCraw of Cornerstone inspected the home at 1097 Dan Johnson Road to determine the need for repairs and the estimated cost for making needed repairs to bring the home into compliance with current codes (i.e. "rehabilitate" defined in the Guidelines as "the process of returning a building to a state of utility while retaining those elements essential to its architectural, historical and/or aesthetic significance"). He identifies numerous concerns and estimates the "cost to cure" these concerns to be in excess of \$156,000².

Due to the water intrusion and problems stemming from that intrusion over the course of the past 50+ years, the structural condition of the home, and the need for major reworking of the systems within the home to bring it up to current code, Applicant submits that this home is not of a character worthy or even capable of effective rehabilitation and preservation. The current condition of the home as reflected in the reports of Chuck LeCraw and Mike Quinn make it clear that the house is so unsound that rehabilitation is not practically possible. As such, the Application meets the Guidelines

² Applicant believes this estimate to be VERY conservative given that only \$10,000 is estimated for the extensive foundation work necessitated by the lack of attachment of the home to the foundation.

for demolition and, pursuant to the Historic Preservation Ordinance, the HPC is required ("shall approve the application") to approve the demolition request because to remove this house and the related structures would not have a "substantial adverse effect on the aesthetic, historic or architectural significance and value of an historic property or the historic district". Section 13.5-8(7).

NEW CONSTRUCTION

Applicant seeks a Certificate of Appropriateness to build a new residence on the proposed historic lot of record as per the plans submitted with this application and drawn by Linda D'Orazio MacArthur, Architect. The new home proposed is of a cottage/bungalow style. It is a story and a half with much of the second floor under the eaves of the roof thereby maintaining a ridge height consistent with that of its two story neighbors. A side entry garage is attached to the southwest side of the home and the plans contemplate a day light basement with a rear wooden deck. The existing curb cut on the property will be retained but the orientation of the new home and the garage will be rotated slightly to appear more frontal to the street than that of the existing historic residence on the Subject Property. The proposed new home has two main living floors totaling 2012 square feet. There is an additional 1147 square feet of conditioned space in the basement, for an overall heated square footage of 3159 square feet--less than 600 square feet more than the current home on site. The foot print of the house and garage is approximately 1851 square feet (see site plan submitted with Application) with 1147 square feet of the heated space in the day light basement, the majority of which is below grade except at the rear. From finished grade to highest ridge line, the home measures 30 feet 4 ¾ inches, however, due to the step back façade and the considerably lower roof

ridges on either side of the main part of the home, it will appear lower. The floor to ceiling heights are ten feet for the first floor and 9 feet for the second story. Exterior building materials will be a mix of stone, brick veneer, and hardiplank. All windows will be double hung wood units with true divided lights. The land disturbance plan provides for the removal of four trees (3 pines and one oak). However, the number of density units after construction will consist of 20.6 units in remaining trees and .8 units in replacement trees for a total of 21.4 units or 340% of what is require by DeKalb County Code³.

Applicant notes that the new house plans are in keeping with the character of the Druid Hills Historic District and will have no substantial adverse effects on the District. On the contrary, the new home, unlike the existing home, will make a positive contribution to Dan Johnson Road and to the District as a whole. The area of influence for the new home is Dan Johnson Road and, perhaps, the eastern end of Vilenah Lane, where visual relationships will occur between the proposed new home and historical residences (see included "Historic Property Map" and Guideline 7.1). This delineation was confirmed (after considerable debate) when the new home at 1141 Dan Johnson was approved for construction in late 2001. The plans for the proposed new home on the Subject Property meet the Guidelines for new construction as follows:

7.2.1 Building Orientation and Set Back

The front and side setbacks are consistent with those within the area of influence. The proposed home is in essentially the same location as the existing house and as can be seen from the topographical map included with this application the front yard set back is

³ This Application does not include a landscape plan. It is Applicant's intent to have such a plan developed and submitted to the HPC at a later date.

equal to or larger than those elsewhere on Dan Johnson and Vilenah. The side yard set backs and spacing between homes is consistent with the pattern in the area of influence.

7.2.2 Directional Emphasis

There is no dominant pattern of vertical or horizontal emphasis within the area of influence. As can be seen from the photographs of the houses on Vilenah and Dan Johnson, some are horizontal ranches and minimal traditional homes, whereas others are more vertical. The proposed new home's overall shape, size and placement of various elements and openings on the façade make it compatible with the directional emphasis of 1098 Dan Johnson, the existing home at 1097 and other homes on the street. It is not inconsistent with any dominant pattern of emphasis within the area of influence.

7.2.3 Shape

The roof pitches, while steeper, than many of the homes within the area of influence, are compatible with their neighbors. Building elements and shapes used on the front facade, including windows and door openings, are similar to those found elsewhere on Dan Johnson and Vilenah. See photographs.

7.2.4 Massing

The height, width and depth of the proposed new home are very similar to the existing home on the Subject Property. The structures on Dan Johnson and Vilenah exhibit a wide variety of house shapes, forms and mass. The proposed new home is compatible with those shapes, forms, and massing. The size of the new home is not out of line with that of other homes within the area of influence and is located on a lot of similar size, width and depth to other lots within the area of influence. See, Comparative Square Footage chart included with this submission.

7.2.5 Proportion

Once again, there is no dominant pattern of proportion in the existing housing stock within the area of influence. However, the proposed home is similar in proportion to the existing home on the site, 1098 Dan Johnson and 1385 Vilenah. The individual elements of the new home are proportional to each other and to the structure as a whole.

7.2.6 Rhythm

Both symmetrical and asymmetrical rhythms are present within the area of influence. The proposed new home respects and does not disrupt the rhythms present.

7.2.7 Scale/Height

The new home appears to conform to the floor-to-floor heights of two story homes within the area of influence. While the floor to floor heights may be slightly more than that found in other two story homes on Vilenah and Dan Johnson, they are not inconsistent with the new construction approved by the HPC at 1141 Dan Johnson and, with much of the second floor under the eaves of the roof, a ridge height consistent with that of its two story neighbors is maintained. See Streetscape included with architectural drawings.

7.2.8 Individual Architectural Elements

Individual design characteristics and materials from homes within the area of influence have been utilized and integrated into the proposed new home. As such, roofs, walls, windows, entrances, details and materials are compatible with historic structures within the area of influence.

SUMMARY

The existing proposal meets the specific Guidelines set forth in the Design Manual for the Druid Hills Historic District for new construction and the Guidelines for Demolition of Structures. The structure sought to be demolished is not of historic or architectural value, is not a significant site element, is not a contributing structure, and is structurally unsound. Demolition would not have a substantial adverse effect on the aesthetic, historic, or architectural significance and value of the Historic District. The proposed new home meets all of the Guidelines and would make a positive contribution to the District.

Based on the foregoing and for all of the reasons set forth above, the DeKalb County Historic Preservation Commission should grant the Applicant's request for a Certificate of Appropriateness so that the existing structures on the Subject Property can be demolished and so that a new home, which will be aesthetically pleasing and contribute positively to the District, may be constructed.

PRESERVATION OF CONSTITUTIONAL RIGHTS

The Applicant respectfully submits that, should the DeKalb County Historic Preservation Commission refuse to grant the requested Certificate of Appropriateness, such an action would be unconstitutional as a taking of property, a denial of equal protection, an arbitrary and capricious act, and a denial of due process of law under the United States Constitution and the Constitution of the State of Georgia.

Refusal to issue the requested Certificate of Appropriateness would deprive the Applicant of any alternative reasonable use and development of the Subject Property

without just compensation and would be insubstantially related to the health and welfare of the public while substantially harming the Property owner.

Applicant specifically objects to the standing of any party that opposes this Application for Certificate of Appropriateness.

This 17th day of February, 2012.

Respectfully submitted,


Linda I. Dunlavy

Attorney for Applicant

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ATTACHMENTS IN SUPPORT OF APPLICATION

Warranty Deed to Daniel J. Matthews Trust

Existing Conditions Site Plan—Site Works Surveys and Planning

Photographs of walkways, steps and walls on Subject Property

New Construction Site Plan— Site Works Surveys and Planning

New Construction Drawings—Linda D'Orazio MacArthur

Structural Engineer's Report—Michael Quinn and Associates

"Cost to Cure Report—Cornerstone Inspection Group

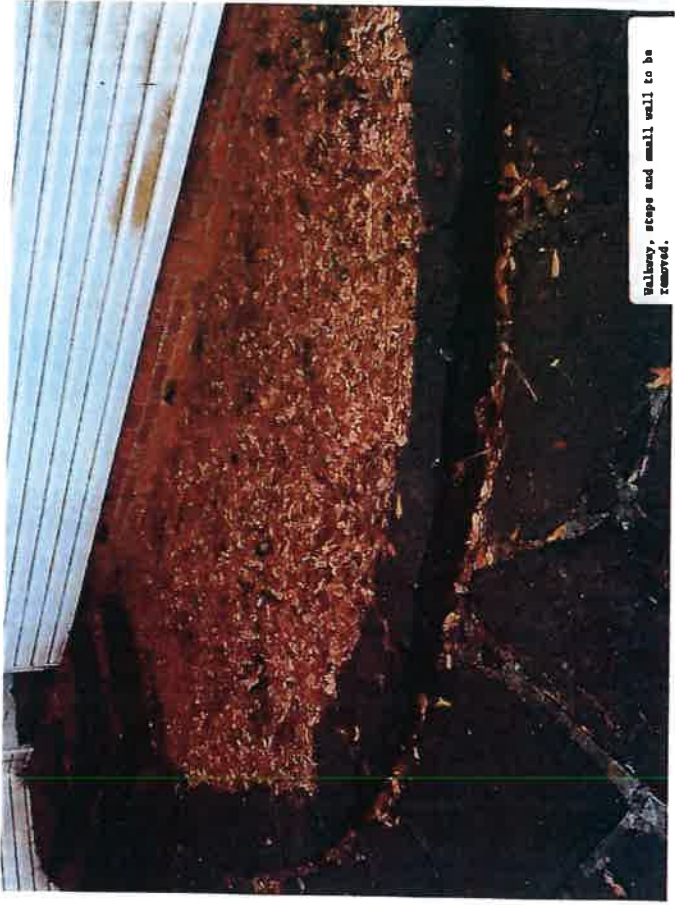
1141 Dan Johnson Road COAs

Historic Property Map Of Dan Johnson and Vilenah

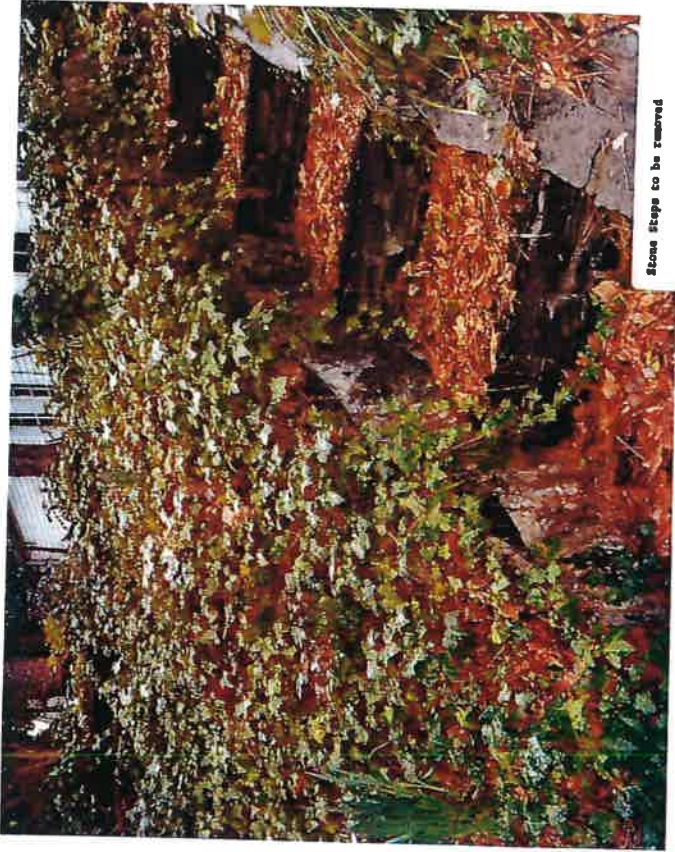
DeKalb County Topographical Map Excerpt

Photographs of homes on Dan Johnson and Vilenah

Comparative Square Footage Chart



walkway, steps and small wall to be removed.



Stone steps to be removed



Stone wall to be removed



michael quinn and associates, p.c.

2826 school drive telephone: 770-452-0744
doraville, georgia 30360 facsimile: 770-452-0827

January 4, 2012

Mr. Joseph Fritz
Phillip Clark Fine Custom Builders
3235 Roswell Road - Unit 400
Atlanta, Georgia 30305

RE: 1097 Dan Johnson Road
MQ - A Project No. 11290

Dear Joe:

On November 9, 2011, the undersigned visited the referenced project to evaluate the suitability of the existing structure for the proposed renovation. Our observations were visual only and limited to the exposed portions of the structure; we did not remove finish materials or perform soil or material tests.

The house is a two-story, wood-framed structure on a brick masonry partial crawl space/basement foundation. We understand the house was built in 1940. The house is in disrepair and has been poorly maintained. Our findings and recommendations follow:

1. The foundation consists of a double wythe brick wall and unknown footing. The non-pressure treated 2 x 10 floor joists and rim band bear directly on the brick walls. If compliance with current Code is required, the joists must be pressure-treated or otherwise protected against decay as required by Section R319 of the 2006 International Residential Code for One- and Two-Family Dwellings with the Georgia State Amendments (IRC). Attaining the required clearances between the soil, masonry, and non-pressure treated lumber is not possible with the existing foundation and grading configuration.

There is no connection of the wood framing to the foundation. If compliance with current Code is required, a connection satisfying Section R401.1.6 of the IRC must be made. Making a retrofit connection is not practical with a solid brick foundation.

To properly attach the house to the foundation, the brick foundation should be removed and replaced with either a concrete or concrete masonry wall bearing on a new footing. This may be accomplished in sections by jacking the floor system and wall above, excavating both sides of the wall, removing the wall, pouring a new footing, and building a new wall.

consulting engineers



michael quinn and associates, p.c.

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1997 Dan Johnson Road
page 2

We do not recommend lifting the entire house off the foundation and setting it back down atop a new foundation unless the soil is first excavated from both sides of the wall, the floor system is bracing the walls and preventing collapse.

Three large trees are too close to the foundation; the drip lines of the trees cover the majority of the house. We recommend removing the trees and root balls prior to attempting repairs on the house. An arborist should be consulted, if needed.

2. The main level floor is supported on a variety of piers, posts, and beams. If the existing framing will be reused, a detailed evaluation of these members should be performed.
3. The second floor system is covered by finishes and was not observed. We suspect the floor system is constructed with 2 x 10 joists, similar to the existing first floor. Once exposed during renovation, the framing should be evaluated and reinforced or replaced as necessary.
4. The ceiling and roof framing consist of 2 x 5 joists and rafters. This framing should be reinforced or replaced as necessary. The attic insulation should be brought into compliance with Energy Code requirements. We understand the full requirements may come into effect, depending on the ratio of the cost of the renovation relative to the value of the home. We further understand this ratio may trigger compliance of all construction with current Code requirements.
5. The insulation of the 2 x 4 interior walls should be verified and upgraded for efficiency and/or Code compliance. Opening the walls will likely lead to replacement/upgrade of the exposed wiring and plumbing.
6. The house does not presently have central air conditioning. Installation of a system will require modification to wall and floor framing. All modified construction should comply with current Code requirements.
7. The rear porch with the walk-out roof-deck is collapsing from failure of rotted wood members and should be removed and completely replaced.

consulting engineers

Q+A	michael quinn and associates, p.c.
2626 school drive doraville georgia 30350	telephone 770-452-0744 facsimile 770-452-0827

1097 Dan Johnson Road
page 5

- There appears to be mold throughout the house. Please note that we are not mold experts. If desired, an expert should evaluate the house and develop a remediation plan.

Considering the extent of the foundation work and associated dangers, as well as the likelihood of bringing the entire house into current Code compliance, it may be safer and more cost effective to raze the existing structure and rebuild on a new foundation. Please do not hesitate to call if you have any questions concerning this report or if we can be of further assistance.

Sincerely,
MICHAEL QUINN AND ASSOCIATES, P.C.


Michael D. Quinn


M.D. Quinn

consulting engineers



Summary Inspection Report

1097 Dan Johnson Rd; Atlanta, GA

Inspection Date:
December 6, 2011

-Prepared For:
Phillip Clark Builders

Prepared By:
Chuck LeCraw



REPAIR RECOMMENDATION HIGHLIGHTS / SUMMARY

The following is a synopsis of the immediate and/or most costly repairs needed for the building, some of which may be significant. Other repairs and improvements may also be necessary. *All work should be performed by licensed professionals.* The approximate costs of these repairs are shown in red. ("Improve" and "Monitor" items are not included).

STRUCTURAL REPAIR RECOMMENDATIONS / OBSERVATIONS

1. **Concrete:** Horizontal cracking was observed in the back foundation wall under the rear porch (see photo #1). Cracks of this nature are usually the result of soil or hydrostatic pressure. Keep water away from the foundation, review the lot and roof drainage improvements in the Exterior and Roofing sections of this report (see comments below). If these cracks should worsen, a structural engineer who is familiar with foundation repair or qualified foundation repair contractor should be consulted. The rate of movement cannot be determined during a one-time inspection.

Re-brace and Support Back Foundation Wall: \$10,000.

2. **Repair, Moisture:** There is evidence of past moisture intrusion in the crawlspace and basement areas, especially as noted at the back left corner (see photo #2). Wet crawlspaces and basements risk building damage from rot and insects and can cause interior mold or mildew (mold testing is not included in this report unless specifically requested). This condition may vary seasonally and/or with precipitation intensity. Roof and lot drainage repairs or improvements should be addressed as a first step to controlling moisture intrusion (see "Exterior and/or Roofing Sections"). This condition should then be monitored to determine if additional, potentially costly measures such as an interior french drainage system are necessary to protect the building interior from water and moisture damage.

Install Interior French Drainage System with Sump Pump: \$8,000

ROOFING AND GUTTER REPAIR RECOMMENDATIONS / OBSERVATIONS

3. **Concrete:** Overall, the roofing is nearing the end of its useful life as indicated by brittle and curling shingles and moss growth in various areas (see photo #3). Numerous areas of stains and damage were noted in the roof decking (see photos #4 and #5) and interior ceilings (see photo #3A). Previous repairs to the roofing were also noted in several locations (see photo #6). The roof should be budgeted for replacement in the very near future. Recommend removing all previous layers of roofing material and replacing all old flashings when the roof is replaced. Replace all damaged sections of roof decking as needed. The lower rear porch roof is also leaking and causing damage to the structure below and needs replacement (a tarp is currently installed over this roof - see photo #7).

Replace Roofing and Flashings: \$15,000

4. **Repair:** The gutters and downspouts require cleaning and realignment by a qualified gutter contractor to avoid spilling roof runoff around the building and into the cornice - a potential source of water entry and damage (see photo #8). Debris should also be removed from the roofing to reduce the risk of leaks and early roof wear. All leaks and joints in the gutters should be caulked and sealed. All loose gutter nails should be re-driven into the fascia board. The cornice and fascia boards behind the gutters should be checked for damage. Check all underground piping, where present, for blockages to insure that they are also draining properly. Ribbed (black corrugated) piping as noted is more prone to become blocked with debris than smooth wall piping.

Clean Repair Gutters: \$1,000

EXTERIOR REPAIR RECOMMENDATIONS / OBSERVATIONS

5. **Concern, Repair:** Many of the windows are rotted and damaged and need repair or replacement (see photos #9 and #10). Signs of rot and water damage were also observed at the rear porch, which should also be repaired as needed (see photos #11 and #12). Following repair of all damaged areas (which should be combined with exterior painting/maintenance), future maintenance of the siding and wood trim and control of water from roof to surface runoff can avoid further damage. The carpenter should check all exterior components for further damage and repair as needed.

Exterior Wood Repair and Repaint: \$25,000

6. **Concern, Repair:** The masonry chimney at the left side shows evidence of deterioration and damage (see photo #13). Rebuilding may be needed to assure a safe and functional flue system. A qualified chimney repair contractor should inspect all components and make repairs as necessary. A new rain cap and vermin screen should be installed on the chimney to reduce the risk of further damage to the damper and flue and blockages from bird and squirrel nests or other debris (existing cap is damaged - see photo #14).

Repair: Rebuild Chimney: \$8,000

7. **Repair, Safety Issue:** The front steps and stoop show signs of settlement (see photo #15). These conditions may cause uneven risers and walking areas, which may pose tripping hazards. These components should be considered for removal and rebuilding with proper foundation support to prevent future movement. In the meantime, all cracks and openings should be grouted and sealed to prevent moisture intrusion into the structure and further deterioration of the steps and landings.

Rebuild Front Steps: Stoop: \$6,000

8. **Improve:** The shrubbery and vegetation growing near exterior walls as noted should be kept trimmed away from siding, window trim, and the eaves to reduce risk of insect and water damage. Overhanging tree branches should be cut back to prevent future damage to the roofing and gutters.

ELECTRICAL REPAIR RECOMMENDATIONS / OBSERVATIONS

9. **Repair, Safety Issue:** Electrical repairs are needed, which should be performed by a licensed electrician for improved safety.

- a. Damaged or frayed insulation was noted on the main service wire, which should be repaired or replaced as needed for proper protection of the wire (see photo #16). The main electrical service must be better secured to the exterior to prevent movement and damage to the main service line (see photos #17).
- b. Damaged outlets or missing outlets as noted in the upstairs bedroom should be replaced to prevent shocking hazards (see photos #18 and #19).
- c. Improper electrical connections as noted in the crawlspace should be repaired. All electrical connections should be made with wire nuts and installed inside junction boxes fitted with cover plates to minimize shock and fire hazards (see photo #20).
- d. Missing light fixtures as noted should be re-installed or the wiring properly terminated in a covered junction box (see photo #21).
- e. The installation of smoke detectors inside all bedrooms and within 10' of all sleeping areas is recommended as required for proper safety.

Electrical Repairs: \$3,000

10. **Improve, Safety Issue:** The installation of ground fault circuit interrupter (GFCI) outlets is recommended in the kitchen and at all exterior locations as required by present day codes. A ground fault circuit interrupter (GFCI) offers increased protection from shock or electrocution. Proper weatherproof covers should be installed at all exterior outlets.

HEATING AND COOLING REPAIR RECOMMENDATIONS / OBSERVATIONS

- 11. Repair, Safety Issue:** When furnace and water heater flues vent into masonry chimneys such as this, it is important to have them inspected and cleaned on a regular basis to prevent the risk of potential blockages in the flues (see photos #23). Blocked and damaged vents pose a risk of flue gas and carbon monoxide back-ups into the house and other unsafe conditions. The configuration of metal piping connected to masonry is also more prone to rusting of the metal when the warm flue gases condense at the cooler masonry components. Relocating these vents to discharge directly to the exterior or lining the chimney would improve the safety of the venting system.

Replace Venting / Add Booster Fans: \$3,000

- 12. Repair:** All exposed supply ductwork, as noted in the crawlspace/basement should be properly wrapped with insulation and sealed with tape for proper energy efficiency (see photos #23 and #24). This will also help reduce condensates on the ductwork, which can accumulate in the crawlspace and cause mold and mildew.

Install Air Ductwork: \$800

- 13. Improve:** The installation of a central air conditioning system is recommended for improved comfort and to help in reducing humidity within the home.

PLUMBING REPAIR RECOMMENDATIONS / OBSERVATIONS

- 14. Concern:** Low water pressure was observed at the upstairs bath fixtures, especially when multiple fixtures are turned on. This may be the result of old galvanized piping that still remains here and in the street. This piping is subject to corrosion on the interior of the pipe. As corrosion builds up, the inside diameter of the pipe becomes constricted, resulting in a loss of water pressure. This piping is typically replaced when the loss of pressure can no longer be tolerated. Consult with a qualified plumber for remedies that may be available to improve these conditions.

Replace Old Galvanized Water Piping with Copper: \$15,000

- 15. Concern:** Old cast iron waste piping components are also noted will need replacement in the future to prevent blockages in the lines and leakage at the joints. Evidence of beginning rust and damage was noted in the drain line piping in the crawlspace (see photos #25 and #26).

Replace Old Cast Iron Sewer Piping: \$8,000

- 16. Repair:** There was no expansion tank or valve visible above the water heater. Expansion devices are now required by most municipalities to prevent the back up of hot water into the potable drinking water system and to prevent excessive pressure build-up in the piping systems. Consult with a qualified plumber concerning the need for this device and have installed as necessary.

Add Expansion Tank: \$500

- 17. Repair:** The water pressure at the rear exterior hose bibb was 110 psi, which is higher than normal (40-60 psi is typical). It may be necessary to install or otherwise replace the pressure regulator valve (not located) to prevent future leaks in piping, fittings or other equipment caused by higher than normal water pressure. Consult with a plumber concerning this condition and make repairs made as needed.

Add PRV: \$400

18. **Repair:** The tub spout in the upstairs bathroom does not fit tightly against the tile, which exposes a large gap at this location (see photo #27). This condition causes the wall structure to be at risk from moisture intrusion. The spout should be adjusted and secured for a tighter fit and caulked as necessary.

Adjust Tub Spouts: \$300

19. **Monitor, Possible Repair:** Signs of previous leaks were noted in the ceilings below both upstairs bedrooms, which were dry at the time of the inspection (see photo #28). Consult with seller concerning previous plumbing leaks that may have occurred here and repairs performed. If no record of repair can be produced, a plumber should investigate all piping and fixtures above this area and make all repairs necessary to prevent further leakage.

See Above for Piping Replacement

20. **Improve:** The plumbing fixtures in the bathrooms and kitchens are older components. Upgrading fixtures would be a logical long-term improvement. In the interim, a higher level of maintenance will likely be required.
21. **Monitor:** The water heater located in the basement was not on during the inspection and could not be tested. This should be turned on and tested for proper function before occupancy.

INTERIOR REPAIR RECOMMENDATIONS / OBSERVATIONS

22. **Concern, Safety Issue:** Evidence of possible mold and fungus growth was noted on the joists and floor decking in the crawlspace and basement, which can promote bacteria causing agents to infiltrate living areas (see photos #29, #30, and #31). These areas should be tested for toxicity (mold testing is not included in this report). All affected material should be cleaned and then sprayed with a fungicide for proper protection. This condition appears to be caused by improper ventilation, outside moisture intrusion, and the lack of a vapor barrier on the crawlspace floor. Proper ventilation and storm water control (see "Roofing" and "Exterior" Sections) will help control moisture in the crawlspace and will also reduce the potential for rot and termite infestations. A new moisture barrier should also be installed on the crawl space floor, which will also help in limiting humidity build-up in the area.

Mold Remediation: \$15,000

23. **Repair, Safety Issue:** Duct tape as noted in the crawlspace/basement appears to be a product that may contain asbestos (see photo #32). The Environmental Protection Agency reports that asbestos represents a health hazard if "friable" (damaged, crumbling, or in any state that allows the release of fibers). Recommended having this material evaluated and removed as necessary by a qualified asbestos removal company. Due to the age of construction, there may be other materials within the home that contain asbestos but are not identified by this inspection report (e.g. as noted at the vinyl flooring in the kitchen). Visit <http://www.epa.gov/asbestos/whohome.html> for further information on asbestos in the home.

Remove Asbestos: \$7,000

24. **Repair, Safety Issue:** There is evidence of past rodent activity in the attic as evidenced by droppings on the basement stairs (see photo #33) and/or delaminated insulation (e.g. on the ductwork). A pest control specialist should be consulted to eliminate future activity. All outside openings into the structure should be covered with screen wire or otherwise sealed. Consult with the seller concerning remedies taken to address this condition. Rodents can damage electrical wiring and other building components and can create unsanitary conditions within the home.

Redo/Exterminator / Clean-up: \$5,000

25. **Repair, Safety Issue:** The windows are in a state of mild disrepair. Broken glass and damaged window sashes and frames were noted at several locations. Most of the windows are painted or stuck shut (current safety standards require at least one operable window per bedroom for fire escape). This is a fairly common condition as found in older homes. Trimming and adjustments, hardware improvements and glazing repairs would be logical short-term improvements. Replacement of the windows should be considered as a long-term improvement. The most important factor is that the window exteriors are well-maintained to avoid rot or water infiltration and function properly for fire escape.

Complete Window Replacement (if needed): \$20,000

26. **Repair:** Damage and/or holes were noted in the walls/ceilings, especially as noted at the back right room (apparently caused by roof leaks - see photo #34), which should be repaired and repainted. Numerous cracks in the ceiling, which should be patched and sealed for further movement (see photo #33). On the whole, the interior finishes of the home are considered to be in below average condition. When repainting, repairs to the sheetrock and doors will be necessary. Please be aware that this report does not address "cosmetic" items.

Interior Repairs: \$5,000 (not including paint)

27. **Monitor, Safety Issue:** Lead based paint was in use until approximately 1978. According to the Federal Department of Housing and Urban Development, a lead hazard can be present in a house of this age. This can only be confirmed by laboratory analysis. An evaluation of lead paint and other indoor air quality issues is beyond the scope of this inspection. For more information, consult the Environmental Protection Agency (EPA) for further guidance and a list of testing labs in your area. If lead is present in the paint, special care should be taken when renovating or sanding trim and walls to prevent this material from becoming airborne and possibly inhaled by occupants.
28. **Improve:** A kitchen exhaust hood fan should be installed in the kitchen to exhaust to the building exterior.

Total: \$156,000

THE SCOPE OF THE INSPECTION

This inspection is generally cursory in nature and is intended only for the purpose of identifying major repair issues that may need to be addressed or corrected in the home as renovated. Although minor repairs and improvements are listed, further minor repairs may still be needed. The inspection does not fully comply with ASHI's Standards of Practice in terms of identifying and reporting the types of systems present. The heating and air conditioning equipment and kitchen appliances were not fully tested. Low voltage wiring components (including security and intercom systems) and lawn irrigation systems (if present) were also not tested.

This inspection is visual only. A representative sample of building components are viewed in areas that are accessible at the time of the inspection. No destructive testing or dismantling of building components is performed. This inspection report should not be considered a guarantee or warranty of any kind. Please be reminded that a prospective purchaser should not rely solely on this document and is encouraged to secure a separate inspection report.

Appendix "C" - Photographs



Clark Builders (front view)



Clark Builders (2)

Clark Builders (1)



Clark Builders (3)



Clark Builders (4)



Clark Builders (5)

Appendix "C" - Photographs



Clark Builders (6)



Clark Builders (7)



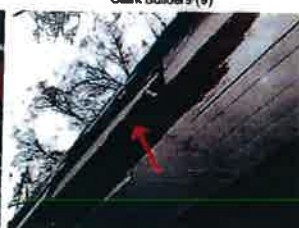
Clark Builders (8)



Clark Builders (9)



Clark Builders (10)



Clark Builders (11)

Appendix "C" - Photographs



Clark Builders (12)



Clark Builders (13)



Clark Builders (14)



Clark Builders (15)



Clark Builders (16)



Clark Builders (17)

Appendix "C" - Photographs



Clark Builders (18)



Clark Builders (19)



Clark Builders (20)



Clark Builders (21)



Clark Builders (22)



Clark Builders (22)

Appendix "C" - Photographs



Clark Builders (24)



Clark Builders (25)



Clark Builders (26)



Clark Builders (27)



Clark Builders (28)



Clark Builders (29)

Appendix "C" - Photographs



Clark Builders (30)



Clark Builders (31)



Clark Builders (32)



Clark Builders (33)



Clark Builders (34)



Clark Builders (35)

FILE COPY



DeKalb County
Historic Preservation Commission

August 20, 2008

**DeKalb County Government
Historic Preservation Commission**

330 Ponce De Leon Avenue Suite 500
Decatur, GA 30030
104 371-2155 or 404/371 2835(Fax)

CERTIFICATE OF APPROPRIATENESS

SITE ADDRESS 995 Springdale RD
Atlanta, GA 30306

PARCEL ID 18 001 06 003

APPLICATION DA July 31, 2008

APPLICAN Kasey Gryboski

MAILING ADDRE 1039 Springdale Rd Ne
Atlanta, GA 30306

THIS IS TO ADVISE YOU THAT THE DEKALB COUNTY HISTORIC PRESERVATION COMMISSION, AT ITS REGULARLY SCHEDULED PUBLIC MEETING ON AUGUST 18, 2008, REACHED THE FOLLOWING DECISION ON THIS APPLICATION:

ACTION: MODIFIED APPROVAL

1. Remove the front and left (north) side veneer, replacing it with brick that matches the original. The brick on the south side might also have to be removed, although they will not know for sure until the work is begun.
2. The front terrace is in poor condition and will also be replaced. The final result will duplicate the current terrace, with the exception that the decking may not be bluestone.
3. Replace front door and transom. The door will be a six panel wood door without windows.
4. Replace all windows.
5. Replace soffits.
6. Build rear addition. This will include an attached garage at the front of the driveway. The 8' wall shown on the south side of the addition is not approved.
7. Demolish nonhistoric garage and outbuilding.
8. Install swimming pool, terrace, and cabana.
9. Install metal gate across driveway.
10. Realign front driveway. The new drive will be 10' wide and will be surfaced with plain concrete.
11. Remove four trees, all in the backyard.

DeKalb County Historic Preservation Commission

Wednesday, January 21, 2009 - 7:00 PM

Staff Comments

Regular Agenda

E. 995 Springdale Road (DH), Kasey Gryboski. Demolish house, rebuild it according to plans previously submitted, and change design of front door. 15353

House constructed 1923. (18-001-06-003)

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

6/05 995 Springdale Road (DH), Jason O. Henderson, trustee. Build swimming pool and pool house, install wall around the backyard, remove several trees, and repair damage to main house and accessory building. Deferred from May. **Denial**

4/06 995 Springdale Road (DH), Eugene Debbs Phillips III. Replace windows, install privacy fence, modify rear roof, and remodel accessory building. 1854 **Part approved with modification, part denied**

5-06 995 Springdale Road (DH), Eugene Debbs Phillips III. Approval accessory building with buffers, terrace on top of sunroom behind the house, and add dormer on rear roof slope. 4627 **Approval as modified**

8-06 995 Springdale Road (DH), Eugene Debbs Phillips III. Expanded accessory building and screening plants. 8544 **Denied**

4-07 995 Springdale Road (DH), Eugene Debbs Phillips, III. Build wall around backyard, screen accessory building with cryptomeria plantings, build pool and pool house, extend the garage, build a granite courtyard with a wall fountain, add a gate to the courtyard from the drive entrance, and landscape well. 13381 **Denied**

8-08 995 Springdale Road (DH), Tom & Kasey Gryboski. Replace brick veneer, windows, and front door; build rear addition, demolish outbuildings, build cabana and install pool. 15040 **Approval as modified**

11-08 995 Springdale Road (DH), Kasey Gryboski. Construct brick walls on south side. 15116 **Approval**

If anyone wants to visit the property, please call the contractor Roy Aeschlimann at 404-216-5659 to schedule an appointment.

Applicant has provided documents from her contractor and from Palmer Engineering, both recommending demolition of the house because of safety issues and damage to the foundation and framing. She states the county inspector, Mike Green, agrees with these estimates. I will obtain a statement from Mr. Green.

Replacement of the foundation, framing and previously approved replacement of windows and brick leaves little of the historic building. Under the circumstances, demolition appears justified. The house will be reconstructed based on the plans previously approved.

Applicant's proposal for a similar front door was denied in August. Applicant has provided additional documentation of doors with multiple lights.

The guideline states: "In the case of a replacement for a deteriorated door, the new door should be similar to the original in design and materials."

Recommendation

The proposed demolition appears to meet the guidelines and the preservation planner recommends approval. The new door does not appear to meet the guidelines and staff recommends denial.

E. 995 Springdale Road (DH), Kasey Gryboski
page two

Relevant Guidelines

- 6.1.3 *Entrances and Arches (p54) Guideline* - Original doors should be retained unless deteriorated beyond repair. Screen and storm doors should not detract from the character of the house and should be designed to be compatible with original doors. In the case of a replacement for a deteriorated door, the new door should be similar to the original in design and materials.
- 7.3.3 *Demolition and Relocation (p75) Guideline* - Historic buildings and structures should not be demolished unless they are so unsound that rehabilitation is not possible. Historic buildings should not be moved off the property or relocated on the site, nor should other buildings be moved onto the site.



DeKalb County Department of Planning & Sustainability

Lee May
Interim Chief Executive Officer

Andrew A. Baker, AICP
Director



APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
DeKalb County Historic Preservation Commission

1. Address of Property: 1254 Stillwood Drive, Atlanta, GA 30306
Owner: Scott Sarantis, Turkey Property Investment Group
2. Name of Applicant: Kathleen Curry, Architect - Kathleen Curry LLC
3. Age of Structure: Approximate date of construction for the primary structure on the property and any secondary structures affected by this project: 91 Years - Built in 1925
4. Nature of Proposed Work:
x New Construction
x Demolition
Addition
New Freestanding Building
Fence Wall
Exterior Environmental Feature
Change
Deck or Patio
Site Preparation/Clearance
Moving a Building
Sign Erection or Replacement
Repairs or Alterations
Exterior Architectural Features
Landscaping
Other

Please describe your proposed work as simply and accurately as possible. Use the attached submittal criteria checklist to guide you in your description. Be sure to indicate building and landscape materials to be used. Accurate drawings and photographs are required. (Use extra sheet if necessary.)

FOR COMMENT ONLY

Please see attached comments. Submitting FOR COMMENT ONLY on the possibility of demolishing home of 1254 Stillwood home has been empty, exposed to the elements, for two years after a fire. During that time, no rehabilitation has taken place. A new home will be proposed formally to the Historic Commission. New Owner would like comments from the Historic Commission, to understand if demolition is a possibility prior to drawing construction documents for a new home on the site.

IMPORTANT: This form must be completed before the Historic Preservation Commission can consider the approval of any material change to a Historic Property or within a Historic District. This form, along with supporting documents (plans, material color samples, and photos), must be filed with the Historic Preservation staff, DeKalb County Planning Department, 330 West Peachtree Street, Suite 500, Decatur, Georgia 30030. Provide nine (9) collated sets of the application form and all supporting documentation. In addition, provide eight (8) collated sets of plans reduced to 11"x17" or smaller and three (3) additional sets at scale. All documents submitted in hard copy must also be submitted in pdf format. All applicable items from the attached checklist of Submittal Criteria must be addressed. Incomplete applications will not be docketed for consideration by the Historic Preservation Commission.

FOR OFFICE USE ONLY

Date received:

Initials:

Sign given: Yes No

Signature of Applicant

10/24/2016

Revised 4/10/15

**AUTHORIZATION OF A SECOND PARTY TO APPLY
FOR A
CERTIFICATE OF APPROPRIATENESS
DeKalb County Historic Preservation Commission**

I (We), SCOTT SAMSEL - CEO OF TURNKEY PROPERTY INVESTMENT GROUP, INC.
(owner) (owners) of the property described below or attached, hereby delegate authority to
KATHLEEN CUREY, ARCHITECT
to file an application in (my) (our) behalf.

10/20/16
DATE

[Signature]
OWNER

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 in high priority accordance with your certificate, the Preservation Commission will make a copy and issue order and you may be subject to any penalties including monetary fines and/or required demolition of the non-conforming work.

If your project requires that the county issue a Certificate of Occupancy at the end of construction, the preservation planner will need to inspect the completed project to ensure that the work has been completed in accord with the Certificate of Appropriateness. The review will be conducted either before or after your building inspection. If you will be requiring a Certificate of Occupancy, please notify the preservation planner through your project team's completion. **This certificate complies with the same as that approved in the City of Atlanta.** Appropriateness will not supersede any applicable City Ordinance. You may also be subject to other penalties including monetary 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. You will need to apply for a new certificate if you still intend to do the work.

Please contact the preservation planner, David Cullison (404/371-2155), if you have any questions.

HOME WORK ARCHITECTURAL STUDIO

Kathleen Curry, LLC
Kathleen Curry, Architect
(404) 319 5150

Architectural Report | 1254 Stillwood Drive, 30306
Page 1

2016 October 24

Prepared for
Turnkey Investment Group, Inc.
Scott Sampsel
501 North Orlando Ave
Suite #313-331
Winter Park, Florida 32789

Turnkey Investment Group recently acquired the residence located at 1254 Stillwood Drive in August 2016. The one-story home is in Historic Druid Hills, Unincorporated Dekalb County.

The house was hit by a fallen tree nearly two years ago, in Fall/Winter of 2014. Since that time, the previous owner, Kathleen McNulty, has allowed the house to sit vacant for these two years, with its roof trusses demolished and its roofing system gone. Only a tarp has enclosed the home since that time. The house has not been occupied.

In early October, Matt Hammond, the structural engineer, visited the site with Kathleen Curry, the architect. Noticeably, the entire roof system must be rebuilt, and constructed per current building codes. Both the structural engineer and architect are concerned about the quality of the foundation of the existing house for a rebuild. Please see Matt Hammond's structural report attached. He determined that the foundation comprises of only one wythe of brick. He is also concerned that the forces involved during reconstruction could compromise the exterior brick walls, as they are in a fragile state.

Aside from the structural issues of the foundation, and the obvious rebuilding of the roof system, I am also concerned about the amount of brick that was removed from the force of the fallen tree. I believe at the front elevation, several bricks tumbled off the structure, and are now currently piled on site. The brick facade must be rebuilt, with brick to match if possible. The Dekalb Historic Commission does not normally allow painting of brick in Historic Druid Hills. But, reusing the old, former brick, is against current building codes unless the salvaged brick meets current testing; reusing former brick is not advised normally by The Brick Industry Association.

RS08.2.6 Second hand units.

Second hand masonry units shall not be reused unless they conform to the requirements of new units. The units shall be of whole sound materials and free from cracks and other defects that will interfere with proper laying or use. Old mortar shall be cleaned from the unit before reuse.



HOME WORK ARCHITECTURAL STUDIO

Kathleen Curry, LLC
Kathleen Curry, Architect
(404) 319-6120

Architectural Report | 1254 Stillwood Drive, 30306
Page 2

Please contact me if you have any questions or concerns.

Thank you,



Kathleen Curry, Architect
Home Work Architectural Studio
Kathleen Curry, LLC
3217 Lynnray Drive
Atlanta, Georgia 30340



HOME WORK ARCHITECTURAL STUDIO

Kathleen Curry, LLC
Kathleen Curry, Architect
(404) 819-6150

Architectural Report | 1254 Stillwood Drive, 30306
Page 3



Location of fallen brick at front façade

HOME WORK ARCHITECTURAL STUDIO

Kathleen Curry, LLC
Kathleen Curry, Architect
(404) 819-6150

Architectural Report | 1254 Stillwood Drive, 30306
Page 4



Demonstrating interior, exposed to the elements for two years after tree fell

HOME WORK ARCHITECTURAL STUDIO

Kathleen Curry, LLC
Kathleen Curry, Architect
(404) 819 6150

Architectural Report | 1254 Stillwood Drive, 30306
Page 5



Location of fallen brick at front façade

HOME WORK ARCHITECTURAL STUDIO

Kathleen Curry, LLC
Kathleen Curry, Architect
(404) 319 0150

Architectural Report | 1254 Stillwood Drive, 30306
Page 6

Enclosed:
Report from Structural Engineer
Brick Industry Association Technical Bulletin 15



MH STRUCTURES

MH Structures, LLC
1087 Waterbury Close
Powder Springs, GA 30127

October 24, 2016

404-317-0746

Email: man@mhstructures.com
Website: mhstructures.com

Turkey Investment Group, Inc.
Scott Sampsel
501 North Orlando Ave
Winter Park, Florida 32789

Property: 1254 Stillwood Dr NE, Atlanta, GA 30306

Dear Mr. Sampsel,

On October 5, 2018 I visited the above property to inspect the foundation, wall, and floor structure for a planned renovation. Based on my findings, I have concerns with proceeding with a renovation of the property.

The house was originally built on a crawl space. Since then, a portion of the ground under the house was excavated, and an interior stair was added for access. My inspection inside the crawl space revealed that the foundation wall below the floor level has no structural backing to the brick. Figures 1



Figure 2



Figure 1

and 2 are pictures of the foundation wall taken from the interior of the crawl space. The foundation wall is usually backed with concrete masonry foundation block which supports the floor framing and provides a structural backing to the brick veneer. Currently the wood floor beams span to the brick pilasters that are located behind the single-wythe, brick veneer wall.

Also, I used a foundation probe to try and determine the extents of the wall foundation. Probing along the length of the brick wall along the exterior did not reveal any concrete wall footing. I did find the concrete footing for the corner pilaster. Since I did find the pilaster footing, but not the wall footing, I am concerned if the brick is supported by a concrete footing at all. Additional excavation would be needed to determine how the brick is supported. If no footing exists, then extensive work would be needed to support the brick and provide a backing to the brick. This process of trying to provide a foundation for the

supported. If no footing exists, then extensive work would be needed to support the brick and provide a backing to the brick. This process of trying to provide a foundation for the

MH STRUCTURES

MH Structures, LLC
1087 Waterbury Chase
Powder Springs, GA 30127

404-317-0748

Email: matt@mhstructures.com
Website: mhstructures.com

brick could cause cracking in the brick or brick could be lost since it has no backing structure.

This type of construction poses the following problems for the renovation:

1. The existing floor beams would not be able to support new construction, whether it be a new roof, new addition or both. The building code requires that the existing structure meet current code when the load on the existing structure increases. Since the loading of the existing structure would increase with the renovation, the beams would require additional structural supports.
2. The existing interior floor structure is not capable of carrying the additional loads from a renovation. A new floor would be required to handle these new loads, but the removal of the existing floor poses serious concerns since the existing perimeter floor beams support the exterior wall. The perimeter floor beams would have to be kept in place to support the exterior wall above, and the new floor structure tied back into the existing perimeter floor beams. In my opinion, during construction, the exterior wall could become unstable and could cause an unsafe working environment. Due to the questionable construction methods and delicate state of the structure, it is possible that parts of the exterior wall and brick could be lost unintentionally in the construction process.
3. The existing pilasters are relatively slender and may not be suitable for the additional load of a renovation.

Due to the extent of the existing foundation issues I do not recommend proceeding with the renovation, I would strongly urge you to consider demolishing the existing structure and rebuilding with new construction that would meet the 2012 International Building Code.

Sincerely,

Matt Hammond

Matt Hammond, PE
Structural Engineer
President / Owner
MH Structures, LLC



Figure 3 - Overall picture from the front.

HARRINGTON FIELD INSPECTION REPORT
AND PHOTOS
12-23-23

Harrington Engineers

4615 Jaillette Trace.
Atlanta, Ga. 30349

FIELD INSPECTION REPORT

December 23, 2022

Location: 1853 N. Decatur Rd., Decatur, Ga. Building
Type: Single Family Dwelling
By: B.W. Harrington, Jr., P.E.

Description:

The building sits on a site that slopes down sharply from the street, allowing the basement level to exit directly to grade at the rear. The site levels out in the rear for about 40ft. and then slopes down to a lower level. These topographical changes will pose challenges for any additions to the current residence on site.

The building on the lot is a 2 story wood framed single family dwelling with a partial basement. I understand it was originally constructed in 1941. All of the wood framing members appear to have been from that period. We were able to access the basement area to inspect the existing conditions. It should be noted that some construction practices, especially for single family homes from that period, the 1940's, would not be acceptable today. Such practices are evident in this home, especially in the basement area and flooring throughout the home.

The exterior foundation walls, and the interior basement walls, are constructed of brick. The brick walls appear to be two wythes of un-reinforced and un-grouted brick, which was typical for the 1940 time frame. The transverse interior basement walls are also brick and probably constructed the same as the exterior foundation walls described above. Most of the basement area has been finished to create a habitable space with a very low ceiling height. None of the exterior and interior brick foundation walls have footings supporting them. They are all erected off a 2" to 3" thick unreinforced concrete leveling slabs. Without footings, the structural integrity of the home is threatened.

There is a diagonal, stair-stepped, crack in the driveway side exterior foundation wall that extends down from a small window to the end of the house. This crack has migrated thru the wall and is visible from the interior and exterior near the junction of the driveway foundation wall and the rear foundation wall. The cause of this crack is likely due to the pressure of the soils and weight of the structure causing deflection of the unsupported foundation walls over time. If no remedial action is taken to correct this, these cracks will continue to migrate and enlarge in width. This could lead to additional settlement of the structure and cause significant damage to the structure above.

There has been some remedial work done to the existing transverse brick basement walls that support the vertical cut in the soil that created the basement. Approximately half of this transverse wall, which is brick, has been sistered with a concrete masonry block wall at the interior face. The wall is now leaning, which is caused by the lateral pressure from the retained soil, and the absence of footings to support these walls. Footings help to resist the overturning forces from the retained soil. Without footings, over time, the soil pressures will cause the wall to deflect, or lean, more which will negatively impact the existing structure. Since the floor framing is supported by these unsupported walls, a portion of these soil forces are transferred into the floor above. If these forces are not adequately resisted they can cause the floor to move in the direction of the forces, i.e., toward the rear of the house. push the structure out of alignment from its original position. I have seen similar cases where these forces have pushed the upper floors of the house as much as 2" to 3" out from their original position. The original transverse interior brick basement wall also has a slight lean to it.

It should also be noted that there are several permanent and temporary shores in various locations providing additional support for the original floor framing. The basic floor framing consist of 2x8's @16, which in most cases are too shallow to provide a safe and functional floor with the original spans. Prior

owners have installed several permanent and temporary shores in various locations in an effort to provide additional support for the original floor framing in the basement level and to decrease deflection of the foundation walls.

CONCLUSIONS:

It is my understanding that the current owners require more living space than the approximate 1900 square feet available in the existing residence. They desire to provide space for working at home, for their in laws and for future children. They propose to demolish the existing structure and build a new home on the site to meet these needs. While the County code encourages adding onto the existing historical structure rather than demolishing it, to do so according to estimates from the owners' home builder this would not be economically viable and from an engineering perspective, in my opinion, not reasonably practical.

To accomplish the homeowners' goals, there are theoretically three possible alternatives:

1. Demolish the existing structure and rebuild a new building with the spaces and infrastructure that would meet current codes, or:
2. Renovate the existing structure and add to it get the space desired.
3. Do nothing and leave as is.

Alternative 1 is pretty straight forward and will achieve the owner's goals in part. However, Alternative 2 would retain the exterior appearance but it will require major alterations to the existing structure. Based on my experience and attempting to adhere to the current Building Code, I would anticipate the following work would be required:

1. The exterior unreinforced and un-grouted brick foundation walls, as well as the interior brick foundation walls, do not have footings to support them, which is required by current Building Codes. New concrete footings for all of these walls will be required not just because the current code would require it but because any addition to the existing structure would require a foundation with footings to support the increased loads from additions needed to give the homeowners the space desired. This will require extensive shoring of the existing exterior wood frame walls and floors and removal of the existing brick foundation wall. New footings should be poured and new foundation walls rebuilt. This will require digging around the existing foundation walls and repouring new walls with footings. While this process is done frequently with old structures, it should be noted that there is a risk that the mere process of removing the soils from around the existing foundation walls could cause damage to the remaining structure. It could crack and buckle; the existing floors could shift; it could cave in and irreparable damage to the structure could occur. In my experience due to the risks involved in excavating around old foundations, other property owners when faced with this option chose not to undertake the risk. Given the poor building practices used to erect the current residence, it is likely that there are other defects not visible upon exterior inspection that will become visible upon excavation of the foundation. Mere construction activity on this site may also cause cracking and crumbling of this fragile foundation.
2. The 1st level floor joist will require new permanent supports to shorten the spans or deeper joist added to them so they can safely span to their original permanent supports. We would recommend that deeper or additional joist be added to safely span to the original supports so the temporary shoring can be removed. This will ensure continuous load paths to the foundations for the loads generated by the roof and 2nd and 1st floors.
3. The interior brick basement walls that are retaining approximately 5 to 6 feet of earth will have to be re-structured to function as conventional retaining walls. Currently, these walls do not have footings beneath them, nor are they reinforced. Based on their current construction, there is no way we can certify the structural integrity of these walls to retain the earth or support the building loads currently above, let alone any additional loads necessary to accommodate additional space desired by the homeowners. At a minimum, We recommend that new cantilevered masonry retaining walls and footings be constructed flush with the face of the existing brick walls; or construct masonry piers and footings perpendicular to the existing brick wall at approximately 4ft. on center.

4. The existing finished basement area is on two levels. Access between the levels is by a short stair, approximate 2-3 treads that each are about a foot high. Access to this stair is restricted by a kitchen counter constructed about 12" from the last tread. All of this area should be re-arranged to be more reasonably accessible.
5. The current ceiling height on both levels of the basement is very close to the minimum allowed by Building codes. The current ceiling height appears to be approximately 6'-6". It probably should be a minimum of 7ft everywhere for safety and in order to conform to the current building codes.
6. The additional space needed and desired by the homeowners will be more than 50% of the aggregate area of the building. Per my understanding of the International Residential Code for One and Two Family Dwellings adopted by DeKalb County, this would amount to an "Alteration-Level 3" requiring compliance with current code. All of the electrical and mechanical systems will have to be brought up to current Code standards. However, any plumbing or electrical penetrating the existing joists will have to be removed in total, and rerouted, for the required new joist additions.

I have reviewed the estimate provided by Homeside Construction for work to rehabilitate the existing structure such that it can be safely added onto and am of the opinion that rehabilitation of the existing structure is not economically feasible and depending upon the fragility of the foundation walls (which will not be known until excavated) may not be technically feasible. I note that staff in its report submitted to the HPC in October of 2022, seemed to suggest that because my report of September 29, 2022, presented "an option ...to renovate/rehabilitate the house", that somehow I was of the expert opinion that renovation/rehabilitation was reasonably feasible. That is not the case and I wish to correct that impression. In my opinion, given the cost, the needed engineering, and the risk of irreparable damage to the existing structure by performing the necessary foundation work, it is NOT reasonably feasible to renovate/rehabilitate the existing home on the property.

Alternative 3, If selected, will leave a building that will continue to deteriorate over the next few years and probably not be able to be sold to a new buyer. Based on my experience, given the massive cost and risks associated with Alternative 2, if demolition is not approved, property owners in situations similar to the subject owners will likely chose Alternative 3, which does nothing to enhance the as-built environment or the integrity of the building. Moreover, If the owner cannot implement the recommendations above and only renovates the interior, It is my opinion that the continuing settling and lateral movement of the foundations will cause structural problems that will require extensive work to repair in the future.

In summary, there are two major issues impeding feasibility of this home for rehabilitation and renovation to accommodate the property owners' needs: 1) its non-conforming foundation system, i.e. no footings under the foundation walls and unsafe interior brick retaining walls, and 2) the over spanned floor joist at the 1st and 2nd floors. Even though the house may visually appear to be functioning alright now, the deficiencies noted above still exist and must be addressed before the home can be added onto. We offered 3 alternatives; 1)Demolish and rebuild, 2)perform major renovation and rehabilitation, and 3)Do nothing. Due to the extensive work required and potential risks to the structural integrity posed by Alternative 2 to rehabilitate the building, and the fact that Alternative 3 does not benefit anyone, my recommendation is to select Alternative 1, demolish and rebuild, I think this is the most realistic and viable solution

If you have any questions regarding the above, please call.



Cracking within the brick cavity stem wall indicate disproportionate settling throughout the foundation due to movement in the soil over time and a lack of footings to properly disperse the weight of the structure above.

Cracking is also seen in the concrete slab of the former screen room, another indication of movement within the foundation structure. This visual indicator reveals movement within the entire rear third of the structure.





Existing brick cavity stem walls throughout show multiple attempts to point, patch and stabilize settling damage. Attempts as late as 3 years ago are already showing signs of failure.

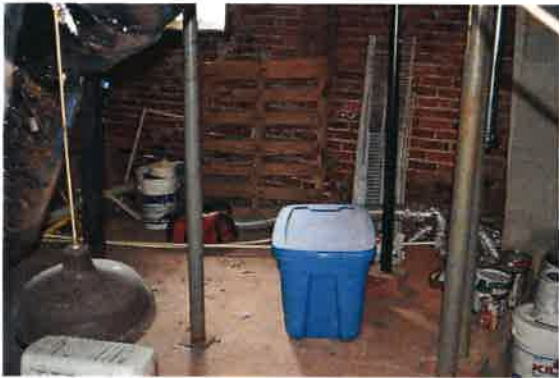
Extensive cracking in the poured concrete floor of the crawlspace show further settling and soil instability below due to the 15%+ grade and long-term drainage issues.



2x8 Floor joists are over spanned 36" average. Sagging entry level floors have been supported via multiple screw jacks in the Crawl/basement. However, 2nd floor joists would require removal of all ceilings, electrical and plumbing to facilitate 'sistering' of all joists.

In an effort to preserve and reinforce the existing structure, the owners had multiple screw jacks installed in addition to CMU walls to counteract the failure of the existing foundation system.

The photo to the right indicates persistent water intrusion under the original cavity stem walls and thru. the new CMU retaining wall



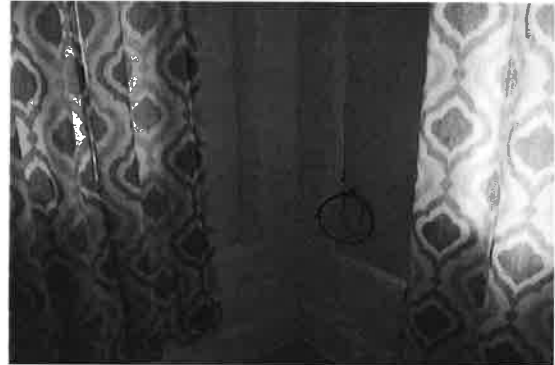
Retrofit steel bracing is supporting over-spanned floor joists, inadequate beams, and a suspended concrete slab. This level is rendered effectively unusable although the bracing employed is still insufficient.

The CMU wall installed three years ago is already showing signs of failure (leaning) and continued water intrusion.



The pillars are showing cracking and signs of settling and unsupported movement.

Terrace level Ceilings are showing deflection from the over spanned floor joists above



The tile flooring in the terrace level is uneven due to movement in the grade slab below.

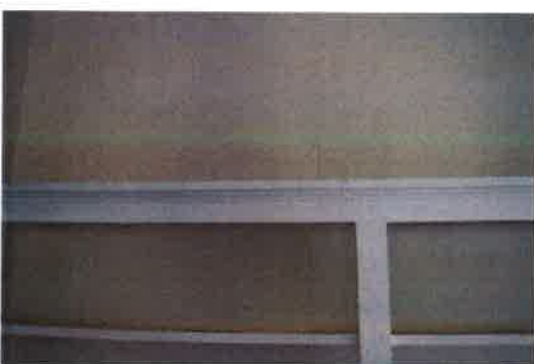
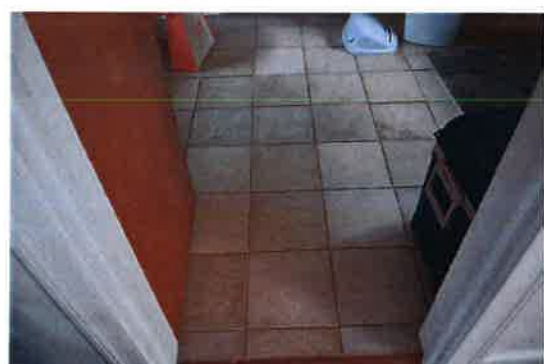
Metal columns have been installed in an effort to support the entry level above. It is unclear if footing were installed to support the columns.



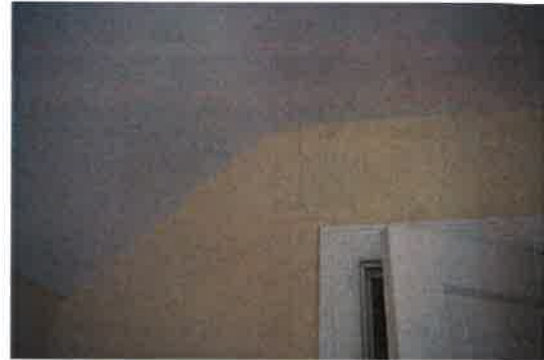
Within the scope of supporting the structure, the homeowners also performed cosmetic repairs throughout the interior of the home. Within 3 years the entry level walls show cracking in the drywall/plaster in numerous areas of the ceiling and wall surfaces, illustrating further movement of the structure post-repair.

In addition to cracking of drywall/plaster, extensive damage can be seen in the tile flooring of the kitchen, and separation within the hardwood flooring due to structure movement .

Uneven floor joists can be seen and felt throughout the entry level.



Walls on the upper-level present cracks over doorways, windows, and throughout walls in every room. Baseboard trim illustrates the movement of the floor joists below via gapping. Bathroom floor tiles have separated, unable to withstand the fluctuation of the over spanned floor joists below. Patching measures can be seen throughout that have already separated significantly in 3 years alone.



SINGLETERRY RESIDENCE

1853 NORTH DECATUR RD,
ATLANTA, GA 30307

CERTIFICATE OF APPROPRIATENESS DESIGN SET



KEY PLAN

KEYNOTE LEGEND

No.	REVISIONS/SUBMISSIONS	Date
01	CERTIFICATE OF APPROPRIATENESS	01/27/2023

Sec1

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COVER SHEET

Project No. 22080

Drawing No.

Date 01/27/2023

Scale

A0.0

SINGLETERRY RESIDENCE, NAOMI AND DJ OWNER CONTACT: (302) 858-6484

1853 NORTH DECATUR RD, ATLANTA, GA 30307

JONES PIERCE
400 PLASTERS AVENUE, SUITE 225, ATLANTA, GEORGIA 30324 :: 404-688-1050 ::



KEY PLAN

KEYNOTE LEGEND

No.	REVISIONS/SUBMISSIONS	Date
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MODEL VIEW

Project No.	22080	Drawing No.	
Date	01/27/2023	Scale	

A0-5.4

SINGLETERRY RESIDENCE, NAOMI AND DJ OWNER CONTACT: (302) 858-6484

1853 NORTH DECATUR RD, ATLANTA, GA 30307

JONES PIERCE
400 PLASTERS AVENUE, SUITE 215, ATLANTA, GEORGIA 30324

A,1 REAR (SOUTH) VIEW

N/A



KEY PLAN

KEYNOTE LEGEND

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MODEL VIEW

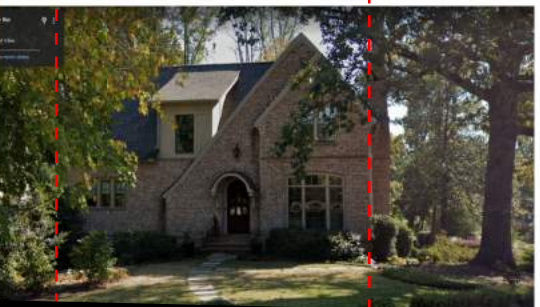
Project No.	22080	Drawing No.	
Date	01/27/2023	Scale	A0-5.5

SINGLETERRY RESIDENCE, NAOMI AND DJ OWNER CONTACT: (302) 858-6484
 1853 NORTH DECATUR RD, ATLANTA, GA 30307

JONES PIERCE
400 PLASTERS AVENUE, SUITE 225, ATLANTA, GEORGIA 30324 :: 404.688.1050 ::

A,1 SOUTHEAST VIEW
N/A

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KEY PLAN

KEYNOTE LEGEND

No.	REVISIONS/SUBMISSIONS	Date
01	CERTIFICATE OF APPROPRIATENESS	01/27/2023

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BLOCK FACE EXHIBIT PROPOSED

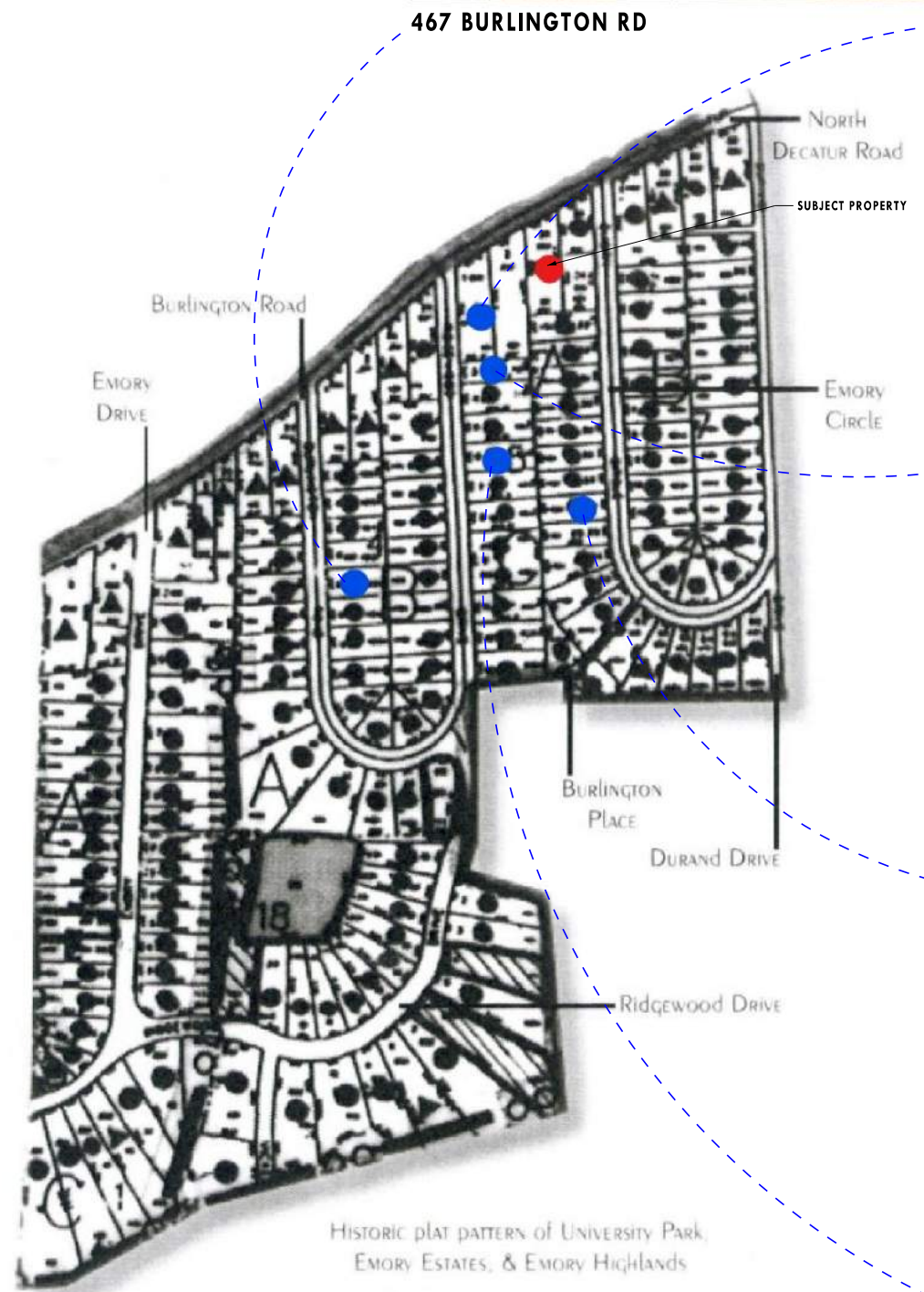
Project No. 22080 Drawing No.

Date 01/27/2023

A0.6

JONES PIERCE
400 PLASTERS AVENUE, SUITE 215, ATLANTA, GEORGIA 30324 :: 404-688-1050 ::

SINGLETERRY RESIDENCE, NAOMI AND DJ OWNER CONTACT: (302) 858-6484
1853 NORTH DECATUR RD, ATLANTA, GA 30307



467 BURLINGTON RD



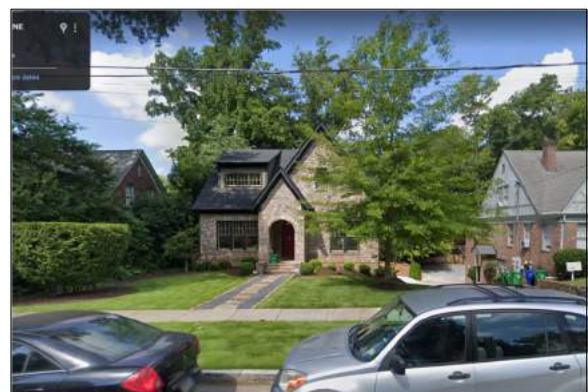
1839 N DECATUR RD



1907 RIDGEWOOD DRIVE



480 EMORY CIRCLE



1891 RIDGEWOOD DR

KEY PLAN

KEYNOTE LEGEND

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CHARACTER AREA STYLE INFLUENCES

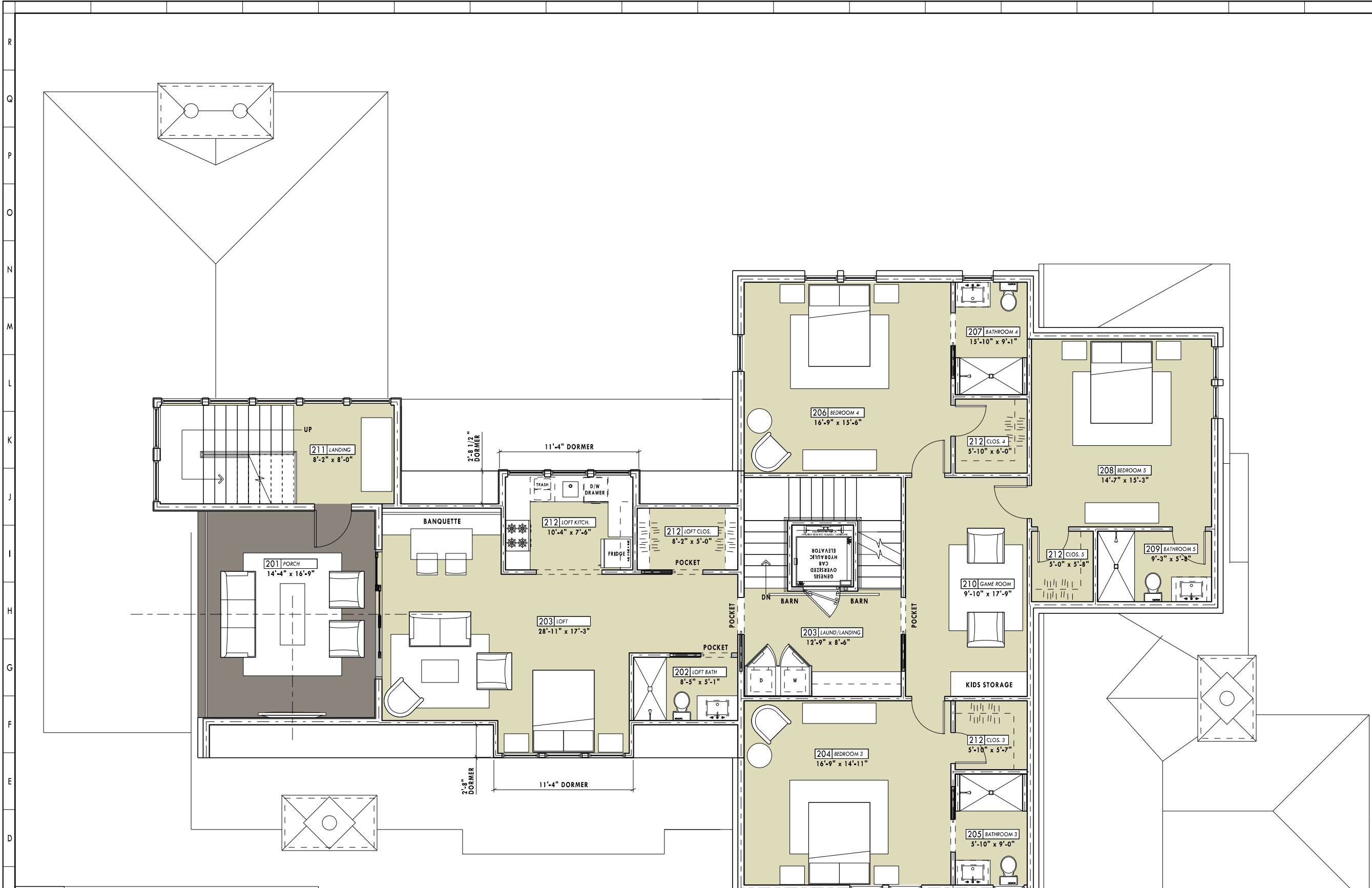
Project No. 22080 Drawing No.

Date 01/27/2023 Scale

A0.8

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1853 NORTH DECATUR RD, ATLANTA, GA 30307

JONES PIERCE
400 PLASTERS AVENUE, SUITE 215, ATLANTA, GEORGIA 30324 :: 404.688.1050 ::



KEY PLAN

KEYNOTE LEGEND

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SECOND LEVEL FLOOR PLAN

Project No. 22080 Drawing No.

Date 01/27/2023

Scale



C,1	SECOND LEVEL FLOOR PLAN
1/4" = 1'-0" 1/8" = 1'-0" WHEN PRINTED ON 11X17	
B	HEATED: 2,196 SQ.FT. PORCH: 223 SQ.FT.
A,1	AREA CALCULATIONS
NO SCALE	
A,7	PLAN NOTES
NO SCALE	

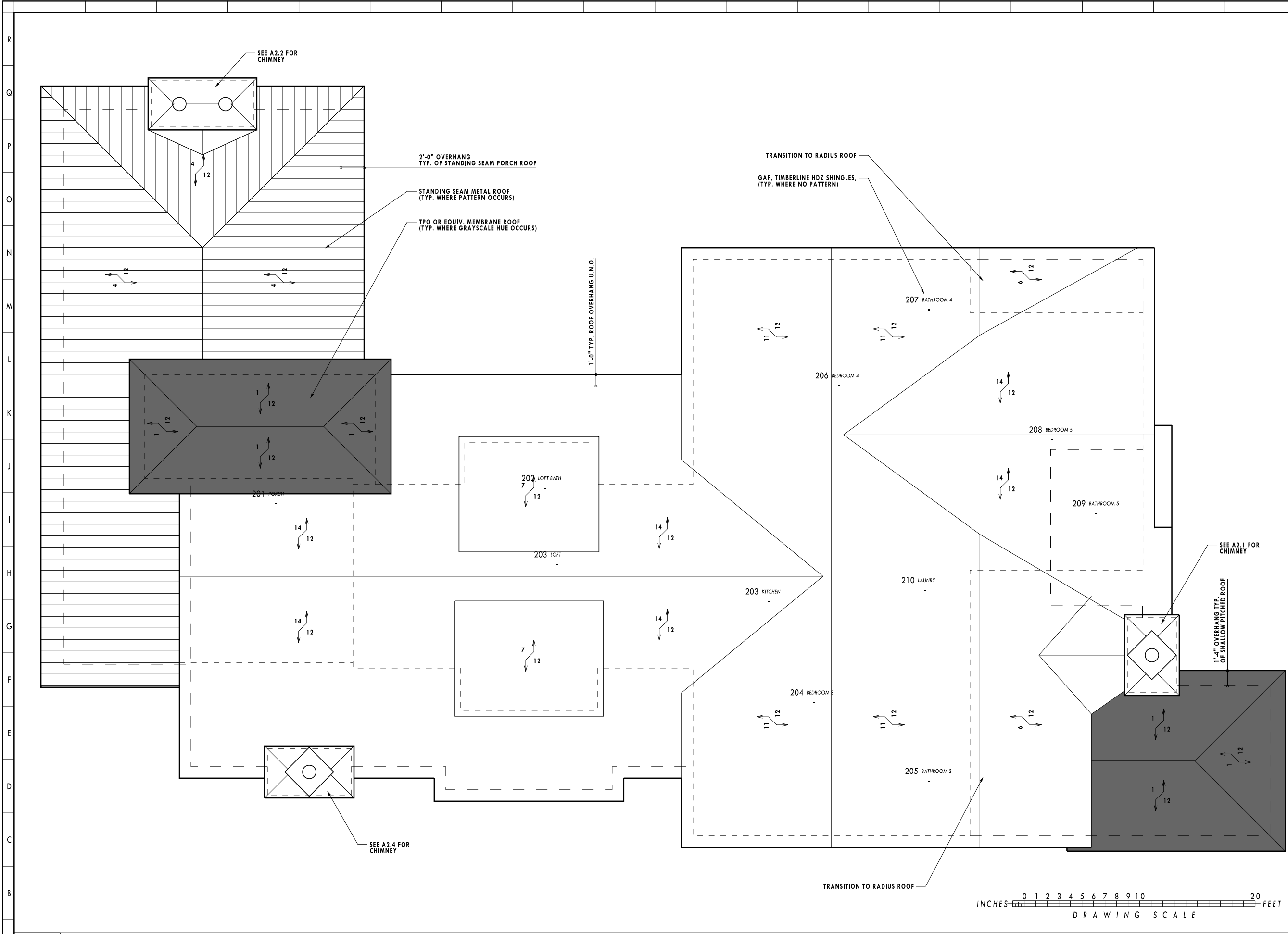
SINGLETERRY RESIDENCE, NAOMI AND DJ OWNER CONTACT: (302) 858-6484

1853 NORTH DECATUR RD., ATLANTA, GA 30307

JONES PIERCE

400 PLASTERS AVENUE, SUITE 225, ATLANTA, GEORGIA 30324

A1-2



KEY PLAN

KEYNOTE LEGEND

01	CERTIFICATE OF APPROPRIATENESS	01/27/2023
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Sec1		

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ROOF PLAN

Project No. 22080 Drawing No.

Date 01/27/2023

Scale



A,1 ROOF PLAN

1/4" = 1'-0" 1/8" = 1'-0" WHEN PRINTED ON 11X17

SINGLETERRY RESIDENCE, NAOMI AND DJ OWNER CONTACT: (302) 858-6484

1853 NORTH DECATUR RD, ATLANTA, GA 30307

JONES PIERCE

400 PLASTERS AVENUE, SUITE 225, ATLANTA, GEORGIA 30324 :: 404-688-1050 ::

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KEY PLAN

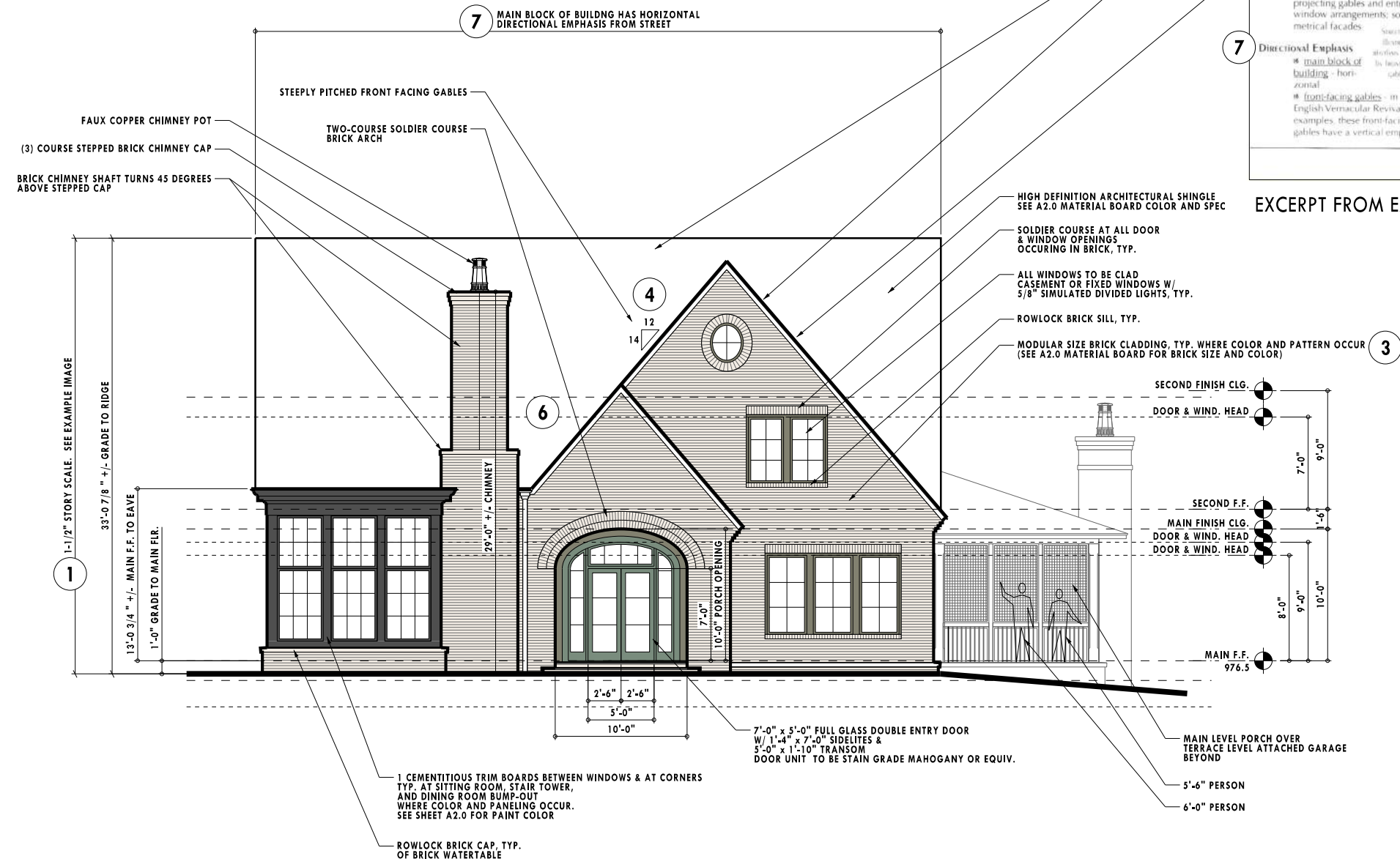
KEYNOTE LEGEND

180 University Park / Emory Highlands / Emory Estates Character Area

Building Characteristics:

- Scale:**
 - 1-1 1/2 story
- Type:**
 - single-family detached dwellings
- Style:**
 - primary English Vernacular Revival and Colonial Revival, Craftsman also represented, especially in University Park area
- Material:**
 - primarily brick veneer exterior; limited weatherboard siding and asbestos; weatherboard most common in University Park; granite used as accent material around entrances and porches and in chimneys
- Roof Form:**
 - predominant side gable main roof with cross hips and gables; English Vernacular Revival examples display steeply-pitched front-facing gables
- Roof Pitch:**
 - moderate pitches main side gable; steeply-pitched projecting bays
- Massing:**
 - asymmetrical front facade with multiple building elements such as projecting gables and entrances, dormers, chimneys, and variety of window arrangements; some Colonial Revival examples with symmetrical facades
- Directional Emphasis:**
 - main block of building - horizontal
 - front-facing gables - in English Vernacular Revival examples, these front-facing gables have a vertical emphasis

EXCERPT FROM EMORY ESTATES GUIDELINES



01	CERTIFICATE OF APPROPRIATENESS	01/27/2023
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EXTERIOR ELEVATIONS

Project No.	22080	Drawing No.	
Date	01/27/2023		
Scale			

SINGLETERRY RESIDENCE, NAOMI AND DJ OWNER CONTACT: (302) 858-6484

1853 NORTH DECATUR RD, ATLANTA, GA 30307

JONES PIERCE

400 PLASTERS AVENUE, SUITE 225, ATLANTA, GEORGIA 30324 :: 404-688-1050 ::

A,1 EXTERIOR ELEVATIONS - FRONT (NORTH) ELEVATION

3/16" = 1'-0" 3/32" = 1'-0" WHEN PRINTED ON 11X17



PARTIAL SECTION 'B' - GARAGE DOOR

PARTIAL SECTION 'A' - GARAGE DOOR

DORMER
SEE A1.2 FOR DIMENSIONS
& A1.3 FOR ROOF SLOPE & OVERHANG
PAINTED TRIM & CORNERBOARDS W/
LAP SIDING AT SIDE PANELS

1 CEMENTITIOUS TRIM BOARDS BETWEEN WINDOWS & AT CORNERS
& HARDIE BOARD CEMENTITIOUS PANELS
TYP. AT SITTING ROOM, STAIR TOWER,
AND DINING ROOM BUMP-OUT
WHERE COLOR AND PANELING OCCUR.
SEE SHEET A2.0 FOR PAINT COLOR

FAUX COPPER CHIMNEY POTS
(3) COURSE STEPPED BRICK CHIMNEY CAP
(1) COURSE STEPPED BRICK NECK COURSE
STANDING SEAM METAL ROOF
SEE SHEET A2.0 FOR COLOR

SECOND FINISH CLG.
DOOR & WIND. HEAD

SECOND F.F.
MAIN FINISH CLG.
DOOR & WIND. HEAD
DOOR & WIND. HEAD

MAIN F.F. 976.5
TERRACE FINISH CLG.
DOOR & WIND. HEAD

TERRACE F.F. 965

HARDIEPLANK SIDING W/ 7" LAP EXPOSURE
SEE A2.0 FOR COLOR.
(TYP. WHERE COLOR AND PATTERN OCCUR)
SEE A2.0 MATERIAL BOARD FOR BRICK SIZE AND COLOR

KEY PLAN

KEYNOTE LEGEND

01	CERTIFICATE OF APPROPRIATENESS	01/27/2023
No.	REVISIONS/SUBMISSIONS	Date
Scale		

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EXTERIOR ELEVATIONS

Project No. 22080 Drawing No.

Date 01/27/2023 Scale

A2-2

SINGLETERRY RESIDENCE, NAOMI AND DJ OWNER CONTACT: (302) 858-6484

JONES PIERCE
400 PLASTERS AVENUE, SUITE 225, ATLANTA, GEORGIA 30324 :: 404-688-1050 ::

1853 NORTH DECATUR RD, ATLANTA, GA 30307

A,1 EXTERIOR ELEVATIONS - WEST SIDE
3/16" = 1'-0" 3/32" = 1'-0" WHEN PRINTED ON 11X17

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KEY PLAN

KEYNOTE LEGEND

01	CERTIFICATE OF APPROPRIATENESS	01/27/2023
No.	REVISIONS/SUBMISSIONS	Date
Sec1		

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EXTERIOR ELEVATION

Project No. 22080 Drawing No.

Date 01/27/2023

A2-3

JONES PIERCE
400 PLASTER AVENUE, SUITE 225, ATLANTA, GEORGIA 30324 :: 404-688-1050 ::

SINGLETERRY RESIDENCE, NAOMI AND DJ OWNER CONTACT: (302) 858-6484

1853 NORTH DECATUR RD, ATLANTA, GA 30307

A,1 EXTERIOR ELEVATIONS - REAR (SOUTH)



FAUX COPPER CHIMNEY POT
 (3) COURSE STEPPED BRICK CHIMNEY CAP
 BRICK CHIMNEY SHAFT TURNS 45 DEGREES ABOVE STEPPED CAP
 DORMER
 SEE A1.2 FOR DIMENSIONS & A1.3 FOR ROOF SLOPE & OVERHANG
 PAINTED TRIM & CORNERBOARDS W/ LAP SIDING AT SIDE PANELS

SECOND FINISH CLG.
 DOOR & WIND. HEAD
 7'-0"
 9'-0"
 SECOND F.F.
 MAIN FINISH CLG.
 DOOR & WIND. HEAD
 DOOR & WIND. HEAD
 1'-6"
 9'-0"
 10'-0"
 MAIN F.F. 926.5
 FINISH CLG.
 DOOR & WIND. HEAD
 1'-6"
 8'-0"
 10'-0"
 TERRACE F.F. 965

44'-1" GRADE TO RIDGE +/-
 9'-7 1/8" +/- MAIN F.F. TO EAVE
 12'-8 1/4" +/- GRADE TO MAIN FLOOR

38'-9 1/4" +/- CHIMNEY

32'-2 7/8" +/- GRADE TO RIDGE
 1'-1 1/2" +/- GRADE TO MAIN FLOOR

5'-6" PERSON
 6'-0" PERSON

0 1 2 3 4 5 6 7 8 9 10 20
 INCHES FEET
 DRAWING SCALE

KEY PLAN

KEYNOTE LEGEND

01	CERTIFICATE OF APPROPRIATENESS	01/27/2023
No.	REVISIONS/SUBMISSIONS	Date

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EXTERIOR ELEVATIONS

Project No. 22080 Drawing No.

Date 01/27/2023 Scale

SINGLETERRY RESIDENCE, NAOMI AND DJ OWNER CONTACT: (302) 858-6484
 1853 NORTH DECATUR RD, ATLANTA, GA 30307

JONES PIERCE
 400 PLASTERS AVENUE, SUITE 225, ATLANTA, GEORGIA 30324

A2-4

A,1 EXTERIOR ELEVATIONS - EAST SIDE
 1/4" = 1'-0" 1/8" = 1'-0" WHEN PRINTED ON 11X17

DATE: 13 February 2023

SUBJECT: CERTIFICATE OF APPROPRIATENESS APPLICATION, 1853 N. DECATUR ROAD (TAX PARCEL: 18-052-05-035)

Dear Members of the DeKalb County Historic Preservation Commission:

We would like to object once again to the proposed demolition of the existing house at 1853 N. Decatur Road in the University Park/Emory Highlands /Emory Estates Character Area. We have expressed the basis of our objections in documents previously submitted to you and hereby invite you to review them at your convenience. **Moreover, in response to the latest application on the same matter, please consider the following objections:**

1. The house has NOT been declared unfit for human habitation. It has NOT been condemned as unsafe. It has NOT been determined as unsound for rehabilitation.
2. The demolition of this contributing property would have a significant adverse effect on our unique and interesting neighborhood by diminishing the integrity of our historic district.
3. With the exception of one, the properties approved for demolition that are cited in the application are located outside our Character Area. The only relevant one, which is located in our Character Area, is a contributing property with address 519 Durand Drive. Demolition was approved in 2006 after a fire. It was likely declared as unfit for human habitation, condemned as unsafe and determined as unsound for rehabilitation.
4. This contributing property and many others in our Character Area and the Druid Hills Historic District were not designed by an architect, which does NOT diminish their historical significance and value. In our Character Area, it reinforces their historical contribution.
5. By acquiring a contributing property in our historic district, the owners assumed responsibility for the property's preservation, rehabilitation, and maintenance and repair.
6. The feasibility statements provided are irrelevant because they fail to make a substantive case for the demolition of a currently rented contributing property, whose deficiencies can be addressed.
7. The feasibility statements are faulty for the following reasons:
 - a. The technical and economic feasibility statements confound structural issues and building standards/code issues.
 - b. The building standards/code inconsistencies are to be expected over time and are usually addressed by responsible homeowners as part of home maintenance.
 - c. The structural issues are predicated on a proposed house expansion to up to 7,000 square feet, which goes much beyond rehabilitation.
 - d. The technical and economic feasibility statements fail to specifically itemize the distinct costs for a) structural corrections, and b) bringing the house up to current building standards/codes.
 - e. The economic feasibility statement is based on the property's assessed value. This value is set by the county on real and personal property for the sole purpose of levying taxes. Therefore, the assessed value is NOT a reasonable standard to evaluate demolition feasibility.

As neighbors of the applicants (our property at 520 Emory Circle abuts on the east the applicants' property) and as residents of the University Park/Emory Highlands /Emory Estates Character Area, we object to the proposed demolition of this contributing property.

Once again, we are requesting that this Commission NOT approve this demolition.

Respectfully submitted,

Margarita S. Studemeister and Charles E. Vela
520 Emory Circle NE, Atlanta, GA 30307

DATE: 13 February 2023

SUBJECT: CERTIFICATE OF APPROPRIATENESS APPLICATION, 1853 N. DECATUR ROAD (TAX PARCEL: 18-052-05-035)

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1. The house has NOT been declared unfit for human habitation. It has NOT been condemned as unsafe. It has NOT been determined as unsound for rehabilitation. **The standard for demolition is not “unfit for human habitation” or condemnation. The experts consulted, Dennis Brown of Homside Construction and Gus Harrington of Harrington Engineers have concluded that rehabilitation is not technically or economically feasible. See written reports. Guideline 7.3.3 provides for demolition when rehabilitation is not possible. Rehabilitation means returning a building to a state of utility which makes it possible for efficient use. See 36 CFR 67.3. Due to the structural foundation issues (no footings on foundation walls, pressure of earth on these walls causing deflection and cracking, and over spanning of floor joists), it cannot currently be used efficiently.**
2. The demolition of this contributing property would have a significant adverse effect on our unique and interesting neighborhood by diminishing the integrity of our historic district. **“Diminishing the integrity of our historic district” is not the standard. 13.5-8(7) provides the legal standard by which the HPC is governed and provides that COAs shall be issued where the proposed change will not have a substantial (not mere diminishment) adverse impact on the district as a whole.**
3. With the exception of one, the properties approved for demolition that are cited in the application are located outside our Character Area. The only relevant one, which is located in our Character Area, is a contributing property with address 519 Durand Drive. Demolition was approved in 2006 after a fire. It was likely declared as unfit for human habitation, condemned as unsafe and determined as unsound for rehabilitation. **Once again the standard for demolition is not as expressed. Moreover, the standard is district wide. There is no different standard for Character Area 2 than that otherwise stated in the Guidelines and Historic Preservation as a whole.**
4. This contributing property and many others in our Character Area and the Druid Hills Historic District were not designed by an architect, which does NOT diminish their historical significance and value. In our Character Area, it reinforces their historical contribution. **Not sure what the support is for the last statement. As to the statement that the home was not designed by an architect, the Applicants specifically quoted that language from a previous staff report where staff apparently thought it was important to note the home in question was not designed by an architect in its recommendation to approve demolition of 1107 Oakdale Road. See included report.**
5. By acquiring a contributing property in our historic district, the owners assumed responsibility for the property’s preservation, rehabilitation, and maintenance and repair. **True but only where feasible. Feasibility implicitly encompasses a reasonableness**

standard.

6. The feasibility statements provided are irrelevant because they fail to make a substantive case for the demolition of a currently rented contributing property, whose deficiencies can be addressed. **Disagreed. Foundation walls are not supported by footings, floor joists are over spanned, entry hall way is sagging, foundation walls are cracked and deflected and previous efforts at remediation have failed.**
7. The feasibility statements are faulty for the following reasons:
 - a. The technical and economic feasibility statements confound structural issues and building standards/code issues.
 - b. The building standards/code inconsistencies are to be expected over time and are usually addressed by responsible homeowners as part of home maintenance.
 - c. The structural issues are predicated on a proposed house expansion to up to 7,000 square feet, which goes much beyond rehabilitation. **Not true. Stabilization is required for safety and soundness of the structure regardless of whether added on to.**
 - d. The technical and economic feasibility statements fail to specifically itemize the distinct costs for a) structural corrections, and b) bringing the house up to current building standards/codes. **It makes no sense to undertake the massive effort of stabilizing the foundation without bringing house to code and in some instances is impossible to not interfere with aging out of compliance systems when correcting the significant problem of no foundation footings.**
 - e. The economic feasibility statement is based on the property's assessed value. This value is set by the county on real and personal property for the sole purpose of levying taxes. Therefore, the assessed value is NOT a reasonable standard to evaluate demolition feasibility. **It is currently the best indicator of fair market value available to applicants. No other appraisal refuting this valuation has been offered.**

As neighbors of the applicants (our property at 520 Emory Circle abuts on the east the applicants' property) and as residents of the University Park/Emory Highlands /Emory Estates Character Area, we object to the proposed demolition of this contributing property.

Once again, we are requesting that this Commission NOT approve this demolition.

Respectfully submitted,

Margarita S. Studemeister and Charles E. Vela
520 Emory Circle NE, Atlanta, GA 30307

DeKalb County Historic Preservation Commission

Monday, March 17, 2014 - 7:00 P.M.

Staff Comments

New Construction Agenda

O. 1098 Dan Johnson Road (DH), Linda Dunlavy. Demolish house and build new house.

Built 1940. (18-002-06-020)

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

8-01 1100 Dan Johnson Road (DH), Dan J. Matthews. Demolish garage. **Approved**

12-10 1100 Dan Johnson Road (DH), Jon Evanlee Daum, trustee of Daniel Matthews. Demolish dilapidated garage.

16805 **Approved**

3-12 1098, 1100, 1116, & 1133 Dan Johnson Road; 1097, 1107, 1109, 1119, 1127, & 1137 Oakdale Road (DH), Phillip Clark Fine Custom Homes c/o Dunlavy Law Group. Reorganize property lines. 17738 **Approved with modification**

5-12 1100 Dan Johnson Road (DH), Phillip Clark Fine Custom Home Builders. Demolish secondary structure. 17855 **Approved with modification**

The existing house a is 1½ story, L-shaped building that was built in or around 1940 when Dan Johnson Road and Vilenah Lane were first laid out. The front façade is clad with fieldstone reportedly taken from earlier barns and/or sheds on the property. The rest of the house is clad with asbestos shingles. A one story porch is set in the angle of the ell. The foundation is of the same type stone as found on the front. It includes quartz, granite, gneiss and feldspar, among others. A more detailed description can be found in the accompanying report from a historic preservation consultant.

Based on his visits to the property, both inside and outside, it is staff's opinion that, although built before 1946, this property lacks architectural or historic significance and does not contribute to the historic district. The report from the preservation consultant concurs. An engineer's report also says the house is in very poor condition and the cost to bring everything up to code would be prohibitive for such a small house. Many of these deficiencies were also seen by staff.

The applicant also proposes demolishing a secondary building in the backyard. This house has a very plain bungalow form and is clad with asbestos shingles. The house was reportedly built as part of The Outdoor School (see the consultant's report for details), but has been used as an apartment for many years. In May 2012 the HPC approved demolition of three similar buildings on what are now adjoining properties. Staff has visited the property and his opinion is that the house is in poor condition and lacks architectural or historic significance. The preservation consultant's report concurs.

Staff has major concerns about the accuracy of the site plan. The neighbors dispute the location of the right (north) property line, which, depending on how the question is resolved, might affect the building setback on that side. A large water oak set inside the right-of-way and just north of the property line is not shown. The root zone extends onto the applicant's property. The plan shows two water oaks to be removed from just in front of the house, but there is only one. A large water oak growing where the garage will be built is not shown. The power line along the south property line is not shown. Two pine trees shown in the southwest corner of this site plan are located south

of the power line and may be on the neighbor's property. Although a 2'-3' retaining wall stands on the east side of the secondary building, the wall is not shown and there are no solid contour lines to show that the grade will be changed. The left elevation appears to show a retaining wall, but this is not reflected on the site plan. Although the tree protection fence and silt fence are shown in appropriate locations for the building stage of the project, the fences around the gazebo will have to be set farther out to enclose the area of the disturbance caused by the demolition of the secondary structure.

The applicant proposes building a house which will generally overlap and expand beyond the footprint of the existing house. The new house is to be set diagonally across the property, but will directly face the end of the street. The house next door at 1097 is set similarly on its lot. The new driveway will be 9' wide and run from a new 18' curb cut to a small turnaround in front of the garage. The house appears to not be set back than the houses on either side. The house to the right is old, and is set far back on the property. The house to the left was built recently and appears to be closer to the right-of-way than the subject house. The front porch will be located 29' off the right-of-way and the front wall will be 35'. There is another 18' to 20' between the edge of the right-of-way and the street pavement.

The house will be 1½ stories and three bays wide, with recessed wings on either side. The main roof pitch will be 10:12. The front porch is centered and projects forward. The porch will be clad with stone, and have a gabled roof. A pair of doors with glass over a panel will be set in the porch. The porch entry is a Tudor or Gothic arch. Large triple double hung windows will be set to each side. These windows will be topped with heavy jack arches. On the second floor, shed wall dormers will be centered over the downstairs windows and a larger gabled wall dormer will be set above the porch. The roof is side-gabled. The house will be brick, set on a stone veneered foundation in the front and right side and brick on the left and rear. The roof will be asphalt shingled.

The property falls off beside the house. On the right side a one story wing will be set back from the front of the house with its front on two planes and a swooping roof above. On the left side a wing will project to the side and then turn at an angle to face the east property line rather than the street, again similar to the house next door. The rear will have a full daylight basement below the main floor and a relatively narrow third floor set off center. A screened porch will project from wall below the third story. The roof will be standing seam with skylights. A brick chimney rises along the back of that section as well. A narrow basement and first floor rectangular wing will project into the backyard.

A freestanding screened gazebo will be built near the back of the lot. The floor will be a concrete slab veneered with brick. The roof supports will be 12" square pillars. The roof will be cross-gabled. An Isokern stove with a brick chimney will be installed on the back.

The applicant proposes cladding the front porch, foundation and wall up to the window sills with the stone removed from the existing house. As noted above, the stones are many different kinds and shapes. They are not appropriate to clad the front of this house.

Many trees will be removed and the site plan is misleading related to that. Staff has added information to the tree chart.

Based on staff's research it appears that all of the water oaks on this property and elsewhere in this subdivision are near or at their maximum expected age. Most of the sources consulted by staff give the average typical maximum age of water oaks as around 70 years. These oaks were probably planted when the subdivision was laid out and this house built in 1940. These trees are now 74 years old. Based on staff's site visit and layman's experience, all the water oaks on the property appear to be in decline and it is questionable if they are safe.

Recommendation

Staff recommends deferral to allow the applicant to correct the problems in the site plan and to address the use of the recycled stone on the building. **Staff would recommend approval of the demolition if an approvable replacement plans were available.**

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.
- 7.1 *Defining the Area of Influence* (p64) Guideline - In considering the appropriateness of a design for a new building or addition in a historic district, it is important to determine the area of influence. This area should be that which will be visually influenced by the building, i.e. the area in which visual relationships will occur between historic and new construction.
- 7.2.1 *Building Orientation and Setback* (p66) Guideline - The orientation of a new building and its site placement should appear to be consistent with dominant patterns within the area of influence, if such patterns are present.
- 7.2.2 *Directional Emphasis* (p67) Guideline - A new building's directional emphasis should be consistent with dominant patterns of directional emphasis within the area of influence, if such patterns are present.
- 7.2.3 *Shape: Roof Pitch* (p68) Guideline - The roof pitch of a new building should be consistent with those of existing buildings within the area of influence, if dominant patterns are present.
- 7.2.3 *Shape: Building Elements* (p68) Guideline - The principal elements and shapes used on the front facade of a new building should be compatible with those of existing buildings in the area of influence, if dominant patterns are present.
- 7.2.3 *Shape: Porch Form* (p68) Guideline - The shape and size of a new porch should be consistent with those of existing historic buildings within the area of influence, if dominant patterns are present.
- 7.2.4 *Massing* (p69) Guideline - The massing of a new building should be consistent with dominant massing patterns of existing buildings in the area of influence, if such patterns are present.
- 7.2.5 *Proportion* (p70) Guideline - The proportions of a new building should be consistent with dominant patterns of proportion of existing buildings in the area of influence, if such patterns are present.

O. 1098 Dan Johnson Road (DH), Linda Dunlavy
page four

- 7.2.6 *Rhythm* (p71) Guideline - New construction in a historic area should respect and not disrupt existing rhythmic patterns in the area of influence, if such patterns are present.
- 7.2.7 *Scale/Height* (p72) Guideline - New construction in historic areas should be consistent with dominant patterns of scale within the area of influence, if such patterns are present. Additions to historic buildings should not appear to overwhelm the existing building.
- 7.2.7 *Scale/Height* (p72) Guideline - A proposed new building should appear to conform to the floor-to-floor heights of existing structures if there is a dominant pattern within the established area of influence. Dominant patterns of cornice lines, string courses, and water tables can be referenced to help create a consistent appearance.
- 7.2.8 *Individual Architectural Elements* (p73) Guideline - New construction and additions should be compatible and not conflict with the predominant site and architectural elements—and their design relationships—of existing properties in the area of influence.
- 7.3.2 *New Construction and Subdivision Development* (p75) Guideline - To be compatible with its environment, new construction should follow established design patterns of its historic neighbors, including building orientation, setback, height, scale, and massing.
- 7.3.2 *New Construction and Subdivision Development* (p75) Guideline - To be compatible with its environment, new construction should follow established design patterns of its historic neighbors, including building orientation, setback, height, scale, and massing.
- 7.3.2 *New Construction and Subdivision Development* (p75) Guideline - New construction should respect the historic character that makes the area distinctive, but it should not be a mere imitation of historic design.
- 7.3.3 *Demolition and Relocation* (p75) Guideline - Historic buildings and structures should not be demolished unless they are so unsound that rehabilitation is not possible. Historic buildings should not be moved off the property or relocated on the site, nor should other buildings be moved onto the site.
- 8.2 *Trees* (p78) Recommendation - The mature hardwood forest within the Druid Hills Local Historic District should be perpetuated through a district-wide replanting program. Trees should be replaced when mature trees are lost to age or damage or are removed for safety reasons. Replacement trees should be of identical or similar varieties to the original trees. A diversity of tree types is recommended to perpetuate the existing character of most tree groupings. Replacement trees of adequate size (1.5" caliper minimum) are recommended. Existing ordinances that provide for the protection and replacement of the district's tree resources should be applied to development activities within Druid Hills.
- 8.3 *Protection of the Historic Watershed Design and Design Concept* (p79) - Guideline - All construction within the Druid Hills Local Historic District should follow a 75' setback requirement from the top of bank of creek corridors and drainage ways, as delineated on the official "Historic District Map."
- 9.1 *Original Subdivision Forms* (p81) Guideline - Elements of the original layout to be retained include lot layouts for public and private spaces and the alignment of streets, drive, walkways, and streetscape profiles.

O. 1098 Dan Johnson Road (DH), Linda Dunlavy
page five

- 9.5 *Parking* (p90) Guideline - Parking should be addressed in a manner that does not distract from the overall character of the district. Parking to serve private residential lots should be accommodated on-site, when at all possible, using the pathway of original drives and parking. Front yard parking should not be allowed unless it is a public safety issue. When front yard parking is necessary, it should be added in a manner that does not destroy the unbroken landscaped character of the front yard spaces in Druid Hills. Rear yard spaces should be considered for expansion of parking areas.
- 9.5 *Parking* (p90) Guideline - Curb cuts should not be added or expanded in order to protect the character of the district's streets.
- 9.7 *Residential Landscape Design* (p91) Recommendation - For residential yards, created without the assistance of landscape designers, historic landscape plans for other residential lots within the district should be used for guidance. These plans can be interpreted to create a new landscape plan that is based on historic traditions. Care should be taken to select designs for yards of similar size containing houses of similar style and scale.
- 11.0 *Nonhistoric Properties* (p93) Guideline - In reviewing an application for a Certificate of Appropriateness for a material change to a nonhistoric building, the Preservation Commission should evaluate the change for its potential impacts to any historic development (architecture and natural and cultural landscapes) in the area of influence of the nonhistoric property. Guidelines presented in *Section 7.0: Additions and new Construction* are relevant to such evaluations.

DeKalb County Historic Preservation Commission

Monday, May 21, 2012- 7:00 P.M.

Staff Comments

Consent Agenda

B. 1100/1098 Dan Johnson Road (DH), Phillip Clark Fine Custom Home Builders.
Demolish secondary structure. 17855

This structure constructed 1930s. (18-002-06-020)

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

8-01 1100 Dan Johnson Road (DH), Dan J. Matthews. Demolish garage. **Approved**
12-10 1100 Dan Johnson Road (DH), Jon Evanlee Daum, trustee of Daniel Matthews. Demolish dilapidated garage. 16805 **Approved**
3-12 1098, 1100, 1116, & 1133 Dan Johnson Road; 1097, 1107, 1109, 1119, 1127, & 1137 Oakdale Road (DH), Phillip Clark Fine Custom Homes c/o Dunlavy Law Group. Reorganize property lines. 17738 **Approved with modification**

This house was used as part of the Out-of Doors School, a private kindergarten that occupied part of this property in the mid-twentieth century. The structure has been converted into an apartment. Applicant does not intend to replace this building, but instead will build a larger house elsewhere on the property. This piece of property is supposed to become part of Lot 4 in the property division plan previously approved by the HPC. The two other residential structures on the property that are closer to Dan Johnson Road will not be affected by this proposal. A fourth structure straddles the property line between this property and 1107 Oakdale. That is being proposed to be demolished in the following application.

In her letter the applicant says his house was built after 1946, but she has since corrected herself. It was built in the late 1930s or at least by 1941. Although meeting the age criteria to be considered historic, this building is not architecturally or historically significant.

Recommendation

The proposed changes do not appear to have a substantial adverse effect on the district. This application appears to meet the guidelines and the preservation planner 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.

7.3.3 *Demolition and Relocation* (p75) Guideline - Historic buildings and structures should not be demolished unless they are so unsound that rehabilitation is not possible. Historic buildings should not be moved off the property or relocated on the site, nor should other buildings be moved onto the site.

DeKalb County Historic Preservation Commission

Monday, May 21, 2012- 7:00 P.M.

Staff Comments

Consent Agenda

C. 1107 Oakdale Road/1098 Dan Johnson Road (DH), Phillip Clark Fine Custom Home Builders. Demolish secondary structure. 17856

This structure constructed 1959. (18-002-06-027)

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

3-12 1098, 1100, 1116, & 1133 Dan Johnson Road; 1097, 1107, 1109, 1119, 1127, & 1137 Oakdale Road (DH), Phillip Clark Fine Custom Homes c/o Dunlavy Law Group. Reorganize property lines. 17738 **Approved with modification**

This is a nonhistoric house formerly used as part of the Out-of Doors School, a private kindergarten that occupied part of this property in the mid-twentieth century. The structure has been converted into an apartment. Applicant does not intend to replace this building, but instead will build a larger house elsewhere on the property. This piece of property is supposed to become part of Lot 4 in the property division plan previously approved by the HPC.

Recommendation

The proposed change appears to have a substantial adverse effect on the district. This application does not appear to meet the guidelines and the preservation planner recommends denial.

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.

11.0 Nonhistoric Properties (p93) Guideline - In reviewing an application for a Certificate of Appropriateness for a material change to a nonhistoric building, the Preservation Commission should evaluate the change for its potential impacts to any historic development (architecture and natural and cultural landscapes) in the area of influence of the nonhistoric property. Guidelines presented in *Section 7.0: Additions and new Construction* are relevant to such evaluations.

DeKalb County Historic Preservation Commission

Monday, May 21, 2012- 7:00 P.M.

Staff Comments

Consent Agenda

D. 1116 Dan Johnson Road (DH), Phillip Clark Fine Custom Home Builders. Demolish secondary structure. 17868

Built 1953. (18-002-06-023)

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

3-12 1098, 1100, 1116, & 1133 Dan Johnson Road; 1097, 1107, 1109, 1119, 1127, & 1137 Oakdale Road (DH), Phillip Clark Fine Custom Homes c/o Dunlavy Law Group. Reorganize property lines. 17738 **Approved with modification**

This is a nonhistoric house formerly used as part of the Out-of Doors School, a private kindergarten that occupied part of this property in the mid-twentieth century. The structure has been converted into an apartment. Applicant does not intend to replace this building, but instead will build a larger house elsewhere on the property. This piece of property is supposed to become part of Lot 4 in the property division plan previously approved by the HPC.

Recommendation

The proposed changes do not appear to have a substantial adverse effect on the district. This application appears to meet the guidelines and the preservation planner 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.

11.0 Nonhistoric Properties (p93) Guideline - In reviewing an application for a Certificate of Appropriateness for a material change to a nonhistoric building, the Preservation Commission should evaluate the change for its potential impacts to any historic development (architecture and natural and cultural landscapes) in the area of influence of the nonhistoric property. Guidelines presented in *Section 7.0: Additions and new Construction* are relevant to such evaluations.

DeKalb County Historic Preservation Commission

Monday, May 21, 2012- 7:00 P.M.

Staff Comments

Consent Agenda

E. 1127 Oakdale Road (DH), Daniel J. Matthews Trust & Phillip Clark Fine Custom Home Builders. Adjust a boundary in the previously approved division of lots. 17880

(18-002-06-023)

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

3-12 1098, 1100, 1116, & 1133 Dan Johnson Road; 1097, 1107, 1109, 1119, 1127, & 1137 Oakdale Road (DH), Phillip Clark Fine Custom Homes c/o Dunlavy Law Group. Reorganize property lines. 17738 **Approved with modification**

This is a modification to the lot plan approved by the HPC in March. A small area at the back of the new Lot 1 was previously transferred to Matthews Trust by the owner of 1385 Vilenah Lane, but the property was never replatted to show this change in ownership. Applicant has recently discovered this error and now wants to add that small area to the rear of what has been approved to be Lot 1.

Recommendation

The proposed change does not appear to have a substantial adverse effect on the district. This application appears to meet the guidelines and the preservation planner recommends approval.

Relevant Guidelines

- 9.1 *Original Subdivision Forms* (p81) Guideline - Elements of the original layout to be retained include lot layouts for public and private spaces and the alignment of streets, drive, walkways, and streetscape profiles.
- 12.1 *Druid Hills NR District Character Area 1: Plat Patterns* (p108) Recommendation - Preserve historic plat patterns through respect for existing site development patterns and rhythms.

DeKalb County Historic Preservation Commission

Monday, May 21, 2012- 7:00 P.M.

Staff Comments

Consent Agenda

L. 1133 Dan Johnson Road (DH), Phillip Clark Fine Custom Home Builders. Demolish house and garage. 17869

Built 1947. (18-002-06-016)

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

3-12 1098, 1100, 1116, & 1133 Dan Johnson Road; 1097, 1107, 1109, 1119, 1127, & 1137 Oakdale Road (DH), Phillip Clark Fine Custom Homes c/o Dunlavy Law Group. Reorganize property lines. 17738 **Approved with modification**

This is a nonhistoric ranch house. In March the HPC approved a CoA to divide this property into two lots as part of a larger lot division. Applicant proposes demolishing the house now rather than waiting until the proposals for new houses are ready. The applicant says this is necessary so that the applicant can go ahead with the approved separation of these two lots. The garage will not be current zoning code when the lots are divided.

Applicant has already applied for this lot division so demolition on this site is appropriate.

Recommendation

The proposed change appears to have a substantial adverse effect on the district. This application does not appear to meet the guidelines and the preservation planner recommends denial.

Relevant Guidelines

Although guideline 7.3.3 Demolition and Relocation (p75) applies only to historic buildings and structures, the accompanying text says, "Proposed plans for the redevelopment of the site that effect the appearance should be part of this evaluation."

11.0 Nonhistoric Properties (p93) Guideline - In reviewing an application for a Certificate of Appropriateness for a material change to a nonhistoric building, the Preservation Commission should evaluate the change for its potential impacts to any historic development (architecture and natural and cultural landscapes) in the area of influence of the nonhistoric property. Guidelines presented in Section 7.0: Additions and new Construction are relevant to such evaluations.

DeKalb County Historic Preservation Commission

Monday, May 21, 2012- 7:00 P.M.

Staff Comments

Regular Agenda

M. 1153 Oakdale Road (DH), Phillip Clark Fine Custom Home Builders. Demolish house.
17870

Constructed 1953. (18-002-06-008)

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

This is a nonhistoric ranch house. In March the HPC approved a CoA to re-divide the property across Vilenah Drive which is in the same ownership. Applicant proposes demolishing the house now rather than waiting until the proposal for new house is ready. The applicant says this is necessary so that the applicant can go ahead with the project.

Recommendation

This would leave an open space on Oakdale which may or may not be built on soon. The proposed change would have a substantial adverse impact on the district. This application does not appear to meet the guidelines and the preservation planner recommends denial.

Relevant Guidelines

Although guideline 7.3.3 Demolition and Relocation (p75) applies only to historic buildings and structures, the accompanying text says, "Proposed plans for the redevelopment of the site that effect the appearance should be part of this evaluation."

*11.0 Nonhistoric Properties (p93) Guideline - In reviewing an application for a Certificate of Appropriateness for a material change to a nonhistoric building, the Preservation Commission should evaluate the change for its potential impacts to any historic development (architecture and natural and cultural landscapes) in the area of influence of the nonhistoric property. Guidelines presented in *Section 7.0: Additions and new Construction* are relevant to such evaluations.*