SUBJECT: Appeal of Decision of the Historic Preservation Commission Concerning Property Located at 1300 Oxford Road by Jeremy Catlin

ATTACHMENTS (PAGES)

- 1. Attachment list (page 1)
- 2. Appeal (page 2- 5)
- 3. Denial Form and Decision Form (page 6-9)

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

- 4. Staff report (page 10-11)
- 5. Application and supporting documents (page 12-39)



Chief Executive Officer

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director

Michael Thurmond

Andrew A. Baker, AICP

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

All appeals must comply with the procedures set forth herein.

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

To be completed by County:

Date Received:

To be completed by appellant:

Name: Jeremy Catlin and Alycia Downs

Address of appellant: 1300 Oxford Road Atlanta GA 30306

Address of Property: Same

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: May 16, 2022

Date of Historic Preservation Commission decision: The decision is dated May 20, 2022 and was provided to appellants on May 23, 2022.



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 stated reason for the denial of this request was a violation of guideline 9.1. However, there is a significant dispute as to whether that guideline even applies to the request at issue. The board members who heard this request were split on that issue with the chairperson, Matthew Stoddard, agreeing that it did not apply and voting in favor of granting this request. As is detailed in the supporting explanation, appellants contend the applicable rule is 9.7, which governs 'Residential Landscape Design', and is on point for this request. Further, all voting members of the board, as well as preservation representatives agreed that the rules were "ambiguous" as applicable to the current request. Mr. Stoddard acknowledged that ambiguously drafted rules should be construed in favor of the applicant. Notably, the motion for the denial of the certificate during the hearing expressly did not not include a statement that the members of the board believed any rule was broken. Rather, the split decision was based on the personal preference of three members of the board. The decision should be overturned because rule 9.1 was not violated, the preservation commission exceeded the limits of its authority, the decision was not based on factors set forth in the section 13.5-8(3) of the DeKalb County Code, the decision was not based on the guidelines adopted by the preservation commission pursuant to section 13.5-6, and the decision was arbitrary and capricious.

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: June 4, 2022 Signature: Teremy Callin

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 Statement is Support of Certificate of Appropriateness for 1300 Oxford Road

What is at Issue?

The work at issue relates to paving stones that were placed in the front yard of the property in question extending from the front porch to the sidewalk.

Why are we here??

At the hearing related to this request, the certificate for appropriateness was approved in part and denied in part. The board approved work that was done to the front walkway that extends to the driveway and the driveway itself. The board denied the request as it pertains to pavers that extend to the sidewalk. The homeowners are now appealing that denial.

What happened at the hearing?

At the hearing there were four voting board members. The chairperson at the meeting, Matthew Stoddard, made a motion to approve the entire request of the homeowners. However, that motion was not seconded and a second motion was made to approve part of the request and deny part (as detailed above). This motion was seconded and ultimately passed by a vote of 3-1. Matthew Stoddard voted against that motion as he did not believe the work in question violated the rules at issue. Notably, the motion that ultimately succeeded specifically did not include a statement that the board members believed there was a violation of any rule. This question was asked directly by the applicants and was answered with a response that the motion did not include a conclusion that any rule was broken. Rather, it appeared that the decision was based on the personal preference of the three people who voted in favor of the motion.

What are the rules at issue?

The decision denying the request, as well as the position set forth by the county representatives prior to the hearing, cites a violation of Rule 9.1. Rule 9.1 is the first rule in section 9 of the historic guidelines and is titled 'Original Subdivision Forms'. A thorough reading of rule 9.1 makes no mention of individual property elements. Rather, it speaks of governing "the physical framework of the district" and discussed the "configuration of streets, public open spaces, and private lots." This section is discussing high level layout of Druid Hills, not whether individual lots have paving stones in their front yard. A reading of this rule made it clear to the applicants, as well as some of the board members, that it did not apply to the current request.

Further supporting that position is the fact that there is a rule that is exactly on point, Rule 9.7, which is titled 'Residential Landscape Design'. This rule discusses specifically the "intent for front yards" and is clear that it pertains directly to the type of work at issue in the current request. Notably, there is no contention that this rule has been violated in the decision provided. The recommendation provided by this rule is that "for residential yards, created without the assistance of landscape designers, historic landscape plans for other residential lots within the district should be used as guidance."

The appellants submit that they followed this recommendation precisely. Before taking on this project they reviewed many other properties within the district that have nearly identical steps extending from the front porch to the sidewalk. The appellants submitted photos of these properties as part of their request. In short, the work at issue is consistent with other homes within the district and is therefore compliant with the applicable rule governing the request in question.

What else should I know?

As stated above, there was significant discussion about the request at issue here during the hearing. There were long periods of silence, discussion, and reading of rules. Ultimately, the board was split on what to do. After the vote, at the end of the call, there was a discussion about changing the rules to make them more clear. That is the one thing everyone agreed on, that the rules were not clear. When the rules are not clear, I believe the benefit of the doubt should be provided to homeowner. We took action that we in good faith believed was within the rules and regulations and one fourth of the voting panel agreed. We believe it is not fair to hold homeowners to rules that are ambiguous and doing so would cause our family a significant hardship in the case. As such, we are asking that this decision be reversed as it was not based on the violation of a rule. Enforcing this decision is not in line with the overarching purpose of the historical board review as stated clearly by Matthew Stoddard at the beginning on the hearing, which is to enforce a set of rules.



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

Andrew A. Baker, AICP

August 16, 2022

NOTICE OF DENIAL

SITE ADDRESS:

1300 OXFORD RD

PARCEL ID:

18 054 09 041

APPLICANT:

Alicia Downs & Jeremy Catlin

MAILING ADDRESS:

1300 Oxford Rd

Atlanta, GA 30306

THIS IS TO ADVISE YOU THAT THE DEKALB COUNTY HISTORIC PRESERVATION COMMISSION, AT ITS PUBLIC MEETING ON August 15, 2022 REACHED THE FOLLOWING DECISION ON THIS APPLICATION:

ACTION: DENIAL

The commission determined that the construction of the walkway directly between the front porch and the street does not comply with guideline 9.1 and would have a substantial adverse effect on the property and the 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



404.371.2155 (o) 404.371.4556 (f) DeKalbCountyGa.gov Clark Harrison Building 330 W. Ponce de Leon Ave Decatur, GA 30030

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

Original Subdivision Forms (p81) Guideline - Elements of the original layout to be retained 9.1 include lot layouts for public and private spaces and the alignment of streets, drive, walkways, and streetscape profile.

Date

Decision of the DeKalb County Historic Preservation Commission

Maine of Applicant Allo	a Downs & Jeremy Catilin
Address of Property:1300	Oxford Rd
Date(s) of hearing if any:Augu	ust 15, 2022
Case Number:1245	758
□ Approved ☑ Denied	☐ Deferred
on behalf of the applicant and all oth that the proposed change(s) will not	tion Commission, having considered the submissions made er matters presented to the Preservation Commission finds have a substantial adverse effect on the aesthetic, historic, e of the historic district and hereby approves the issuance of
Any conditions or modifications are s	shown below.
the historical and architectural value landscaping; general design; arrang involved and the relationship of supertinent features of other properties county code and specifically by the county code and specifically by the county code.	cy, § 13.5-8(3), the Preservation Commission has considered and significance; architectural style; scale; height; setback; gement; texture and materials of the architectural features ch texture and materials to the exterior architectural style; in the immediate neighborhood, as prescribed generally by listrict design guidelines. xisting building, pursuant to the authority granted to the
Preservation Commission by Code of has also used the Secretary of the li with Guideline for Preserving, Reha	f DeKalb County, § 13.5-8(3), the Preservation Commission nterior's Standards for the Treatment of Historic Properties abilitating, Restoring and Reconstructing Historic Buildings tion Commission finds that all relevant guidelines have been
Additional pertinent factors:	
commission for a new review. The ap the driveway with concrete, replaced	ersed by on appeal and remanded to the preservation oplicants have replaced bricks that had been laid alongside the concrete front walk that ran between the porch and the ectangular stepping stones, and laid a stepping stone lk.
Application is approved with condition	ns or modifications □/without conditions or modifications □

Conditions or modifications (if applicable):				
Denial: The Preservation Commission has date				
Denial : The Preservation Commission has determined appearance would have a substantial adverse esignificance and value of the historic property or	effect on the aesthetic, historic or architectural			
provided sufficient information for the Preservat Specifically, the Preservation Commission finds a				
The stepping stone walkway laid from the porch to 9.1 which states that elements of the original layou stepping stone walkway from the porch to the side orientation of walkway from the porch to the drivew	t, including walkways, should be retained. The walk would be a change in the historic			
Deferral : The Preservation Commission has defreasons:	erred action on this application for the following			
The application will be re-heard by the Historic Pr	reservation Commission at its meeting on			
Date: 8 - 17 - 2027 Sign	nature:			
	e Chair, DeKalb County / toric Preservation Commission			

DeKalb County Historic Preservation Commission

Monday August 15, 2022- 6:00 P.M.

Staff Report

Regular Agenda

I. 1300 Oxford Road, Alicia Downs & Jeremy Catlin. Replace nonhistoric bricks along the driveway and relocate the front walk. 1245758 **Remanded**

Built 1929. (18 054 09 041)

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

Summary

The May HPC decision was reversed by on appeal and remanded to the preservation commission for a new review.

Motion approved by the Board of Commissioners:

"I move to reverse and remand the Historic Preservation Commission's decision with direction. On remand, the Commission should determine whether the walkway between the front porch and the street retains the original layout of the property pursuant to Guideline 9.1 (Original Subdivision Forms). The Commission should also determine whether the walkway is consistent with other relevant properties in the surrounding area."

Staff has researched the properties depicted in the photos provided by the applicant and the results are

The applicants have replaced bricks that had been laid alongside the driveway with concrete, replaced the concrete front walk that ran between the porch and the driveway on a different footprint with rectangular stepping stones, and laid a stepping stone walkway from the porch to the sidewalk. The applicant says he was not aware that a certificate of appropriateness was required before he made these changes.

The applicant says the front walk was in very poor condition and interfered with the Japanese maple that has been planted between the walkway and the house. (Historic Google street view photo shows that the tree had been planted prior to 2007.)

The applicant says that the material for the walk and the walk from the porch to the sidewalk were based on similar walkways he had seen in the historic district. He has provided photos of several of these.

Recommendation

Deny. The walkway to the street does not comply with guideline 9.1 and would have a substantial adverse effect on the property and the historic district.

I. 1300 Oxford Road, Alicia Downs & Jeremy Catlin Page 2

Relevant Guidelines

- 5.0 Design Review Objective (p45) When making a material change to a structure that is in view from a public right-ofway, 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.
- *Original Subdivision Forms* (p81) <u>Guideline</u> 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.





Chief Executive Officer

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director

Michael Thurmond Andrew A. Baker, AICP

DeKalb County Historic Preservation CommissionAugust 15, 2022

1300 Oxford Road, Alicia Downs & Jeremy Catlin. Relocate the front walk. 1245758 Remanded

The May HPC decision was reversed by on appeal and remanded to the preservation commission for a new review.

Motion approved by the Board of Commissioners:

"I move to reverse and remand the Historic Preservation Commission's decision with direction. On remand, the Commission should determine whether the walkway between the front porch and the street retains the original layout of the property pursuant to Guideline 9.1 (Original Subdivision Forms). The Commission should also determine whether the walkway is consistent with other relevant properties in the surrounding area."

Research results on photos provided by the applicant in May 2020

David Cullison, 7/27/22

1. 794 Springdale Rd

In Atlanta. Historic steps show that this was the original footprint. Current paving in place prior to 2007.

2. 957 Springdale Rd

Installed without a COA in either 2016 or 2017. Not on the original footprint.

3. 987 Springdale Rd

Installed without a COA after Feb 2020. On original footprint.

4. 1045 Oxford Rd

Installed without a COA in 2020 or 2021. Not on original footprint.

5. 1119 Clifton Rd

Installed prior to 2007. Appears not to be the original footprint.

6. 1153 Oakdale Rd

Installed with the new house in 2016.

7. 1184 Oxford Rd

Approved in 2019 on generally original footprint.

8. 1282 Oakdale Rd

Installed without a COA after Feb 2020.

9. 1330 Emory Rd

Flagstones installed prior to 2007 on the original footprint.

10, 1374 Harvard Rd

Flagstones installed prior to 2007 on what appears to be the original footprint. The house was built in 1951, so the flagstones might be original.

11. 1387 Harvard Rd

Flagstones approved in 2014 on a nonhistoric footprint.

12. 1454 Cornell Rd

Installed without a COA sometime between 2014 and 2018.

SUBJECT: Appeal of Decision of the Historic Preservation Commission Concerning Property Located at 1300 Oxford Road by Jeremy Catlin and Alycia Downs

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- 3.Denial Form and Decision Form (pages 6-9)

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

- 4.Staff report (pages 10)
- 5. Application and supporting material (pages 11-26)



Chief Executive Officer

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director

Michael Thurmond

Andrew A. Baker, AICP

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

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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: Jeremy Catlin and Alycia Downs

Address of appellant: 1300 Oxford Road Atlanta GA 30306

Address of Property: Same

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: May 16, 2022

Date of Historic Preservation Commission decision: The decision is dated May 20, 2022 and was provided to appellants on May 23, 2022.



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 stated reason for the denial of this request was a violation of guideline 9.1. However, there is a significant dispute as to whether that guideline even applies to the request at issue. The board members who heard this request were split on that issue with the chairperson, Matthew Stoddard, agreeing that it did not apply and voting in favor of granting this request. As is detailed in the supporting explanation, appellants contend the applicable rule is 9.7, which governs 'Residential Landscape Design', and is on point for this request. Further, all voting members of the board, as well as preservation representatives agreed that the rules were "ambiguous" as applicable to the current request. Mr. Stoddard acknowledged that ambiguously drafted rules should be construed in favor of the applicant. Notably, the motion for the denial of the certificate during the hearing expressly did not not include a statement that the members of the board believed any rule was broken. Rather, the split decision was based on the personal preference of three members of the board. The decision should be overturned because rule 9.1 was not violated, the preservation commission exceeded the limits of its authority, the decision was not based on factors set forth in the section 13.5-8(3) of the DeKalb County Code, the decision was not based on the guidelines adopted by the preservation commission pursuant to section 13.5-6, and the decision was arbitrary and capricious.

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Date: June 4, 2022 Signature: Teremy Callin

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 Statement is Support of Certificate of Appropriateness for 1300 Oxford Road

What is at Issue?

The work at issue relates to paving stones that were placed in the front yard of the property in question extending from the front porch to the sidewalk.

Why are we here??

At the hearing related to this request, the certificate for appropriateness was approved in part and denied in part. The board approved work that was done to the front walkway that extends to the driveway and the driveway itself. The board denied the request as it pertains to pavers that extend to the sidewalk. The homeowners are now appealing that denial.

What happened at the hearing?

At the hearing there were four voting board members. The chairperson at the meeting, Matthew Stoddard, made a motion to approve the entire request of the homeowners. However, that motion was not seconded and a second motion was made to approve part of the request and deny part (as detailed above). This motion was seconded and ultimately passed by a vote of 3-1. Matthew Stoddard voted against that motion as he did not believe the work in question violated the rules at issue. Notably, the motion that ultimately succeeded specifically did not include a statement that the board members believed there was a violation of any rule. This question was asked directly by the applicants and was answered with a response that the motion did not include a conclusion that any rule was broken. Rather, it appeared that the decision was based on the personal preference of the three people who voted in favor of the motion.

What are the rules at issue?

The decision denying the request, as well as the position set forth by the county representatives prior to the hearing, cites a violation of Rule 9.1. Rule 9.1 is the first rule in section 9 of the historic guidelines and is titled 'Original Subdivision Forms'. A thorough reading of rule 9.1 makes no mention of individual property elements. Rather, it speaks of governing "the physical framework of the district" and discussed the "configuration of streets, public open spaces, and private lots." This section is discussing high level layout of Druid Hills, not whether individual lots have paving stones in their front yard. A reading of this rule made it clear to the applicants, as well as some of the board members, that it did not apply to the current request.

Further supporting that position is the fact that there is a rule that is exactly on point, Rule 9.7, which is titled 'Residential Landscape Design'. This rule discusses specifically the "intent for front yards" and is clear that it pertains directly to the type of work at issue in the current request. Notably, there is no contention that this rule has been violated in the decision provided. The recommendation provided by this rule is that "for residential yards, created without the assistance of landscape designers, historic landscape plans for other residential lots within the district should be used as guidance."

The appellants submit that they followed this recommendation precisely. Before taking on this project they reviewed many other properties within the district that have nearly identical steps extending from the front porch to the sidewalk. The appellants submitted photos of these properties as part of their request. In short, the work at issue is consistent with other homes within the district and is therefore compliant with the applicable rule governing the request in question.

What else should I know?

As stated above, there was significant discussion about the request at issue here during the hearing. There were long periods of silence, discussion, and reading of rules. Ultimately, the board was split on what to do. After the vote, at the end of the call, there was a discussion about changing the rules to make them more clear. That is the one thing everyone agreed on, that the rules were not clear. When the rules are not clear, I believe the benefit of the doubt should be provided to homeowner. We took action that we in good faith believed was within the rules and regulations and one fourth of the voting panel agreed. We believe it is not fair to hold homeowners to rules that are ambiguous and doing so would cause our family a significant hardship in the case. As such, we are asking that this decision be reversed as it was not based on the violation of a rule. Enforcing this decision is not in line with the overarching purpose of the historical board review as stated clearly by Matthew Stoddard at the beginning on the hearing, which is to enforce a set of rules.





Chief Executive Officer

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director

Michael Thurmond

Andrew A. Baker, AICP

May 20, 2022

NOTICE OF DENIAL

SITE ADDRESS: 1300 OXFORD RD PARCEL ID: 18 054 09 041

APPLICANT: Alicia Downs & Jeremy Catlin

MAILING ADDRESS: 1300 Oxford Rd

Atlanta, GA 30306

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

ACTION: DENIAL

The commission determined that the walkway between the front porch and the street does not comply with Guideline 9.1 and approval would have a substantial adverse effect. 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

9.1 Original Subdivision Forms (p81) <u>Guideline</u> - 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.

Matthew Stoddard, Vice Chair

5-20-2022

Decision of the DeKalb County Historic Preservation Commission

Name of Applicant:	Ali	icia Downs & Je	emy Catlin	
Address of Property	v:130	00 Oxford Rd		
Date(s) of hearing if	any:Ju	ne 21, 2022		
Case Number:				
☑ Approved	☑ Denied	☐ Deferred		
on behalf of the appli- that the proposed cha	cant and all o ange(s) will no cance and va	other matters pre ot have a substa	sented to the Preservantial adverse effect or	the submissions made ation Commission finds the aesthetic, historic, oproves the issuance of
Any conditions or mo	difications are	shown below.		
☑Pursuant to Code o	of DeKalb Cou	unty, § 13.5-8(3),	the Preservation Com	mission has considered
landscaping; general involved and the rela	design; arra ationship of s other propertion	ingement; texture such texture and es in the immedi	e and materials of the materials to the exte ate neighborhood, as	scale; height; setback; e architectural features erior architectural style; prescribed generally by
Preservation Commis has also used the Se with Guideline for Pr	ssion by Code ecretary of the eserving, Re	e of DeKalb Cour e Interior's Stand habilitating, Res	ty, § 13.5-8(3), the Prards for the Treatmer toring and Reconstru	uthority granted to the eservation Commission nt of Historic Properties cting Historic Buildings nt guidelines have been
Additional pertinent	factors:			
			e and replace the conc ping stones on a differe	rete front walk between ent footprint.
Application is approve	ed with condit	ions or modificat	ons ☑./without condit	ions or modifications 🏻

Conditions or modifications (if ap	pplicable):
The proposal to install a walkway be	etween the house and the street was not approved.
	ssion has determined that the proposed material changes
	ntial adverse effect on the aesthetic, historic or architectur ic property or the historic district ☑/ or, the applicant has n
[B. 프리토스 프로그램 시네일() 그렇게 하네 () 14세계() 이번 10.	the Preservation Commission to approve the application is
	ne walkway from the porch to the street does not comply with
guideline 9.1 and would have a sub	ostantial adverse effect.
}	
ma dalamawa -	
Deferral : The Preservation Commireasons:	ission has deferred action on this application for the followir
	ission has deferred action on this application for the followir
	ission has deferred action on this application for the followir
	ission has deferred action on this application for the followin
reasons:	
reasons:	
reasons:	
The application will be re-heard by	the Historic Preservation Commission at its meeting on
reasons:	ission has deferred action on this application for the following the Historic Preservation Commission at its meeting on Signature: Vice Chair, DeKalb County

DeKalb County Historic Preservation Commission

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

Staff Report

<u>Regular Agenda</u>

N. 1300 Oxford Road, Alicia Downs & Jeremy Catlin. Replace nonhistoric bricks along the driveway and relocate the front walk. 1245758

Built 1929. (18 054 09 041)

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

Summary

The applicants have replaced bricks that had been laid alongside the driveway with concrete, replaced the concrete front walk that ran between the porch and the driveway on a different footprint with rectangular stepping stones, and laid a stepping stone walkway from the porch to the sidewalk. The applicant says he was not aware that a certificate of appropriateness was required before he made these changes.

The applicant says the front walk was in very poor condition and interfered with the Japanese maple that has been planted between the walkway and the house. (Historic Google street view photo shows that the tree had been planted prior to 2007.)

The applicant says that the material for the walk and the walk from the porch to the sidewalk were based on similar walkways he had seen in the historic district. He has provided photos of several of these.

Recommendation

- 1. Approve. The replacement of the bricks along the driveway with concrete brings the driveway more into compliance with the guidelines.
- 2. Approve. Since the concrete walkway needed replacement and the walkway interfered with the Japanese maple, relocating it a short distance is appropriate. While the original was concrete, the stepping stones in that location are not extremely visible from the right-of-way.
- 3. Deny. The walkway to the street does not comply with guideline 9.1 and would have a substantial adverse effect on the property and the historic district.

Relevant Guidelines

- 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.
- *Original Subdivision Forms* (p81) <u>Guideline</u> 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.



RECEIVED

By Rachel Bragg at 9:15 am, Apr 25, 2022

4.371.2155 (o) 178 Sams Street 4.371.4556 (f) Decatur, GA 30030

Chief Executive Officer Michael Thurmond

application will not be accepted.

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director

Andrew A. Baker, AICP

Application for Certificate of Appropriateness

Date Received:	Application No	o.:
Address of Subject Property: 1300	OXFORD ROAD NE	ATLANTA, GA 30306
Applicant: AUCIA DOWNS & JE	REMY CATLIN	E-Mail: TEREMY CATLIN @ GMAIL. COM
Applicant Mailing Address: 1300 (XFORD ROAD NE A	TLANTA, GA 30306
Applicant Phone(s): 443 745 269	6; 301 704 7705	Fax: N/A
		ractor/Builder Other
Owner(s): JEREMY CATLIN		E-Mail: JEREMY CATLIN @ GMAIL. COM
ALYCIA DOWNS		E-Mail: AEDOWNS @ GMAIL. COM
Owner(s) Mailing Address:1300	OXFORD ROAD HE	ATLANTA, GA 30306
Owner(s) Telephone Number: 301. Approximate age or date of construction project: 1929		he property and any secondary structures affected by this
Nature of work (check all that apply):		
New construction ☐ Demolition ☐ New accessory building ☐ Landsca Sign installation or replacement ☐ C	Addition □ Moving a buping ☑ Fence/Wall □ Other □	uilding □ Other building changes □ Other environmental changes □
Description of Work:		
DUE TO GROWTH OF MATURE.	JAPANESE MAPLE + DET	ERIORATED CONDITION OF OBSTRUCTED, CONCRETE
WALKWAY, WE REMOVED WALKWAY	AND REPLACED WITH PAV	ING STONES FURTHER AWAY FROM THE TREE TO PROTECT
ROOT SYSTEM, ALLOW FOR GROW SP	ACE, AND CREATE SAFE	PASSAGE THE PAVERS WERE SELECTED AFTER REVIEW OF
MANY PROPERTIES IN THE NEIGHBORHO	OD FOR UNIFORMITY . TO CO	OMPLEMENT ORIGINAL DESIGN BRICKS WERE REMOVED
FROM SIDE OF DRIVEWAY (8 PT) AN BECOME A HAZARD & RESULTED IN	D REPLACED WITH CONCRE	TE TO MATCH EXISTING DRIVEWAY. THE BRICKS HAD
This form must be completed in its en samples, photographs, etc. All docum	tirety and be accompanied by ents should be in PDF for	y supporting documents, such as plans, list of materials, color ormat, except for photographs, which may be in JPEG

format. Email the application and supporting material to plansustain@dekalbcountyga.gov An incomplete

Alycia Colors / 4. 22. 2022 Jereny at Signature of Applicant/Date Revised 10/5/2020































