



# DeKalb County Government

Manuel J. Maloof Center  
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Decatur, Georgia 30030

## Legislation Details (With Text)

**File #:** 2021-3166    **Version:** 1    **Name:**  
**Type:** Resolution    **Status:** Appeal  
**File created:** 9/27/2021    **In control:** Historic Preservation Commission  
**On agenda:** 10/26/2021    **Final action:**  
**Title:** COMMISSION DISTRICT(S): 2 & 6  
Appeal by Judy Hammack of a Decision of the Historic Preservation Commission at 1815 South Ponce de Leon Ave

### Indexes:

**Attachments:** 1. 1815 S Ponce de Leon-Hammack Legistar Complete Attachments

| Date       | Ver. | Action By              | Action                              | Result |
|------------|------|------------------------|-------------------------------------|--------|
| 10/26/2021 | 1    | Board of Commissioners |                                     |        |
| 10/19/2021 | 1    | Committee of the Whole | Accepted to the BOC agenda - Appeal |        |

**Public Hearing:** YES ☐ NO ☒    **Department:** Planning & Sustainability

### SUBJECT:

**COMMISSION DISTRICT(S): 2 & 6**

Appeal by Judy Hammack of a Decision of the Historic Preservation Commission at 1815 South Ponce de Leon Ave

**INFORMATION CONTACT:** Brandon White

**PHONE NUMBER:** 404-371-4922

### STANDARD OF REVIEW:

Excerpted from code section 13.5-8(12):

The appeal shall be limited to a review of the record of the proceedings before the preservation commission. The standard of review shall be an abuse of discretion. An abuse of discretion exists where the record presented to the governing authority shows 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) or the guidelines adopted by the preservation commission pursuant to section 13.5-6 or 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 reverse the preservation commission's decision, or it may revise reverse the preservation commission's decision and remand the application to the preservation commission with direction.

### PURPOSE:

Appeal by Judy Hammack of the August 16, 2021 decision of the DeKalb County Historic Preservation Commission to approve an application for a certificate of appropriateness at 1815 South Ponce de Leon Avenue in the Druid Hills Historic District.

**SUMMARY:**

The appellant asserts that a) the decision was not based on sections 8.1 (Open Space and Parkland Preservation and Conservation) and 9.4 (Enclosures and Walls) of the Druid Hills Design Manual, b) that the drawings were vague and the documentation was insufficient c) that the decision disregards the Olmsted design, and d) sets a neighborhood precedent of allowing 6' tall fences in front and side yards, e) the fence has an environmental impact on the mature landscape, f) alters the historic landscape, g) adds an institutional feel to Lakeshore Drive, and h) is an "aesthetic abomination."