

2020 Proposed Historic Preservation Commission Guidelines Questions and Answers

What was the purpose of updating the HPC Guidelines?

The Board of Mayor and Commissioners (BOMC) charged City Staff with revising the Guidelines to be more objective than subjective, to organize them to be more understandable and consumable for the community, and to revisit and clarify the regulations around roofs, windows, doors, and WWII homes. Further, the City applied for and received a grant from the State to do just that. The grant specifies that the Guidelines would be improved and remain consistent with our ordinance, which stipulates that the Secretary of Interior Standards should be adhered to. This is the construct that we have worked under along with the scope of the grant.

How did you arrive at your recommendations?

With support from the consulting team of LAS, the City Staff studied the ordinance, the current guidelines, the original application for historic designation, the Secretary of Interior Standards, and cross-referenced that with the draft guidelines currently under development. We received feedback from the BOMC, the Avondale Estates Historic Preservation Commission, Historic Preservation Division of Georgia, and the community. We had two online community surveys. We specifically asked participants if they lived in the historic district to ensure that we had adequate representation from inside the district. The first survey had 126 responses, with 83 saying they lived in the district. The second had 104 responses, with 74 saying they lived in the district. To address one of your concerns upfront, we had only a few comments on the current guidelines' stringency. Comments were concentrated around the review process and lack of consistency and clarity of the current Guidelines.

Can you strengthen the language that explains the rationale and purpose behind the Guidelines?

Yes.

Are the Preservation Homes (Tier I and Tier II) homes eligible for historic designation on their own, or only as contributing structures to the historic district?

The Tier I and Tier II homes would almost always be considered historic in their own right and be designated as such.

How do we define a historic home?

Factors that define a historic home include age, architectural integrity, unique features that reflect the district's historical period, whether it has changed significantly since original construction, whether it is contributing to the National Register Nomination, and the judgment and rationale from architectural historians. The 2013 assessment help determine the tier classification system.

Is the goal strict preservation of building materials and structures like a museum capturing the construction techniques of an era like Williamsburg, Virginia, or is it to manage change so that renovations and new structures contribute to the neighborhood's essential character?

These Guidelines are not preserving a historic museum. The Guidelines advocated for the preservation of the town plan, the landscape features and architectural integrity of homes to the greatest extent possible. The goal is to manage change so that renovations do not unnecessarily remove historic character and fabric and ensure that new structures contribute to the neighborhood's essential character.

Our Guidelines follow the Secretary of Interior's Standards for Rehabilitation. This type of treatment is the least restrictive and meant to be flexible. Rehabilitation allows for new construction and renovation of preservation homes to be

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upgraded and changed to accommodate contemporary use – while keeping intact as much as possible of what gives the place its character. Our guidelines focus almost entirely on the houses' public facing façades and not the entire building.

Other treatments govern places like Williamsburg or Old Salem. According to the Department of the Interior, there are four types of "treatments" for historic resources: 1. Rehabilitation, 2. Preservation, 3. Reconstruction, 4. Restoration. Avondale Estate's Guidelines are based on Rehabilitation. The other three treatments are not relevant in Avondale but are to places like Williamsburg. Restoration, for example, is the strictest treatment and involves taking a property back to a specific point in time (in Williamsburg's case, the 18th-century colonial period) even to the point of demolishing/removing structures that date from later periods, and that also have historic significance.

Does being old alone make a structure historic and worthy of meticulous preservation?

Being old alone does not make a structure historic. The ±164 homes identified as Tier I and Tier II in a previous study are mostly intact. Although age is one factor in their designation, it is not the only one.

As described in the question above, the Proposed Avondale Estates Historic Guidelines use Rehabilitation standards as their foundation. They are designed to be flexible and not meticulous preserved.

Does combining Tier I and Tier II into one category create fewer restrictions for the ±164 homes designated as contributing?

The proposed changes for almost all homes would be considered less restrictive than the current Guidelines. Attached is a comparison table that might help you too see changes.

Why is the LAS team recommending that the Tier I and Tier II homes be re-evaluated?

The LAS team is recommending that ±164 Tier 1 and Tier II homes be re-evaluated before the new Guideline are launched to verify and justify the most appropriate category -Preservation or Compatible designation for contributing homes. The reevaluation process is also an opportunity to build a more robust database of what makes these historic homes historic for future decision-makers.

It is also important to note that the ordinance allows the HPC to change the category of a house, meaning that one of the ±164 contributing homes could be moved from Preservation to Compatible Designation or visa versa at the request of a homeowner and with the approval of the HPC. This provision within the City's ordinance also means that a homeowner of a post WW2 home could request the BOMC designate their home as a preservation home if historically eligible. Re-designation would give them access to state tax credits potential local incentives.

Suppose the owner of a Post WW2 home was to request being designated as a preservation home. Is there a required underlying basis for that designation– since the "period of significance" is established as 1924-41? Would the National and/or Local designation need to be updated to recognize that resources from 1941 – c. 1970?

The designation of properties is based on the local district and not the national district. Based on LAS's reading of the AE ordinance definitions for historic districts (5-271), historic properties (5-272), and classification systems (5-281/82), LAS did not see a conflict for owner's with historically eligible buildings within the established district to petition for a designation change. Furthermore, 1) It does not impact other property owners, 2) it is really only to help bolster appreciation and preservation of these homes, 3) gives the homeowners that do apply a way to receive advantages and 4) could help set a precedent/case down the road for formally including these properties.

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What can be accomplished with zoning?

Lot coverage, size and scale of the homes and ADUs, and placement on the site can and will be accomplished with zoning and the revised Guidelines. If a requirement applies citywide or throughout a district regardless of the designation of the home, the team has recommended including that requirement as a zoning regulation. Another distinction is that the acceptable rationale for varying the zoning code is much stricter than Guidelines which are by design flexible. Additionally, a final decision on an appeal to an HPC decision is made by the BOMC. A final decision on an appeal from the Board of Adjustment is the DeKalb County Superior Court and not the BOMC.

What can only be accomplished through historic preservation design Guidelines?

Every design guideline could be a regulation in the zoning code. However, the design Guidelines allow you to differentiate more effectively between those homes that are contributing and those that are not so that you are not trying to preserve or protect that which is not historic.

Why are you using words such as “should” instead of “must”?

While LAS strove to make the intent and expectations clear, these Guidelines are not regulations.

Does the eclectic mix of architecture styles make architecture irrelevant to the Historic District?

Our research found that the original application was built and approved based on three pillars: Planning, Landscape Architecture/Site Design, and Architecture.

While we initially thought that perhaps, the homes' architecture was not central to the historic designation and that the Guidelines might focus more on the site and scale, that initial thought did not turn out to be accurate. The ±164 contributing structures are a vital part of the application. When you reflect on the historic homes, the value of those homes' architecture to the community seems obvious. So much of what makes Avondale uniquely Avondale is its architecture and its relationship to site/landscape.

How are you protecting the essential elements of our community listed below?

1. A strong relationship between the homes and the street articulated by front doors, windows, and porches.
2. The scale and placement of buildings
3. Maintained and restored parks and pedestrian paths
4. Streets that include traffic islands, verges, canopy trees, and sidewalks

The Guidelines address points 1 and 2. We are attempting to reinforce a strong connection between the fronts of homes and the streets through the scale and placement of buildings and the site elements between the building and street. Points 3 and 4 are within the public right of way and will most certainly remain protected and maintained by the City and not through these Guidelines.

What is the rationale for limiting retaining wall to 3'?

This is a mass and scale parameter. Most existing walls within the district are less than 3'. To allow for unique circumstances, LAS has added language that walls higher than 3' would need to go to the HPC for review.

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Do the proposed Guidelines provide more flexibility for replacing versus repairing windows, doors, and materials?

Yes. The proposed Guidelines encourage homeowners to repair windows and doors and provide options for replacement windows.

Should requirements for the handling of front doors and windows be the same?

The Guidelines allow for windows to be replicated when replaced. Doors are typically much harder to replicate, given their detailing and material. Doors could be excellent candidates for the local incentive (and awards!)

When can doors and windows be replaced instead of repaired?

Doors: When beyond repair.

Windows: While repair/restoration is encouraged, windows can be replaced if desired and reviewed by HPC.

Who can prepare detailed dimensioned drawings of existing and proposed window replacement?

Architect, Draftsperson, or Manufacturer.

Would you have to disassemble the existing window or door to get detailed measurements?

No

Would detailed photos for existing conditions of windows be acceptable instead of drawings?

Photographs do help (material, color), but drawings are needed to be able to compare the dimensions and size of new and old mutin size, pattern, meeting rails and stiles. Providing detailed drawings should not be onerous since a manufacturer must know the dimensions before replacing the windows.

Storm doors and windows are new elements and removable, and should they be distinct?

Since these elements are being placed directly on an existing element, the standard practice is not to take away from the historic structure's look & feel. Using the same color and fitting with the existing dimensions allows them to fade to the background. They are distinct from the historic element due to their material/construction. They do not require custom colors although it is preferred to be a close of a match in color as possible.

What is the rationale for requiring 6' privacy fences to be set back at least 20' from the front wall of the home?

The 6' privacy fences are counter to the open and feel of the community. Border fences shorter than 4' are allowed up to the front wall and appropriate for camouflaging HVAC units.

Adding gables is a way to expand the living area, a renovation that could preclude a teardown. Could gables that are compatible with the architectural style of the home be considered?

Only Preservation Designation structures will be prohibited from the addition of gables on the front of the house. This guideline maintains the appearance, integrity, and scale of the historic structure and its roof. Under the revised Guidelines, the entire back half of a Preservation home roof is allowed to be removed and rebuilt so long as it does not exceed the height of the roof. There are plenty of ways to expand a home with side and rear dormers and additions. Front Gables may be added to Compatible Designation structures.

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Is the Required 4' planted buffer between adjacent driveways necessary?

LAS has updated the Guidelines not to require a landscape strip. To reduce the physical and visual impact found in some shared driveways, the Guidelines will recommend "shared driveways have a max width of 16' within the Front Yard".

Why not allow for a series of terraces up to the residence?

This language is from the existing Guidelines and is consistent with the typical placement of the district's walls and character. The walls found beyond walks & drives tend to relate to the connections to entries and qualify as part of open/unroofed porches allowed to encroach within the setback (10') by zoning.

The Guidelines intend to reinforce the character of the community. Avondale Estates is characterized by large lush front lawns that flow from one lawn to the other with minimal obstructions, based on the "garden suburb" ideals. By design, these visually connected landscaped front yards are very intentionally an extension of nature. Man-made structures are depressed and less prominent in position in the landscape to allow for the rolling vistas that define the landscape character of Avondale Estates.

Why should front yard retaining walls be placed only along public walks and driveways?

To keep and reinforce the rolling vistas that define the landscape character of Avondale Estates. Historic district. LAS has updated language to clarify that walls necessary to connect a front walk to a driveway are allowed.

How are elevations for Accessory Dwelling Unit's (ADU) and new home construction measured and how does topography impact the measurements?

For additions and ADU's, max heights are all relative to the height of the Primary structure (or laterally adjacent Primary structures, when applicable). The highest point of the roof line of the primary structure is used the max height. This means that regardless of grade, the new construction cannot be higher than that elevation based on sea-level (or an overall height of 24' from grade of the front facing facade for ADU's). We have added clarifying language in the Guidelines. For new home construction, the height of the new building will be measured vertically from the lowest visible point of the façade facing the street to the top of the roof line.

What does "enclosed conditioned connection" mean?

Conditioned is a building code term for a cooled or heated space. This provision was created to close a loophole in which additions were constructed as separate structures but connected via an open-air connection. This loophole resulted in ADU-like structures that were the size of additions.

When an applicant is renovating or rebuilding Mid-century homes by expanding into a carport or garage on the front façade, how can the Guidelines better address the proliferation of front-yard parking pads that are inconsistent with the historic character of Avondale Estates?

These houses are the exception and not the rule and should go in front of HPC for review. The Guidelines address the most common conditions but cannot address every unique situation.

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Are we addressing commercial properties?

The Tudor Village is within the Historic District. Any changes would be presented and discussed with the HPC.

Why discourage front porches that appear to enhance the home's relationship to the street and are consistent with the original vision for the neighborhood as a walkable place?

The ±164 Preservation homes would be restricted from adding front porches if not part of the home's original design. The ±353 Compatible homes would not be restricted from adding a porch. The professional recommendation from LAS is facades of the historic homes need to be protected to retain the City's historical character, facades of the historic houses need to be protected, which is in line with the Secretary of Interiors Standards.

Would allowing roofed porches in the front yard setback encourage community interaction, an important goal when the City was developed?

An unroofed and open porch encroaching in the setback up to 10' - which is allowed - would present the same opportunities to encourage interaction.

Why are the Guidelines not maintaining the 40' setback in every area of the district and allowing open porches to be building in the front yard by 10-12'?

The proposed front yard setback is 40', which is the historic norm. The Guidelines include language to allow for a different setback in a few places where the prevailing average is not 40'. Open porches are allowed on compatible properties within the front yard setback (per zoning) regardless of location.

Why not allow roofed but open front porches to encroach into the front yard setback since it seems to keep with the community's original vision?

Non-roofed/open porches are currently allowed to encroach into the setback 10' per zoning. The encroachment of a roof into the setback is not permitted by zoning. Allowing roofed porches could also disrupt the mass and scale overtime of the historic setback and maybe a slippery slope given structural components/construction requirements that some homes/sites may require. Typically, the styles in the Preservation category have distinct roof types that are part of the massing, proportion, and structure. The addition of a roofed front porch would be difficult to add without significantly altering the character of the home.

While not optimal, new front roofed porches are allowed for Compatible Designation homes. However, the roofed portion cannot encroach into the setback area.

When making it too onerous to update a home, are we encouraging teardowns and the loss of smaller homes?

The assumption built into this question is that renovation cost and the hassle of meeting the Guidelines are the driving reasons for tearing down smaller homes. In our experience, people take down smaller houses to build bigger homes, because they want bigger homes. Most developers will tell you that the sale price determines whether it makes financial sense to tear down and build new or expand the original footprint.

Further, the Guidelines and the zoning address the size and scale of new construction and additions to keep new construction more in keeping with the historic character. Interestingly, if you wanted to save smaller homes as suggested in the question, you would protect them so that it was difficult to tear them down. Our Guidelines are not that restrictive.

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Is it a different approach for "Compatible" properties and new construction?

It is a different approach for Compatible properties since they are not being governed for their historic contribution but more on mass/scale- therefore, it is difficult to assert any protections over their detailing / architectural elements.

How many homes in our district have qualified for or received historic preservation grants?

All historically eligible homes qualify that are trying to rehabilitate /restore/repair. Although the HPC tells applicants about the tax incentives, the City staff has not tracked the use of the funds or provided technical assistance to applicants to encourage the use of these funds. Proactively supporting and providing information for eligible applicants is an opportunity to build an even stronger City and further reduce any additional burden from being designated a Preservation home.

How can we address the additional financial burden that homeowners of Preservation Category homes bear outside of the State Tax Credit?

LAS has recommended the BOMC establish a small annual grant fund to help offset the additional cost for retaining a preservation home and encouraging repair rather than replace. Based on feedback from the community, preservation homeowners often feel the financial burden and the additional hassle associated with maintaining homes to benefit the community-at-large. A small grant program would go a long way to making them feel valued.

Funding a grant program is a decision of the BOMC. By way of example, the City currently receives an average of 35-40 applications a year. If the City were to capitalize the fund at an annual level of \$30,000, select projects that fully adhere to the Guidelines or that repair rather than replace elements would be eligible grant recipients. Grants could cover up to 10% of the eligible project cost or \$2,000, whichever is less.

Are the commentary notes included in the Guidelines more restrictive than the Secretary of Interior standards?

No. These notes are based on LAS's extensive history working within the Secretary of Interior standards and explaining the standards more clearly.

How are we going to ensure that property owners know about the proposed changes?

The City has led an extensive public engagement process that included three presentations on the proposed Guidelines. The staff has sent out reminders through our email newsletter. The proposed Guidelines have been posted to our website for more than a month. Additionally, if the BOMC decides to fund and authorize a reevaluation of the Tier I and Tier II homes, the staff will reach out to the community to alert them of the evaluation and the results.

Can we send letters to homeowners notifying them of proposed changes?

The City staff has made extensive efforts to get the word out that we are going through this process. The draft Guidelines are posted online. The staff has included reminders in our newsletter. The week of August 10, more e-newsletter stories will be included along with an attached chart that shows the changes by tier. If the Board feels that there is still more required outreach after this next round of revisions, we will take that direction, but it will be at the expense of time and money that could have been allocated to other high priority projects.

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Can we delay adopting the proposed Guidelines to ensure that people know about changes that may impact their property?

Despite our deadlines, we have stayed true to our engagement process. We sent two surveys, multiple articles, and reminders through our e-newsletter. We have kept our website current with the most recent draft of the Guidelines with opportunities to comment. We have made presentations at the March, June, and August HPC meetings. The BOMC held a work session dedicated to the Guidelines. The discussion will again be on the agenda at the BOMC in August.

Our grant funder reluctantly extended our deadline by one month. They are not open to an additional extension. Additionally, additional work on the Guidelines would require additional money for consulting. A delay and extra work would also impact the staff. Other priority projects would have to be deprioritized.

What is the impact of not adopting the proposed Guidelines?

The current less clear Guidelines would remain in place unless the BOMC decided to vote to remove them and have no Guidelines. Not adopting these Guidelines in August would likely result in forfeiting the current grants and jeopardizing the City's potential for future grants from this or other related funding sources.

If the BOMC opts to eliminate the remaining architectural restrictions, would this be inconsistent with the Secretary of the Interior's Standards?

Yes.

Is there any simple definition of "undue hardship" that can be included?

Yes. Undue hardship is the inability to comply with the historic preservation ordinance and Guidelines due to the request's financial burden as generated through compliance with the Guidelines and AE HP Ordinance. A Certificate of Appropriateness may be denied in the case of asking for repairs or new work. If a property is not being maintained adequately, that is a code enforcement issue and should be handled by the City.

Additionally, ignorance of a historic building's condition or an owner's expectation to realize a hefty profit does not constitute a hardship. According to the courts, knowingly buying a designated building that is falling apart and has code violations that the owner thinks are too costly to correct, does not constitute a financial hardship. Owners should not expect relief if the hardship is self-created – through willful neglect, paying too much for the building, or assuming that the City will provide a necessary permit. <https://why.org/articles/preservation-hardship-primer/>

What is the checklist, and how is it going to be used?

The checklist straightforwardly outlines the Guidelines. The list is intended as a tool to aid applicants and their designers/contracts, City staff, and the HPC in the evaluation process. The applicant would complete the applications as would the City staff/consultant. Once both have completed the form, it would serve as a basis for discussion and potential application changes. It would be submitted with the application to the HPC as a guide to their review.

What is the timeline for reviewing and adopting the Guidelines?

City Staff posted the Guidelines on the Avondale Website based on input from the HPC and the BOMC's recent meetings, along with frequently asked questions and tables comparing current and proposed Guidelines. An e-news article with the attachments was sent 8/10. The Guidelines will be discussed again in the August BOMC work session and are on the schedule to be discussed and voted on during the BOMC regular August meeting.

HPC Guidelines FAQ

8/7/20