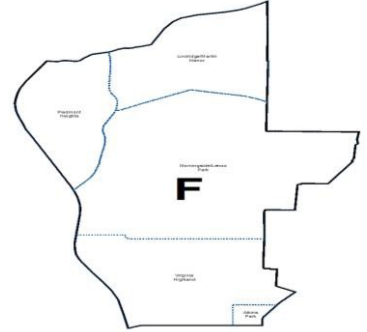


# MEETING MINUTES

## NEIGHBORHOOD PLANNING UNIT - F

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**DATE:** Monday, June 19, 2017  
**TIME:** 7:00 P.M.  
**LOCATION:** Hillside Facility  
1301 Monroe Drive  
Atlanta, GA 30306-3439



### **Contact Information:**

Debbie Skopczynski, Chair

[chair@npufatlanta.org](mailto:chair@npufatlanta.org)

(404) 874-7483

### **City Staff:**

Charletta Wilson Jacks, Director

[cjacks@atlantaga.gov](mailto:cjacks@atlantaga.gov)

(404) 330-6145

Doug Young, Planner

[dyoung@atlantaga.gov](mailto:dyoung@atlantaga.gov)

(404) 330-6702

Tanya C. Mitchell, NPU Coordinator

[tcmitchell@atlantaga.gov](mailto:tcmitchell@atlantaga.gov)

(404) 330-6899

## 1. Opening Remarks/Introductions

- The meeting was called to order at 7:00 pm.
- Reminders:
  - i. Campaigning for any political office is prohibited at NPU meetings. If you are a candidate, you are welcome to meet and greet outside the building before and after our meetings.
  - ii. All attendees must sign in on one of the sheets located at the back of the room. If you are interested in receiving updates from the NPU and more detailed agenda with links to the applications, please sign the clip board.
  - iii. Residents of NPU-F may vote on any issue unless there is a financial interest (e.g. property owners may not vote on their own variances, but can vote on other variance applications). Business owners may vote if they have met the requirements as described in the by-laws. Most of our votes will be taken by voice vote. If it is necessary to have a vote count then we will be using voting chits (post-its).
  - iv. We will be following the agenda as published tonight. Because of the length of the agenda, discussion and debate will be limited throughout the meeting. We use Robert's Rules of Order to keep the meeting moving – so please be patient and follow the cues on when it is appropriate to discuss an issue.

## 2. Approval of Minutes

- The May minutes have been posted on the NPU website.
- Motion to approve the May 2017 minutes carries on voice vote.

## 3. Announcements

- Gerry Neumark resignation announcement, Gerry will be joining the City of Atlanta Board of Ethics.
- Upcoming events, Neighborhood Resources and Volunteer Opportunities are listed on the consent agendas. Last month, we heard from the Fulton County Court Appointed Special Advocates

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for Children (CASA). A phone number and website are listed for those who may be interested in learning more about how you can advocate for foster children in Fulton County.

### 4. Reports from City Departmental Representatives

- Atlanta Fire Department – Station 19 North Highland; Station 29 Monroe  
Not present
- Atlanta Police Dept. - Zone 6 - Major Peek Zone 2 – Major Shaw
  - Major Shaw, Zone 2: Shooting reported around Intown Suites, however the location is not confirmed as it was reported once victim was in jail. Mail theft continues to be an issue, the department caught one of the men responsible on the 1800 block of Monroe the week of June 12th. Auto theft happened on Cheshire Bridge, car was left running, driven to Inman Park area, person has long arrest record. Don't leave guns in your cars, every week 5-6 guns are stolen from cars. Homeless camps continue to surface, tomorrow Major Shaw will be walking the trails to provide resources to the homeless.
  - Captain Klotzer, Zone 6: Recommend package delivery to alternate locations, gentleman caught in Virginia-Highland; he is in jail still. Packages are returned to rightful owner if package thief is caught.
  - Comments: Increased complaints about noise and parking violations from neighbors, sense that perpetrators are not being sited. Police recommend to everyone, if there is a lingering problem, ask a supervisor to come out when you call 911.
- MARTA police - Major Nelvette Easterling, Lt. Chapman, North Precinct
  - Sargent: R. Ray: Crimes of opportunity, there has been an increase in crime at Lindbergh Station, this is mostly due to private property being left out on seats when cars are parked. Use the See and Say App to report. Also, there has been an increase in crime with people coming home from airport, be aware of your surroundings and watch your luggage.
- Bureau of Housing and Code Compliance – Officer Edwards [sledwards@atlantaga.gov](mailto:sledwards@atlantaga.gov) cell 404-326-6573
  - In May, there were seven property maintenance calls. Fire pits at homes, must have a mesh cover and may be allowed, but must be approved.
- Fulton County Community Prosecutor - Zone 2 - Brendan Dougherty; Zone 6 - Keith Lamar Jr; Court Watch Coordinator – Danielle Simpson
  - Keith Lamar: we have two new community prosecutors from zone 1 and zone 3. During the Month of July, we will have 65 kids come visit to learn about prosecution.
  - Brendan Dougherty: Recently we took three pleas from four armed robberies, no one was injured, however there was a police chase to Union City, two of the individuals took a plea for 15 years in prison, and a third is considering. Citizens' CourtWatch Annual training and education about the process, will be held August 19<sup>th</sup>, from 10am-2pm at 185 Central Avenue SW, Courtroom 1C. To register visit: [courtwatchannualtrainingaugust.eventbrite.com](http://courtwatchannualtrainingaugust.eventbrite.com)
- Office of the Solicitor's - Andrew Hughes, Solicitor
  - Present, but nothing to report.
  - Comment what happened with J&J Bar? J&J Bourbon Bar and Grill is under a consent order, under conditions to not violate the law.
- Watershed Management –  
No comment

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## NEIGHBORHOOD PLANNING UNIT - F

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- Public Works - Carla T. Smith [ctsmith@atlantaga.gov](mailto:ctsmith@atlantaga.gov) 404-546-0041
  - Mayors dinner will be held 6/20 in observance of the Muslim holy month of Ramadan.

### 5. Comments from Elected Officials

- State House of Representatives - Rep. Pat Gardner/Rep. Park Cannon  
Not present
- Councilmember District 6 - Alex Wan  
Not present
- Atlanta City Council Posts: Michael Julian Bond-Post 1; Mary Norwood-Post 2; Andre Dickens-Post 3: Not Present
- Atlanta City Council President's Office - Ceasar Mitchell  
Not present
- Fulton County Commission - Fulton County Commission - Lee Morris, District 3; Marvin Arrington Jr., District 5;
  - Marvin Arrington Junior: Big issue everyone concerned about property taxes. People are upset about significant increase in one year, versus over multiple years. Working hard to find ways to adjust, will review in board meeting 6/21. State requirement to be at 90%, trying their best to find creative ways to provide relief for Fulton County tax payers.
  - Grounds for appeals:
    - i. Value: If you dispute the value of your home
    - ii. Uniformity: If you have a house and your assessment is twice that of your neighbors, which is comparable
    - iii. Homestead Exemption
    - iv. Senior Exemption
    - v. Other numerous exemptions
  - Deadline has been extended from July 3 to July 10
  - Comments: How is the digest itself determined, 90-110% of your actual property values. This is done through a mass appraisal, this year did appraisal on all 330k properties. These are done, by driving by your property. Sounds like we need to get the state law changed, looking at a cap on increase, also in the process of going through an audit. Better protection for seniors is needed, such as in Cobb County where they are exempt from the school portion of the tax. What about those of us who appealed in the past, supposed to be a three-year lock? If you do a regular appeal not locked in for three years. On ballot in November, the exemption passed, Freeport Exemption is only on the inventory not on the property, which is millions of dollars of taxes, it is permanent until changed. To change this, reach out to the commissioners. November 2016 former Chief Appraiser resigned, which slowed down process. Much of the assessment increases is dictated by the market. New chief appraiser following his mandate to get his properties at 90-110% of their value. Under open records, owners supposed to get all the material that went in to the new assessment. People have had trouble getting the head of open records to respond, recommended that you need make the request in writing. Need to find a way to keep seniors in these neighborhoods.
  - Update: All individuals in Fulton County received a notification that 2017 property taxes are being reassessed and new notifications will be received in August.
- Atlanta School Board – Matt Westmoreland  
Not present

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### 6. Presentation(s)

#### Invest Atlanta Services – Tsedey Betru

Cities economic development agency, this year we have created 1,366 housing units of which 235 were affordable housing units, through homeownership and small business programs. For example, if an individual makes under \$67k a year, Invest Atlanta provides a down payment, they also have 0% interest loans and multiple small business loans. Last month reached out to all businesses around I-85 to provide support, until the highway reopened. New homeownership program, which is not income restricted, for people who have other challenges, created in partnership with a bank called Trio, you can pay 1% of sale price upfront, they will purchase home and you will lease the home for three to five years. The benefit is the individual locks in the price of home at the start of lease. Another new program, supports affordable housing developers to help them with funding, housing opportunity Bond, July 1.

#### ▪ Fulton County Tax Commissioner's Office – Emil (Larry) Schultz, Senior Appraiser and Clarence Brown Appraiser

Emil Schultz:

- Tax Digest must be in compliance with the state with homes valued between 90%-110% of market values, otherwise sizeable fines. Current number at 98% which is pretty good. Assess values according to market values as of January 1st every year.
- You can call 404-612-6440 option 4, to find out about homestead exemptions you are eligible for. Rollback values, if you were given a freeze and were taxed, these will be forgiven. If you have already appealed with BOE, we will reinstate your value at which it was frozen.
- Encourage you to go on to the website to make sure your specific details about your home are correct, taxpayers can help provide more accurate data.  
<https://www.fultoncountytaxes.org/property-taxes/search-for-tax-bill.aspx>
- Open records request, you can contact Constance Mackey, please be patient with her because she is very backlogged.
- Block C, bottom right hand corner of your assessment, was put in place in 2011, intended to offer full disclosure to tax payer. Assessment is based off last year's millage rate; this year, mileage rates have not been set yet.

Comments: To find out values of previous year, need to pull up by address or parcel ID number, need to call Emil for last year's values these are replaced online every January.

- Assessors generally break up homes into three buckets:
  1. Older homes that have not been updated
  2. Renovated homes stripped down to studs
  3. People who have been offered cash for their house to tear it down – request a field check if your home is older and has not been updated (#1 above).
- If 3% of parcel account is appealed it extends reply deadline by state 180 days, all the way until it is resolved. Over 3% automatic 180-day extension.
- You will receive notices that tell you, you are frozen: From assessment: Block B CPI (Cumulative growth) or RV(revaluation) – if CPI is listed on there, then 2015 and 2016 BOE rate will be honored. Your value will be rolled forward for the years you are owed. Use list of sales in your neighborhood, to help determine your value. Value of land is low, value of home is high, because land sales or lack thereof dictate this.
- Where are values taken from: Document PT61. Lower left-hand corner, sales in neighborhood, you can see what people are paying for in your neighborhood.
- 70% of people who file appeal in Fulton county get some sort of reduction
- It is possible that if they come do an assessment your value can go up
- If you go to BOE, you will get a three-year freeze. Don't have date of when that will show up.

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- 3 ways to appeal: Online, written, mail in via certified or registered mail or visit 235 Peachtree street

### 7. Planner's Report – Doug Young

No report

### 8. Committee Reports

- Lindridge-Martin Manor Neighborhood Association – Kevin McBride, President; Rich Sussman, NPU Rep  
No report
- Morningside-Lenox Park Association – Sally Bayless President; TBD, Neighborhood Rep; John Ayers, Zoning  
No report
- Piedmont Heights Civic Association – Gary Dresser, President; Jean Johnson and Tim Berube, Neighborhood Reps  
No report
- Virginia-Highland Civic Association (VHCA) –Jenifer Keenan, President; Barry Loudis and Eleanor Barrineau, Representatives; Jack White, Zoning  
Good Summerfest despite rain, thank you for volunteering and attending.
- Virginia-Highland Business Association (VHBA) –Lynn DeWitt and Kristi Warren Evans, Reps.  
No report
- Edmund Park - Tony Gonzales, Neighborhood Reps; Sally Montgomery, Zoning  
No report
- Public Safety Committee – Jim Hardy  
No report
- Parks, Trees & Environment Committee – Jack White and Rich Sussman  
Received information from University of Georgia that indicates a deadly disease for all Knockout roses. UGA recommended these no longer be sold commercially. If your roses are impacted they will be gone in 3 weeks.
- Education Committee - Abby Martin  
No report

### ▪ Chair Report:

- APAB report: APAB met last Saturday and approved 2 resolutions The first supported fiscal transparency by City Council members. The second was a resolution asking that the City encourage public discussion as they negotiate the Cable Franchise Agreement with Comcast. I did not support the Comcast resolution because it was overly complex, included 18 Whereas statements that were highly technical and went beyond the request to conduct public hearings. Coming up next month is a resolution to support the Peachtree Park Civic Association's efforts to revise the tree ordinance to put stronger teeth in the protection of the city's tree canopy.
- Those interested in being Vice-Chair should contact Debbie to learn more about the role and responsibilities. As a member of the Executive Committee and Zoning Committee, this is a terrific way to learn more about city and NPU issues, develop leadership skills, and is a stepping stone to becoming NPU-F chair. A selection will be made once the position is officially vacant.

### 9. Matters for Voting

### Consent Agenda:

# MEETING MINUTES

## NEIGHBORHOOD PLANNING UNIT - F

### Special Events Application

Application	Date/Location	Class/# Participants	Recommendation
LeChic Mystique Family Affair Raymond Wright	Piedmont Park July 16, 2017	Class E/ 1,000 participants	<b>Support. Not present - defer to July.*</b>
Light The Night Walk Kacey Danley	Piedmont Park October 7, 2017	Class D/ 8,000 Participants	<b>Support</b>
Pure Heat Community Festival Avia Watson	Piedmont Pack, September 3, 2017	Class C/ 19,000 participants	<b>Defer to July</b>

**\*Note: Event will be held before next NPU-F meeting in July.**

### Board of Zoning Adjustment Applications

Application	Address	Request	Neighborhood Recommendation
<b>V-17-122</b>	1106 Amsterdam Ave NE	Applicant, Jacquelynn Edmonds, seeks a variance from the required regulation: (1) to reduce the required front yard setback from 35 feet to 28.6 feet; and (2) reduce the required east side yard setback from 7 feet to 3.3 feet in order to construct a second story addition to an existing single-family dwelling.	<b>MLPA: Recommend approval</b>
<b>V-17-123</b>	1738 Pine Ridge Drive NE	Applicant, April Ingraham, seeks a variance from the zoning regulation to reduce the required eastern side yard setback from 10 feet to 3 feet, two inches in order to construct a second story addition and to place HVAC units over 30 inches in height in the required side yard.	<b>MLPA: Recommend approval</b>
<b>V-17-142</b>	712 Ponce de Leon Place NE	Applicant, Nhan Le, seeks a special exception from the zoning regulation to reduce the required parking from 23 spaces to 13 spaces for a restaurant.	<b>VHCA: Recommend deferral</b>

#### **V-17-122      1106 Amsterdam Avenue NE**

Applicant, Jacquelynn Edmonds, seeks a variance from the required regulation: (1) to reduce the required front yard setback from 35 feet to 28.6 feet; and (2) reduce the required east side yard setback from 7 feet to 3.3 feet in order to construct a second story addition to an existing single-family dwelling.

**MLPA Report:** Approved 11-0-0

#### **V-17-123      1738 Pine Ridge Drive NE**

Applicant, April Ingraham, seeks a variance from the zoning regulation to reduce the required eastern side yard setback from 10 feet to 3 feet, two inches in order to construct a second story addition and to place HVAC units over 30 inches in height in the required side yard.

**MLPA Report:** Approved 11-0-0

#### **V-17-142      712 Ponce de Leon Place NE**

Applicant, Nhan Le, seeks a special exception from the zoning regulation to reduce the required parking from 23 spaces to 13 spaces for a restaurant.

**VHCA Report:** Recommend deferral so that a special exception can be applied for special events facility in Paris on Ponce building.

- **NPU Action:** Motion to accept the neighborhood recommendations and approve minus LeChic Mystique Family Affair, the consent agenda carries on voice vote.

# MEETING MINUTES NEIGHBORHOOD PLANNING UNIT - F

License Review Board (LRB) (Vote Required)				
Name of Applicant	Type of Business	Name of Business	Property Address	Request
Cowntippers	Restaurant	Cowntippers	1600 Piedmont Road	Other (Patio). City take position on existing code, need get liquor license for patio. Jeffrey Landau is the agent and owner. LRB date: July 11.

MLPA: No report

Comments: No speakers on patio as part of new code. Manager received 1 complaint about noise, 3-4 months ago, he turned down the sound. Police have never showed up for noise violation in 23 years. Cowntippers has had its liquor license since 1993. Per the code, alcohol license should not be granted because of proximity to residential homes and the speakers/amplified speakers on the patio, turn off music at 10pm and don't do live music.

**NPU-F Action:** Motion to deny, failure to meet distance requirement and failure to meet amplified music. 10 in favor / 11 deny. Motion failed.  
 Motion to approve conditioned on no construction of a second bar on the patio, and agreement to uphold the code, by not having amplified music on patio. Amendment passes. 4 opposed, motion carries on a voice vote.

Special Events (Vote Required)		
Pure Heat Community Festival Avian Watson	Piedmont Park September 3, 2017 Class C/19,000 participants	Comments: Defer to July
7 <sup>th</sup> Annual Atlanta Ice Cream Festival Kevin James	Piedmont Park July 22, 2017 Class B/ 25,000 Participants	Comments: Benefit walk in honor of co-founders children to put them through college. Charles Allen & 10 <sup>th</sup> street, free event. <b>Motion to approve.</b>

## Board of Zoning Adjustment

### V-17-120                      636 Orme Circle NE

Applicant, Natalie Madaris, seeks a variance from the zoning regulation to reduce the required east side yard setback from 7 feet to 3 feet to construct a new garage.

**VHCA Report:** Owners Greg & Caroline Tanner seek a variance to reduce the required east side yard setback from 7 feet to 3 feet to construct a new garage. An existing garage will be demolished and a slightly less shallow and wider version (22' x 36'; x 16' high) will be built atop the old pad extending 2 feet further west into the owner's back yard. The garage is not more than 25% of the FAR of main structure. Its final square footage will be 792 sq. ft.

Total lot coverage upon completion will be 38.16 %, slightly decreased from the existing 38.23% A site visit on 6-7-14 (Carlisle, Skopczynski, Van Horne, White) noted as follows: The critical root zone of a 44" white oak tree will be slightly reduced by the new garage; the applicant has written the CoA arborist to ask for an examination and will comply with any recommendations made. Trees on the

# MEETING MINUTES

## NEIGHBORHOOD PLANNING UNIT - F

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neighbor's property to the east should not be damaged; an existing fence will provide construction protection, and the applicant will remove the existing garage entirely from his own property. No storm water issues were observed; any changes will be absorbed by the owner. The appropriate neighbors have been notified.

The Planning Committee and Board unanimously recommended approval.

**NPU-F Action: Motion to recommend approval carries on voice vote.**

### **V-17-127                      940 Los Angeles Avenue NE**

Applicant, Shea Meddin (Nina E. Gentry), seeks a variance from the zoning regulation to reduce the required front yard setback from 35 feet to 18.3 feet in order to construct a new single-family dwelling.

**VHCA Report:** Applicant Nina Gentry on behalf of owner Shea Meddin seeks a reduction in the front yard setback from 35' to 18.3' to construct a new single-family house. The 18.3' depth incorporates an 8'-wide front porch across the width of the new structure. The lot is inches shy of 50' wide and comprises 7453 s.f. on the north side of Los Angeles Avenue; it slopes downhill to the rear into a draw from which Orme Creek emerges behind the property of the neighbor to the west. The proposed home will increase lot coverage to 49.8%, below the 50% maximum allowed in R-4. The requirements of the city's storm water ordinance will apply to the new construction.

A site visit on May 19, 2017 (Bullock, Carlisle, White) observed that the proposed front depth was generally consistent with nearby house on the street, excepting several very large houses on near North Highland that are themselves inconsistent in this regard. The visit noted one tree on the west side of the house that should survive the construction. A larger tree on the on the property of the eastern neighbor near the bottom of the driveway should not be impacted by properly managed construction. The appropriate neighbors have been notified, and the Planning Committee and VHCA Board unanimously recommend approval.

**NPU-F Action: Motion to recommend approval carries on voice vote.**

### **V-17-144                      1239 North Highland Avenue NE**

Applicant, Mac Joye, seeks a variance from the zoning regulation to exceed the maximum of 30% of the floor area of the main house to 38.6%, to construct an addition to an existing accessory structure (garage).

MLPA Report: Approved 9-1-1

**NPU-F Action: Motion to recommend approval carries on voice vote.**

### **V-17-152                      633 Cumberland Road NE**

Applicant, Patti Crenshaw, seeks a variance from the zoning regulation: (1) to reduce the required west side yard setback from 7 feet to 3 feet, (2) to reduce the required rear yard setback from 15 feet to 3 feet in order to construct an accessory structure (garage).

Comments: Have letters of support from all neighbors.

MLPA Report: Approved 11-0-0

**NPU-F Action: Motion to recommend approval carries on voice vote.**

### **V-17-154                      646 Amsterdam Avenue**

Applicant, Eddie Drake, seeks a variance from the zoning regulation to reduce the required front yard setback from 35 feet to 17.5 feet to construct a new single-family residence. This is currently a vacant lot, will be in alignment with properties on both sides.

MLPA Report: Approved 11-0-0

Comments: Concern that the lot is not buildable because of the stream buffer (which is not a criteria for denying a variance.)

**NPU-F Action: Motion to recommend approval carries on voice vote. 1 abstention.**



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## NEIGHBORHOOD PLANNING UNIT - F

Text Amendment (Vote Required)		
Case	Address	Public Hearing
<b>Z-17-26</b> An Ordinance by Zoning Committee to amend City Code Sec. 16-26.007 of the Atlanta Zoning Ordinance to provide that appeals from decisions of the Board of Zoning Adjustment are by Writ of Certiorari and may only be brought by those with standing; and for other purposes.	City Hall Council Chambers	July 6, 2017

Comments:

This will cut down on number of appeals, because it will be more complicated.

**NPU- F Action: Move to take no action, motion carries on a voice vote.**

### 10. Old Business

None

### 11. New Business

None

### 12. Adjournment

The meeting adjourned at 9:12 pm

City of Atlanta Code of Ordinances (Campaigning by Elected Officials)
<p>As we prepare for 2017 Elections please allow this message to serve as a reminder of the City of Atlanta's Code of Ordinances. Voting will involve municipal, county and state elections. The Guidelines for campaigning by elected officials at NPU and APAB meetings is strictly prohibited by the City of Atlanta's Code of Ordinances. Please note the following code section:</p> <p><b>SEC. 6-3019 Prohibition of Political Forums</b></p> <p>Part 1, Chapter 6, Article 1, Section 6-1: "It shall be unlawful for any person to use the interior of city hall, its rooms or offices in any type of advertisement of commercial products and political campaigns without first obtaining express permission from the city council. This prohibition shall apply to the filming or photographing of the interior of city hall for use in such advertisements; provided, however, that nothing in this section shall be construed to prohibit the filming or photographing of the interior of city hall for news coverage purposes by newspapers, magazines and television."</p> <p>Part 6, Chapter 3, Article B, Section 6-3010: "Neighborhood planning unit meetings shall not be used for political forums or campaigning for city, county, state, or federal elections."</p> <p>Examples of campaigning could include, but not be limited to:</p> <ul style="list-style-type: none"> <li>· Introduction of elected officials as political candidates in upcoming elections;</li> <li>· Passing out campaigning materials and literature; and</li> <li>· Conducting either of the above in city hall, its rooms or offices.</li> </ul> <p>If there are any questions or concerns please contact: Ms. Erica Pines at (404) 546-0159 <a href="mailto:epines@atlantaga.gov">or epines@atlantaga.gov</a> .</p>