

# Berkeley Park Bulletin

October 2010

In this Issue:

[Home](#)

[Announcements](#)

[Jeff DePaola ReMax](#)

[President's Report](#)

[About Us](#)

[Florist Atlanta](#)

[NPU-D Report](#)

[Join BPNA Today!!](#)

[Andrew T. Crawford  
Ironworks](#)

[Beltline Update](#)

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[PARK Atlanta](#)

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## President's Report

by Michael Wagoner

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As mentioned in the September newsletter, we have two business items to handle in the October meeting. Item 1 is to discuss proposed amendments to the BPNA by-laws. Four amendments have been proposed and will be listed within the newsletter (see below). Amendments will be discussed in this month's meeting and voted on in the November meeting. Item 2 is discuss nominations of the 2011 board. We still need 3 Volunteers to form the election committee. This committee must be made up of non-board BPNA members in good standing, meaning dues must be current. We will also have a quick introduction from Beth Beskin who is running for the District 38 Senate seat and Shelitha Robertson who is a candidate for Fulton County Superior Court Judge.

I'm sorry to announce that due to lack of response to numerous requests for volunteers, this year's Chili Cook-off is being cancelled. This is unfortunate for Berkeley Park, but it's simply not fair to the 5 or 6 people that always help put on this event, to once again bear the burden. . Hopefully there will be an interest for the Annual Christmas Party.

In closure, I have to say I am concerned with the future of the BPNA. We continue to request assistance from all, yet only receive assistance from the same. This becomes extremely frustrating and tends to burn people out. I hope to see a greater turn-out to this month's meeting, and hopefully some of you which were involved at some point, will return to help shape our community. The past 2 years have been extremely rewarding for me, and I feel confident saying we have been able to make great change

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in Berkeley Park, but I am one of those that has become burned out. I will not be running for the President position in 2011, as I feel I will have a greater impact in more specific roles yet to be determined. I will continue to be involved as there is still much to be done, but it's time for some fresh faces to provide input and impact within Berkeley Park. I look forward to seeing how this plays out.

See you soon,  
Mike

Proposed Amendments-

**Article IV - Board of Directors and Officers-**

- Propose adding a 2 year term to all Board Positions.
- Propose adding that each board member must attend more than 4 monthly meetings per year to remain on the Board.

**Article VI - General Meetings of the Association-**

- Propose changing the monthly meetings to the 2nd Monday of the month as to minimize conflict with full City Council meetings.
- Propose changing the monthly meetings to be every other month starting February.

Michael Wagoner  
President- Berkeley Park Neighborhood Association  
404-391-3573  
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## NPU-D Report

by Jim Martin  
[james.martin@me.gatech.edu](mailto:james.martin@me.gatech.edu)

I did not submit an NPU summary for the August meeting because I missed the meeting along with a few weeks before and after due to travel. Like several of the previous meetings it does not appear to have been eventful. The September 28 th meeting, in contrast, had quite a bit going on.

We had three zoning variances and a liquor license on our agenda. The first zoning variance was for a reduction to a rear-yard setback to permit the construction of a deck in Underwood Hills. This one seemed pretty straight forward and was unanimously approved with very little discussion. The second variance was for a reduction to a front-yard setback in Riverside to permit the enclosure of a front porch and the addition of a new front porch in the front of that newly enclosed space. This one was somewhat controversial, although not nearly as controversial as it should have been, since the homeowner had no justification at all for needing a variance. The house already had a porch and was located in one corner of a very large lot that would have allowed for its size to be quintupled within the buildable area without any variances. In addition to lacking any justification, there were good reasons for a denial of this variance - it permitted encroachment on the critical root zone of a tree at the front property line (i.e. a

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public tree), and it was not consistent with similarly zoned property in the area or NPU-D precedents. The sentiment of the neighbors seemed to be that any renovation was a good renovation and therefore warranted relief from zoning restrictions. One of them stated this is pretty much those words. This variance was approved by a vote of 11 to 2 with 2 abstentions. The third variance was for a side-yard setback reduction in Riverside to permit the construction of a deck. The only issue here was that the deck was very close to an enormous oak tree. Unlike the previous case, this tree was well within the buildable area of the lot, its critical root zone covered much of that buildable area, and the area affected by the variance was outside of the root zone. The applicant for this variance had adjusted her plans to reduce the impact on the tree by reducing the number of footings for the deck. This variance was unanimously approved.

Our liquor license case was for a wine wholesaler who is moving into a site on Defoors Hills Road in Underwood Hills. He intends to specialize in South American and Australian wines. Unfortunately, he will not be selling to the public. This applicant was particularly lucky in that his application was submitted too late to have been heard by us in September under normal circumstances. Because I had been traveling, the agenda was not printed until a few days before the meeting. Since the Underwood Hill Neighborhood Association was willing to expedite their consideration of this case, we were able to approve it without deviating from our established procedures regarding neighborhood review and public notice.

Before the zoning matters on our agenda, we voted to amend the NPU-D bylaws by adding criteria for our decision making. The amendment, which passed unanimously, read as follows: "Any business matter shall be judged by the voting members of NPU-D by the criterion of serving the greatest good of the community. The burden of proof in all business matters shall lie with the applicant." The reason for this change was not to create an enforceable condition, but rather to provide guidance to our members in judging applications and to prevent discussions from degenerating into irrelevances and he-said-she-said quarrels over unproven assertions.

Our city councilperson, Yolanda Adrian, was present at the meeting. She told us about three significant changes in the way that the city does business. The first of these is that the Department of Public Works has given up on plans to reduce the frequency of recycling pickup and yard-waste pickup in order to save money. Current plans are to keep weekly trash, recycling and yard-waste pickup. The other change is that the Department of Watershed Management has revamped its customer service procedures in response to numerous complaints about excessive water bills, which promoted the dismissal of several senior administrators. Customers who have not previously experienced satisfactory service when telephoning DWM are encouraged to phone in again with their complaints in order to experience the new and improved system. Yolanda and Major Browning (Zone 2 police commander) also told us about plans to restructure the city's policing. This is a work in progress, but seems likely to reduce the resources dedicated to Zone 2 as our crime rates are comparatively low. Public meetings are being planned as part of this restructuring process. Although the times and venues for these are yet to be determined, we are all encouraged to attend them and voice our concerns.

**Next NPU-D meeting:  
Tuesday, October 26, 2010  
7:30 pm Agape Center,  
2351 Bolton Road, NW**

**ALL NPU RESIDENTS WELCOME**

## Beltline Update

by Terry Horgan

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I am on the Planning Committee for the Beltline's sub-area 8 study. Jim Martin and I met with Beltline planner Jonathan Lewis to discuss issues impacting our neighborhood, which is entirely inside this sub-area. The decision regarding the rail alignment in our area has not yet been made. This leaves a lot of Beltline-related questions open. They are still unsure if they will propose to use the CSX line (behind Forrest St) or Norfolk Southern line (next to the Westside Urban Market) through our area. In either case, they seem to be proposing that the new rail would exist along with the current freight rail rather than replacing it. It is our understanding that there will be a meeting in December to discuss this further.

Meanwhile, assuming the originally proposed CSX alignment is it, we walked the tracks (literally at one point) to discuss alternate trail crossings from BP and possible park locations. The consensus seems to be that tunneling under the rail line would be more doable than bridging over it in this area. Jim pointed out that the stream bed beside Masterpiece Lighting could offer some opportunities for trail access to a tunnel under the Beltline. It is possible that storm water retention could rationalize DWM (Department of Watershed Management) funding for that, similar to (but on a much smaller scale than) Old Fourth Ward Park. Jonathan seemed pleasantly suprised to see this option.

We looked at the possibility of a park at the DPW (Department of Public Works) property next to Meyers Carpet and discussed the Beltline's desire to extend Deering to Trabert connecting Northside to Howell Mill south of our residential core. The tunnel mentioned previously would put you out very close to the back corner of that lot. We walked back onto the DPW property which, although it seems underutilized, it would be challenging to relocate as the City would most likely want to consolidate it with similar operations and the Beltline would want it away from their other important sites. All the more reason to find a more industrial site the way I see it. Jim pointed out that the additional lane on Howell Mill southbound through the Water Works has a negative impact on traffic as it only serves to speed up and disperse traffic that is later forced to slow down and consolidate at 17th St and at Huff Rd. By eliminating it, we could incorporate some plantings, wider sidewalks, and have an opportunity for a scenic gateway to our neighborhood. We were also told that with the new political environment (i.e. new administration at DWM), the Waterworks Park discussions aren't completely dead. The Beltline offers exciting opportunities for BP and we hope to stay on top of and involved with those options to protect our investments and encourage the quality of life we desire. Please contact me with any questions or suggestions about this.

Sincerely,  
Terry Horgan

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## Fulton County Government Update

### Fulton County Government Update

Interested in having a say in the Fulton County 2011 budget?

The Fulton County Board of Commissioners invites residents to participate in a series of upcoming public hearings regarding the 2011 General Fund and South Fulton Tax District Fund budgets.

Citizens will have the opportunity to obtain information about the budgets and give input during the budgetary process. The hearings are scheduled as follows:

· **Monday, October 18, 2010, 7 p.m.**

Helene S. Mills Senior Multipurpose Facility, 515 John Wesley Dobbs Avenue , Atlanta , GA 30312

· **Thursday, October 21, 2010, 7 p.m.**

South Fulton Government Service Center , 5600 Stonewall Tell Road, College Park , GA 30349

· **Tuesday, October 19, 2010, 7 p.m.**

Johns Creek Environmental Campus Education Center (JCEC), 8100 Holcomb Bridge Road , Roswell , GA 30004

· **Thursday, October 21, 2010, 1 p.m.**

Dorothy C. Benson Senior Multipurpose Complex, 6500 Vernon Woods Drive , Sandy Springs , GA 30328

A final public hearing will be held on Wednesday, January 5, 2011 at 10 a.m. prior to a meeting of the Board of Commissioners in Assembly Hall of the Fulton County Government Center , 141 Pryor Street , Atlanta , Georgia 30303

## Park Atlanta Update

The City of Atlanta Department of Public Works and PARKatlanta are modernizing the city's parking operations to improve convenience, access, fairness, and service for city motorists, residents, businesses, and visitors. PARKatlanta has begun to respond to complaints/requests for parking enforcement in all areas including commercial and residential areas. Parking enforcement will be resourced in a greater amount than in recent years serving as an additional resource to the Atlanta Police Department.

We want to inform you about three key items related to this program: state and municipal parking regulations, additional town hall meetings in the next few weeks, and PARKatlanta's plan to further help communities acclimate to the program.

**State and Municipal Parking Regulations** PARKatlanta has the responsibility to enforce parking regulations, including state parking laws citywide. These state regulations were established to impact quality of life, protect citizens and prevent safety hazards. Examples of these regulations include parking in a crosswalk, parking too close to an intersection, parking on a sidewalk and blocking or parking too

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close to fire hydrants. Please review these regulations by visiting [www.parkatlanta.org](http://www.parkatlanta.org), and please be mindful that municipal signage for a parking rules will prevail over the state regulations.

**Town Hall Meetings** The City of Atlanta Department of Public Works and PARKatlanta will be hosting a series of Community Town Hall meetings in the next few weeks. These meetings will take place in Northeast, Southeast, Southwest, Northwest and Intown Atlanta. These meetings will be located and scheduled to accommodate as many citizens as possible. We will send further information about locations and times as soon as venues are confirmed.

To find out more about the City's parking program and regulations, we encourage you to visit the PARKatlanta website at [www.parkatlanta.org](http://www.parkatlanta.org). We hope this clarifies any concerns you may have with regard to parking enforcement in your neighborhood. Please do not hesitate to call us if you have any further questions or need further information.

Department of Public Works  
City of Atlanta  
(404) 330-6739  
[publicworks@atlantaga.gov](mailto:publicworks@atlantaga.gov)  
PARKatlanta  
[www.parkatlanta.org](http://www.parkatlanta.org)

## Announcements

### **Oakland Cemetery Tours**

On **October 22nd, 23rd and 24th**, the Historic Oakland Cemetery will host "Capturing the Spirit of Oakland" guided tours for Halloween. Visitors will enjoy Oakland as they are guided down beautifully illuminated pathways to the graves of distinguished residents portrayed by costumed actors sharing their life and times. Various entertainers will also perform nightly at the Bell Tower, and food and drink will be available. Purchase your tickets early at [www.oaklandcemetery.com](http://www.oaklandcemetery.com). No tickets will be sold at the gate. Weekend Twilight Tours are also available through October 17, 2010.

### **Beltline Presentation**

The Atlanta BeltLine Tax Allocation District Advisory Committee (TADAC) is hosting a community conversation on Equitable Development on **Tuesday, October 19, 2010 at 5:30 pm** at the Cleveland Darnard Conference Center at Atlanta Technical College, 1560 Metropolitan Parkway, S.W., Atlanta, Georgia 30310. Mtaminika Younglood with the Center for Working Families is the featured speaker.

### **Lion's Pride Annual Fund Drive**

The Lion's Pride Annual Fund drive is now underway. All community members are invited to donate to the E. Rivers PTA Annual Fund drive to help support teacher training, class field trips, the students' Nutcracker production, the Fun Run, Field Day, and math and science enrichment programs. Donations will also maintain playgrounds and provide for all of the extras that make E. Rivers classrooms vibrant, organized places to learn. Without these funds E. Rivers would not be the school of excellence it is today! For more information and to donate online, visit <http://www.eriverselementary.com/lion's-pride/>. The drive continues through October 31.

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## **General Election News**

Early voting is now open in Fulton County for the November 2 General Election. Voters can visit one of 6 Fulton County locations for early voting, or request an absentee ballot. Details about early voting and absentee ballots can be found at <http://www.fultoncountyga.gov/component/content/article/317/3022> . To find a list of candidates and a sample ballot, visit <http://www.fultoncountyga.gov/registration-elections>.

## **About Us**

### **About the Berkeley Park Neighborhood Association**

Berkeley Park was originally a farm owned by John Whitley. It was developed in 1921 and until 1995 was a part of Underwood Hills neighborhood . That year, Berkeley Park residents formed their own organization and called it the Berkeley Park Neighborhood Association.

Meetings are held on the 3rd Monday of every month at 7 pm in the Senior Center at the corner of Commerce Drive and Bellemeade Ave. All are welcome!!

In order to vote on issues at meetings, you must be a dues-paying member of the association. Dues are \$20 per person (\$5 for seniors) and \$50 per business. [Click here](#) to fill out the form and pay online.

Join our Yahoo group <http://groups.yahoo.com/groups/bpna/join> . This is our neighborhood email list, and if you join you will receive notices about our neighborhood, including crime reports and our monthly newsletter. If you prefer to receive a paper copy of our newsletter, email Maureen at [info@berkeleypark.org](mailto:info@berkeleypark.org) to sign up for regular delivery (or call 404-609-9873).

Find us on Facebook! Search for Berkeley Park Neighborhood Association and join our Facebook group!

Send any news, pictures, articles, etc. to our newsletter editor, Maureen Hetrick at [info@berkeleypark.org](mailto:info@berkeleypark.org)

### **About the newsletter**

The Berkeley Park Bulletin is published monthly in print and at [www.berkeleypark.org](http://www.berkeleypark.org) by the Berkeley Park Neighborhood Association, a non-profit organization. To subscribe to the monthly edition, submit an article or Talk Back letter, or inquire about advertising, contact the editor, Maureen Hetrick, at 404-609-9873 or [info@berkeleypark.org](mailto:info@berkeleypark.org). We accept appropriate articles from all Berkeley Park residents or other interested community members at the discretion of the editor and as space permits.

Effective January 1, 2009, membership in the BPNA is \$20 per person (up to 3 adults per address are eligible to become members), and \$10 for seniors. To join the association, attend a monthly meeting and pay dues to the treasurer, [Nina-Daniela McCormack](#), or the president, [Michael Wagoner](#). If you cannot attend a meeting but wish to join, or for more information, email us at [info@berkeleypark.org](mailto:info@berkeleypark.org).

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