

### March 2018 Board Meeting

Cathy will follow up on code enforcement for stream buffer near construction on Club and West Brookhaven Drives. Meeting with Canterbury Court is planned with their representative, Carl Westmoreland. Lenbrook has received final approval for their project. The duplex like home at East Brookhaven and Club Drive seems to be in violation of rental guidelines for HBNA and City of Atlanta zoning.

### February 2018 Board Meeting

Cathy discussed proposed Canterbury Court expansion that would wrap around Club Drive with an eight story building. Previous agreements with Canterbury Court and HBNA opposed this proposal. A meeting is planned with Cathy Boston and Canterbury Court developers. Lenbrook is expanding onto Kingsboro Road. The lower raise expansion with entrance at the Kingsboro traffic light was approved by NPU B and Ridgedale Park Civic Association. The new construction at Club Drive and West Brookhaven was discussed. Concern for compliance to stream buffer regulations and code was expressed.

### January 2018 Board Meeting

No report given.

### November 2017 Board Meeting

No report given.

### October 2017 Board Meeting

Club Valley residential zoning request, meeting October 17, 2017. Canterbury Court zoning request meeting October 17, 2017. Canterbury Court has purchased red brick condos adjoining their property for possible expansion as well. There are existing height restrictions that may be imposed on Peachtree. HBNA may also have concern regarding first three rental homes adjoining Canterbury Court on Vermont.

### September 2017 Board Meeting

Davidson property had stop work order in place.

#### August 2017 Board Meeting

Cathy reports, the Vermont Road guest house has reached a compromise and is approval by NPU. The owners of 4350 Davidson Road property were cited for clearing in Mason Park. Gregory Pace, City arborist, will follow up.

#### July 2017 Board Meeting

Cathy updated board on garage variance on Vermont Road.

#### June 2017 Board Meeting

Cathy noted that hardship, no other alternative, is primary factor in many zoning variance requests in Fulton County, City of Atlanta.

#### May 2017 Board Meeting

Bob Connelly noted garage or guest house variance for renovation for 3778 Vermont Rd. denied. No other requests discussed by zoning committee.

#### April 2017 Board Meeting

Cathy reported a request for addition to a garage on Vermont Road. Information or update requested on renovation and addition to home near the end of Club Drive and vacant lot at Club and Peachtree Rd.

#### March 2017 Board Meeting

Cathy reports, assemblage of property on Peachtree between Club Drive and Canterbury Court probably by Canterbury Court interests. The owners or an owner of condo at Club Drive and Bellaire Drive is proposing to buy green space at Club Drive entrance. Update on Peachtree Road zoning issues to follow.

Cathy also discussed the city sign ordinance; it prohibits real estate signage in common or public areas.

#### February 2017 Board Meeting

Current issues include construction at West Brookhaven and Club Drive, driveway at Davidson and West Club Lane, and construction at 4418 Davidson Avenue.

January 2017 Board Meeting

No update

December 2016 Board Meeting

Cathy Boston: Cathy discussed a lot on Vermont is now a lot and not part of adjoining development. There is request for property at Calvert and Peachtree Dunwoody to be developed as a subdivision. This request is presently deferred.

November 2016 Board Meeting

No update.

October 2016 Board Meeting

No update.

September 2016 Board Meeting

No update.

August 2016 Board Meeting

Inquiry to be made about for rent listing of home at East Brookhaven and Club.

July 2016 Board Meeting

No meeting was held.

### June 2016 Board Meeting

Cathy Boston reports issue on Club Drive with request for yard clean up. She will support resolution.

### May 2016 Board Meeting

Current variances include a side yard set back on Angelo Court, stream buffer variance and front yard encroachment at Club and Winall Down Rd., and 4000 Club Drive. Variance request approved at 4000 Club Drive without restrictions HBNA that were recommended to the City of Atlanta.

### April 2016 Board Meeting

Cathy Boston discussed development of two homes between Carter Drive and West Club Drive at Peachtree Dunwoody and new construction at Club Drive and West Brookhaven. Both projects received review by HBNA and NPU and both projects are slated for approval by the City of Atlanta. A third request for a variance for a pool near Stovall Blvd. and Vermont was approved with no neighbor objection. (Note that the Club Drive home will be placed at the corner of Club and West Brookhaven where two homes are currently standing.) (Note there was discussion if moving City of Atlanta utility equipment was possible near Carter Drive. No better resolution to utility equipment issue.)

### March 2016 Board Meeting

No report.

### February 2016 Board Meeting

Zoning, Fulton County, Bob Connelly:

Bob discussed a request on Club Circle for zoning change. The property at Carter Drive and Peachtree Dunwoody Road is under review for subdivision of 2 lots.

### January 2016 Board Meeting

Cathy and Bob noted, NPU zoning meetings are held on last Tuesday of the month at Saint Philip's Church. Two variances were discussed, 4532 Club Circle and 4253 East Brookhaven, regarding set back requests. The hearing at the City of Atlanta will be on February 11, 2016.

#### December 2015 Board Meeting

No report.

#### November 2015 Board Meeting

A brief report was given by Cathy Boston.

#### October 2015 Board Meeting

No report.

#### September 2015 Board Meeting

##### Fulton County, Cathy Boston

Cathy updated the board on the garage variance request for 3905 Peachtree Dunwoody Road. The request is deferred 30 days, while home owners review their plans (based on feedback from zoning committee). Cathy will update us by email if committee meets to review more variance requests.

#### August 2015 Board Meeting

Bob Connelly reported, a zoning committee meeting regarding 3905 Peachtree Dunwoody Road. A request of a 1 foot , 5 inch variance from the property line for a garage. No hardship noted.

#### July 2015 Board Meeting

Cathy Boston reported on 975 Stovall Blvd., Height Variance requested by John Willis. Cathy reviewed application now approved. She noted no foot print change, new front driveway , garage facing Vermont Rd. , and a second story height variance.

Carter and Club Drive Subdivision (SD 15 016), Subdivision is open for comment to the City of Atlanta; no variance request currently. Comments included concern for preservation of tree canopy, water issues, and density of homes. Request for Cathy Boston to notify HBNA Board of contact information for Subdivision Board at The City of Atlanta was requested. Cathy also reviewed the steps that the Fulton County/City of Atlanta HBNA zoning committee and NPU take to review variances and zoning requests in Historic Brookhaven. The outline of the process may be obtained from Cathy Boston or HBNA secretary. Suggestions were made by the HBNA Board for HBNA Fulton County/City of Atlanta zoning committee. 1) Example, more communication with neighbors in a larger radius or community posting of variance requests by HBNA website and/or neighborhood email. 2) Example, more neighbor opportunity to meet with land owner or developer when applicable. The notice of posting of hearing is misleading on

City of Atlanta signage. The date of neighborhood zoning meeting should post. The committee offers the neighbors the most effective communication.

#### June 2015 Board Meeting

No report was given.

#### May 2015 Board Meeting

Recent JLB HBNA position discussed in zoning committee meeting. Some zoning committee members felt HBNA position did not clearly differentiate from the Concerned Neighbors position statement or criteria. Moving forward the board discussed the following re the Porter Property: 1) R-100 protection 2) speak with COB staff re protection of R-100 3) possibility of amending overlay as protection...when R-100 adjoins the Peachtree Overlay 4) deeded protection by future developer (as discussed with JLB) 5) partner with neighbors to be proactive to future development 6) HBNA form a revised position statement re the future Porter property development

Follow up will take place with Tim Morrison in a meeting (before our next HBNA Board meeting).

#### April 2015 Board Meeting

No report was given.

#### March 2015 Board Meeting

Cathy Boston described changes in the setback regulations in Fulton County. There were questions re the development on Peachtree Road behind homes on Vermont Road. Cathy assured board of good drainage for the neighborhood re the development. Cathy disclosed that she is a co-developer for four homes near Club and Carter Drive. She states, there are no zoning issues for this development. The Fulton County zoning committee requests a \$10,000., budget for 2015.

#### February 2015 Board Meeting

Vermont Road (3713, 3715, and 3717) will be requesting (Canterbury Court) set back changes and RG3 Zoning from R-100 Zoning.

#### January 2015 Board Meeting

Cathy Boston, Fulton County zoning chair, reported development next to the Winston on Peachtree. Ridgedale Park neighborhood is behind this development.

December 2014 Board Meeting

Nothing to report.

November 2014 Board Meeting

Cathy Boston reported the following:

- ***Tomlinson property*** – Peachtree Road between Club & Bellaire Dr  
Last month, Jeff Kingsfield, the Atlanta president of Wieland, suggested a meeting to review current plans and discuss design, landscaping and other matters of interest to nearby residents and HBNA board members. This meeting has not yet been scheduled, and another request to schedule this meeting has been sent to Mr. Kingsfield.

There was discussion about the HBNA's role in being the "lead voice" on the Porter property. Also discussion about budget for attorney support as well as discussion about the level of involvement of the neighbors most affected by this proposed development.

October 2014 Board Meeting

- ***Property at 3976 Club Drive***  
There was one application for variance approval regarding the parcel at 3976 Club Drive. It was to add another one car garage. The application was denied. Cathy is going to begin sending notices of Fulton zoning issues/request to the board to get board approval before letter is sent regarding vote.

September 2014 Board Meeting

Cathy Boston noted:

- **3700 Peachtree Rd. and Vermont** – 12 townhomes are planned on this L shaped lot. Neighbors met with the developer regarding water flow plan. (The developer is supposed to reduce water runoff 30% and create a retention solution.) The neighbors seemed pleased with the outcome of the meeting.
- **3976 Club Drive** – There is new construction on the property which is requiring a stream buffer/variance due to the creek running between the garage and house.

**Subsequent to the meeting, the following issue arose...**

On September 22<sup>nd</sup> the zoning committee recommended HNBA send letters to John Wieland Homes (JW Homes), City of Brookhaven and the architectural firm of Tunnell Spangler Walsh concerning the Wieland Development at Peachtree Road between Club and Bellaire Drive. The zoning committee has monitored this development for many months and has been in constant communication with the adjacent neighbors, the JW Homes personnel and has made continual updates to the HBNA board. At the zoning committee's last meeting with Jeff Kingsfield of JW Homes, Jeff was found to not be cooperative and did not appear to be interested in hearing any HBNA suggestions and concerns. The zoning committee remains concerned with the density of this project, the landscaping and the architectural design. Therefore three letters have been prepared from HBNA to formally address those concerns with the appropriate parties. The following motion was made via email to the HBNA board for approval of the letters. "The HBNA board approves the letters to JW Homes, COB and the architectural firm of Tunnel Spangler Walsh". The motion passed.

The following voted "YES": Anne Culberson, Gay Colyer, Bob Connelly, Frank Clementi, Tom Hicks, Mark Roberts, Cathy Boston, Hope Bawcom, Tim Gartland, Brian Ruediger, Ruth Skogstad, Bridget O'Donnell, Wade McKenzie.

#### August 2014 Board Meeting

Cathy Boston noted:

- **Tomlinson property – Peachtree Road between Club and Bellaire Dr - FOLLOW UP** – After obtaining approval for the Peachtree Rd access, John Wieland Communities is not meeting with HBNA any more. They have basically shut off communications.
- **3700 Peachtree Rd.** – 12 townhomes are planned on this L shaped lot. There is no access to Vermont. Neighbors have complained it looks like a "war zone" as the developer took out everything completely clearing the lot of trees. They are supposed to reduce water runoff 30% and create a retention solution.
- The current tree ordinance does not seem to be effective at preserving green canopy in the city. Individual homeowners seem to have a larger burden in removing a single tree than a developer has in clearing an entire lot. Cathy Boston will draft a position paper on the issue for HBNA consideration.

#### July 2014 Board Meeting

Cathy Boston noted that the first single family home past the church and next to the church nursery on Narmore is on the market and there is some question about the future use of the property due to the unique nature of the lot.

#### June 2014 Board Meeting



Bob Connelly reported that the zoning committee has had conversations with the City of Atlanta supporting changing the zoning of the Bellaire property as long as HBNA supports the change. There are still concerns about entry and egress to the property.

#### May 2014 Board Meeting

No new activity reported on the Fulton County side of the neighborhood.

#### April 2014 General Membership Meeting

No new activity reported.

#### March 2014 Board Meeting

No new activity reported on the Fulton County side of the neighborhood.

#### February 2014 Board Meeting

No new activity reported on the Fulton County side of the neighborhood.

#### January 2014 Board Meeting

No new activity reported on the Fulton County side of the neighborhood.

#### December 2013 Board Meeting

Cathy Boston said there was no new activity on the Fulton County side of the neighborhood.

#### November General Meeting

Cathy Boston noted that a zoning application for 3700 Peachtree Road has been deferred by the county for 2 months.

#### ***Tomlinson Property at Peachtree Rd.***

Gay Colyer reported that members of the HBNA Zoning Committee and neighbors from Club

and Bellaire met on several occasions with the broker and the current developer. Kerry O'Brien, a resident on Club Drive who has been acting as the point person, gave a further update on the status of the property:

- Approximately 2.8 acre parcel, 2 acres in Brookhaven and .8 acres in Atlanta.
- Permits for the initially proposed six story 176 unit apt. building, were applied for and denied by DeKalb County.
- Prior to the official establishment of the City of Brookhaven, the developer applied to the DeKalb Co ZBA for administrative relief of this decision, and DeKalb Co staff recommended denial of this request.
- At the request of the City of Brookhaven, the matter was transferred from the DeKalb County to the City of Brookhaven for its ZBA to consider.
- In the course of several hearings before the Brookhaven ZBA, the applicant has been given deferrals to allow the owner to work with prospective developers / buyers to develop new plans that would be more acceptable to the nearby residents and the neighborhood.
- The last deferral was granted for a six month period for new plans to be developed to gain neighborhood support. Since then, the property owner's broker and a new developer have met with neighborhood representatives to review & consider new plans for developing the property for townhomes.
- The neighborhood's response to those plans has been that the development is too dense in general, but more importantly on the Atlanta parcel, and that there were traffic and related curb cut access issues.
- The new developer has not responded with new plans, and the Brookhaven ZBA is scheduled to hear this matter at the regular November 20<sup>th</sup> meeting.
- The Brookhaven planning staff noted that they have received no new information or any communications since the May ZBA meeting and have recommended denial of the appeal application.
- With no new acceptable plans offered, HBNA remains in clear opposition to the requested appeal application.

### ***Brookhaven Plaza:***

Carole Simpson gave the following report:

- Brookhaven Plaza is a 65,320sf retail center formerly anchored by a 44,689 sf Harris Teeter.
- The property is owned by a joint venture between DDR, a publicly traded REIT, and the Utah Pension Retirement System.
- When Harris Teeter withdrew from the Atlanta market, their lease was purchased and assumed by Kroger, who operated a grocery store in this space for a while.
- Although Kroger closed this store, it is obligated to pay rent under the original Harris Teeter lease through its expiration on 8/2018.
- With Kroger obligated to pay rent on this vacant space, DDR has no incentive or interest in doing anything with this property.
- Kroger has engaged a local retail leasing broker to market the space for sublease.
- To our knowledge there is no current development, leasing or sale activity on this property.

### ***Kroger expansion***

Lisa Martinez gave the following report:

- Plans for Kroger expanding their existing 43,000 sf store to a 80,000 sf super store format were originally presented and discussed in late 2011.
- To warrant their expansion, Kroger signed a long term lease with the owner of Cherokee Plaza.
- Kroger's expansion plans included the complete renovation of their existing store interior, an upgrade of their storefront and improvement of the site, primarily in front of their store.
- The proposed site improvements are primarily the addition of landscaped islands with trees in the parking lot and some landscaped islands along the Peachtree Road frontage behind the existing sidewalk.
- Since proposed expansion plans were initially presented, representatives of the Brookhaven Peachtree Community Alliance and various area neighborhood groups have sought to have Kroger improve their site / landscaping plans to include an Overlay compliant Peachtree Road street scape, (a design that would provide for a landscaped strip along the street, including a 15 ft wide sidewalk.)
- DeKalb County interpreted the Kroger expansion as a building renovation and not new construction and as such DeKalb County did not require compliance with the Overlay Ordinance for the specified Street scape improvements.
- Numerous neighborhood organizations including Historic Brookhaven, Brookhaven Heights and Brookhaven Peachtree Community Alliance have protested DeKalb County's interpretation of the ordinance and have met with DeKalb County, Kroger and City of Brookhaven officials in an attempt to require or persuade Kroger &/or the Cherokee Plaza owner to provide Overlay compliant street scape improvements.
- To date, no favorable response has been received.
- It was discussed that an appeal to Kroger from a customer point of view may be more impactful.

#### October Board Meeting

No report.

#### September Board Meeting

Cathy B. reported the 3700 Peachtree Rd property owners are working collaboratively with HBNA Zoning Committee to develop plan that would warrant favorable recommendation from HBNA ZC to the NPU.

Cathy also reported that COA will be patrolling re: sign and setback compliance. She also reminded of the deadline to register alarms with the city.

There was discussion about whether a committee should make a formal recommendation without prior board approval.

### August Board Meeting

Cathy B. discussed home variances for the Peachtree/Vermont property.

### July Board Meeting

The Vermont Road project has been postponed for now.

### June Board Meeting

Cathy Boston noted that a zoning application for 3700 Peachtree Road has been deferred by the county for 2 months.

### April Board Meeting

No report.

### March Board Meeting

Cathy Boston gave an update on Fulton County zoning noting that depending on the outcome of the Bellaire Drive project there may likely be some zoning issues on the Fulton County side of that property. Cathy made a motion to approve a budget of \$5,000 for Fulton County zoning. After brief discussion the motion made by Cathy passed with 9 yes, 0 No, 4 Abstain (Frank Clementi, Lisa Martinez, Hope Bawcom, Mark Roberts).

### February Board Meeting

No report.

### January Board Meeting

No issues currently involving Fulton County zoning.

### December Board Meeting

No issues currently involving Fulton County zoning.