

**November 9, 2015**  
**Morningside-Lenox Park Association**  
**Monthly Board Meeting Agenda**  
**www.mlpa.org**

**Call to order and welcome:**

MLPA President Carmen Pope called the meeting to order.

**Deferral of October 2015 Meeting Minutes:**

A motion to defer the October 2015 Meeting minutes until December was made by Kirk Parks. The motion was seconded by Chuck Tobias. The Motion to Defer the minutes until December was approved 10-0-0.

**MLPA Security Patrol:**

Ric Vazquez (lead officer of the MLPA Security patrol) spoke – 9 car break-ins – Pine Ridge, Barclay, West Sussex, Lenox Circle area – overnight patrol is now in the area to either apprehend or push them to another area. These thefts happen quickly – one person even jumped over an electronic gate to enter the garage area of a home. Thanksgiving and Christmas is a busy time – the MSP is checking 60+ houses a day during this time. Please remember to keep your car clean of valuables at all times and to remind guests/visitors to do the same. Contractors should be advised to secure their tools, etc when parking in the area.

**Zoning Report/Variances:**

**\*\*V-15-260 – 1476 North Highland Ave NE**

Applicant (Kim Guy – owner, April Ingraham - consultant) seeks a special exception from zoning regulations to allow a 6' high privacy fence in the required half-depth front yard. Applicant seeks no other special exceptions at this time. A Motion to Deny without prejudice and to reconsider in December if the applicant appears before the zoning committee was made by Rae Conlan. Bob Silvia seconded the motion. Motion passed 13-0-0.

**\*\*V-15-330 – 1695 Noble Drive NE**

Applicant (Steven T. Hatch) seeks a variance to from the zoning regulations to reduce the required side yard setback from 7 feet to 5 feet to make an addition to a single family home (the portion in the setback will be an outdoor, unheated patio). Motion to approve per the site plan dated 9-29-15 was made by Tad Christian. Bob Silvia seconded the motion. Motion passed 13-0-0.

**\*\*V-15-331 – 1227 Spring Valley Lane**

Applicant (John French - the contractor spoke for Owner) seeks a variance from the zoning regulations to reduce the east side yard setback from 7 feet to 5 feet to allow for a carport addition to single family residential dwelling. Motion to approve per the site plan dated 9-29-15 was made by Tad Christian. Rae Conlan seconded the motion. Motion Passed 13-0-0.

**\*\*V-15-332 – 1206 Cumberland Rd NE**

Applicant (Randall A Parrish) seeks a variance to from the zoning regulations to reduce the required east side yard setback from 7 feet to 6 feet, 6 inches to make an addition to a single family home. Motion to approve. (They are adding a second level over the existing 1<sup>st</sup> level footprint and re-doing the existing patio.) Tad Christian made a motion to approve. Kirk Parks seconded the motion. Motion Passed 13-0-0.

**\*\*V-15-344 – 1170 Cumberland Rd NE**

Applicant (Dotan Zuckerman) seeks a variance to from the zoning regulations to reduce the required west side yard setback from 7 feet to 1 foot and to reduce the required rear yard setback from 15 feet to 3 feet to allow for the construction of an accessory structure (detached 2-car garage). Applicant seeks no other variances at this time. Tad Christian made a motion to defer. Kirk Parks seconded the motion. Motion Passed 13-0-0. Motion Passed 13-0-0.

**\*\*V-15-352 – 929 Cumberland Rd**

Applicant (Laurel David – attorney with the Galloway Law Group speaking for applicant – KBD Homes – a small home developer that does 7-8 houses a year) seeks a variance to reduce the 1/2 depth front yard setback from 17.5 feet to 7 feet in order to allow for the construction of a single family dwelling. (The lot is a corner lot that is long and narrow and occupied by a ranch, duplex. The lot is sloped down toward Cumberland. The house will be 32 feet high from the ground level, likely lower than the home next door on Wessington due to the slope but will need to remove some trees in order to the driveway. Neighbors spoke in favor (Ann) and in opposition (Rafael) of the current elevation plan/exterior footprint drawings that have been submitted to the city for conditional approval. Roofline and/or footprint changes could impact the approval. Sidewalk evaluation was requested at the first zoning meeting. The surrounding neighbors (some present at the meeting) would really like to see a sidewalk installed at this corner which would enable a crosswalk at the 4-way stop at the Wessington/Cumberland intersection – as many children cross Cumberland at the 4-way stop on the way to Morningside Elementary. Per KBD Homes, a sidewalk on Wessington would be difficult due to the slope of the lot and retaining walls that would be needed to install – in addition to tying that new sidewalk into lot next door. However, a sidewalk on the Cumberland side may be feasible if the hardwoods in that area are far enough away that their roots would not be disturbed. A motion to approve the variance based on the drawings/plans submitted to the city dated 11-9-15 and presented at the MLPA board meeting and conditioned on a possible sidewalk installation on the Cumberland side based on a City arborist and public works feasibility study was made by Bob Silvia. Bill Long seconded the motion. Motion Passed 14-0-0.

**\*\*V-15-348 – 1165 University Dr NE**

Applicant (Tim Etherington – owner/Andrew Washington – architect representative) seeks a variance to from the zoning regulations to reduce the required southeast yard setback from 7 feet to 2.5 feet in order to allow for an addition to a single family dwelling (an already constructed, 290 sq ft all-season sunroom). The Owner noted the initial contractor did not get the appropriate permits from the City when the addition was built last year. A back door neighbor from Lanier Blvd spoke in favor of the addition and other letters in favor were submitted. The neighbors notes the owner owns 4 other houses on University Drive that are well-maintained. Applicant seeks no other variances at this time. Motion to approve was made by Tad Christian. Kirk Parks seconded the motion. Motion Passed 11-3-0.

**Liquor License:**

KJBR LLC (the same Owner of what was formally Kamal's 21 and will soon be called Shooter Alley Midtown) was represented at the MLPA meeting by Edward Gilgor – attorney and Rick Ramu – new agent applicant. KJBR LL is applying to change the “agent” of the existing liquor license to Mr. Rick Ramu, who will become the new on-site manager for Shooter Alley Midtown. Rick Ramu spoke at the meeting - he is a retired fire fighter from Fort Lauderdale who has been in the business at the Shooter Alley on Buford Highway since 2000 with plans here at the Midtown location to run a more professional business with repeat clients/not one-time disruptive promotions. The previous parking and security portions of Kamal's 21 were farmed out – now Rick Ramu will be responsible for both. The hours are 3:00 pm to 3:00 am with last alcohol served at 2:30. The establishment has a shared parking agreement with a neighboring business. If the Board has any issues or complaints, the contact info for Edward Gilgor, Attorney at Law is as follows:

Edward Gilgor, LLC  
309 Sycamore Street  
Decatur, GA 30030  
(404)483-1300  
[Edward.Gilgor@gilgorlaw.com](mailto:Edward.Gilgor@gilgorlaw.com).

**MLPA NPU Representative:**

Carmen Pope made a motion for Sally Bayless to move forward as a MLPA NPU representative. Kevin Lyman seconded the motion. The motion passed 14-0-0.

**2016 Security Contract:**

Administrative fees (which include insurance) are paid to the MSP in the amount of \$400 per pay period – the car is not owned by the MLSP. Bill Long mentioned we may should do an RFP every 3 years so in a

best practices sort of way just for pricing confidence/comparison – or at least audit other neighborhood's procedures to make sure we are in line with surrounding areas. Many of the MSP patrolling officers have been doing it for 10 years or more so are very loyal to the MLPA and know our neighborhood well. Ric Vazquez, a Lieutenant for the APD, only works security patrol for the MLPA. Some other neighborhood patrols that do not have admin fees, drive cars owned by the Neighborhood associations. Per the contract – the MLPA has an obligation to pay the annual \$77k + \$9600 in administrative fees (patrol rate is \$27/hour). The exact amount paid varies per year due to additional patrol hours during holidays and high crime periods. Bill notes that going forward, the Terms of Agreement in the contract should be amended to release the MLPA from liability of the full annual MSP funding if for some reason, the MLPA membership fee collection doesn't support funding of the full annual payments – perhaps some sort of Termination Clause should be added. Bill also notes another change to be considered going-forward, per the current contract terms, is that the MLPA Security Patrol chairperson has the ability to increase the shifts/patrols enough to spend as much as \$13,000 in a 30-day period without Board approval for this increase. Rae Conlan makes a motion to approve the 2016 MSP Security Patrol Contract "as is". Chuck Tobias seconded the motion. The motion was approved 14-0-0-

### **2016 MLPA Budget**

Bob Silvia made a motion to approve the 2016 MLPA budget submitted to the board. Kevin Lyman seconded the motion. The 2016 MLPA budget was approved 14-0-0.

### **MLPA Survey:**

To complement, Rae's analysis of MLPA survey results, Sally Bayless compiled an analysis of respondents who are not members of MLPA. The priority rankings for both groups are quite similar, with both groups ranking Crime / Security, Schools and Traffic as the top three priorities. Both groups ranked Crime / Security as the number one priority. Non-members ranked Traffic as the second highest priority while MLPA members ranked schools as the second highest priority. Parks are more important to a larger percentage of non-members (22%) than members (13%) but as a priority Parks was ranked 5<sup>th</sup> for both groups.

Rae Conlan asked that the Board review her draft "Action Plan" (aimed at enhancing the value of a MLPA membership aligned with neighborhood priorities pulled from the survey results) and send comments by November 23.

### **Membership:**

Bill Long presents a Membership Proposal aimed at attracting new members that either can't afford the current \$200/\$175 membership fee or aren't interested in the MSP security services. We need to promote the value proposition of being a member of the MLPA even if not involved in the MSP (Morningside Security Patrol) portion. Membership at any level is the most important way to get people involved in enacting change and improving our neighborhood. Sometimes numbers have more influence than money. Bill discusses the attributes, risks and benefits to amending the Membership fees and levels. John Neal (from Homestead) asked questions about the membership levels and the amount of money made back in 2012 when the MLPA went to a single security-only membership level. Sally points out that the \$200 membership level precludes some people for joining – but there is great value in a larger membership base. Another neighbor notes that many Seniors are not interested in the security portion as they are on a fixed budget, typically home all day and feel as though they can watch their own homes and streets. Bill makes a motion to implement a new Membership Category structure which would include a \$75 regular membership fee (\$50 for Seniors) and then \$200 Security Membership fee (\$175 for Seniors). Kevin Lyman seconds the motion. The implementation of this may involve changes such as re-naming the membership categories (such as Full / Partial instead of Security/Regular), etc before the full roll-out in January. Motion was approved 14-0-0.

### **New Business:**

John Neal spoke on the current deer population noting that 2 cars have hit deer on Lenox Road already. Sally is talking to Daniel Calvert tomorrow to ask for a Deer Crossing sign for Johnson Road. You are not allowed to hunt in the City of Atlanta although bow-hunting is legal in North Fulton County.

### **Adjourn:**

MLPA President Carmen Pope adjourned the meeting.