

# The Messenger

News for Candler Park

Our intown hometown

June 2001

## MEETINGS\*EVENTS

### CPNO MEETING JUNE 11 @7 PM

The Candler Park Neighborhood Organization is for all residents! We meet the second MONDAY of each month at Epworth United Methodist Church at 1561 McLendon Avenue. Please use the Mell Avenue entrance. Membership is FREE!

#### JUNE MEETING AGENDA:

- Officer Reports/Announcements
- VOTE on eliminating hex sidewalk requirements (see page 2)
- VOTE on Goldsboro Road abandonment (see story at right)
- VOTE on Co-Housing community (see story at right)
- VOTE on park benches (see page 2)
- VOTE on variances (see back cover)

TO SUBMIT AN AGENDA ITEM for the July meeting, contact any CPNO officer (see list on page 2). Deadline is June 18, 2001.

## EVENTS CALENDAR

### JUNE 2001

Monday, June 11 \* 7 PM

CPNO General Meeting

Saturday, June 16

Candler Park 5K Run

FUN  
EVENT!

Monday, June 18 \* 7 PM

CPNO Executive Committee Meeting

Thursday, June 28

NPU-N Meeting

### FALL 2001

October 13-14, 2001

Candler Park FallFest

## Land Use Issues A Major Focus Of June CPNO Meeting

*The June CPNO meeting will include a number of votes, most of which center on land use issues and City of Atlanta regulations and requirements. Two of these issues are explained below.*

### Goldsboro Road Abandonment

Goldsboro Partners L.L.C., owner of property located on Goldsboro Road at Euclid Avenue (sometimes known as Goldsboro Apartments or Candler Parkside Condominiums), seeks approval for a proposed abandonment by the City of Atlanta of a local street known as Goldsboro Road (extending approximately 500 feet along the west side of Goldsboro Park, from the northwest side of Euclid Avenue north to Freedom Park). NOTE: NPU-N received notice dated April 27, 2001 from the Atlanta Department of Planning, Development and Neighborhood Conservation indicating "no objection" to the proposed abandonment. NPU-N will vote on the matter on Thursday, June 28th at 7PM at Epworth Methodist Church, following which the Atlanta City Council may consider an ordinance to approve the proposed abandonment at 6 PM Monday, July 2nd at Council Chambers, City Hall, 2nd Floor.

### Co-Housing Community

Kelly Jordan, owner of property located near the northwest corner of Oakdale Road and McLendon Avenue, seeks a rezoning of

multiple parcels from existing single-family or multi-family residential zoning classifications (R-4, R-5 or similar) to a

proposed combined zoning of PDH (Planned Development Housing) for development of a co-housing development containing between 18 and 23 residential structures. NOTE: A second meeting of interested neighbors and Candler Park residents was held at the applicant's home (420 Oakdale Road) at 6 PM on Sunday,

June 3rd, to consider the final design of the proposal, which was filed with the City Bureau of Planning. NPU-N will hear the matter at 7 PM Thursday, June 28th at Epworth Methodist Church, followed by anticipated hearings at Council Chambers, Atlanta City Hall, 55 Trinity Avenue, 2nd Floor by the Atlanta Zoning Review Board at 6 PM Friday, July 5th; the Zoning Committee of City Council at 6 PM Tuesday, July 31st; and the Atlanta City Council at 6 PM Monday, August 6th.

*Voting on land use issues such as these is critical if we are to maintain our voice in neighborhood development.*

## LAND USE REGS:

*Learn more about City of Atlanta land use issues with this informative article ... see page 3*



## The Messenger

The Messenger is published monthly by the Candler Park Neighborhood Organization. Deadline for articles for the June issue is May 25. Submit to:

### EDITOR

Robin Bellinson ..... 4/522-8930  
robinbel@bellsouth.net  
405 Oakdale Road NE

### AD RATES, SPECIFICATIONS AND PAYMENT

**CLASSIFIED ADS** ..... \$4 per line  
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Ad cost = # of columns x # of inches in height.  
1 col = 2.5"; 2 col = 5"; 3 col = 7.5". Max height = 9.75". Supply camera ready art (laser print OK).

### DEADLINES

18th of the month (prepaid) for publication in the following month's edition. No extensions. Include your name and phone number. Ads may not be phoned in or bought on credit.

### SEND AD AND CHECK (PAYABLE TO CPNO) TO:

Robin Bellinson, 405 Oakdale Rd. (ph. 522-8930)

## CPNO Officers 2001

### PRESIDENT

Greg Smith ..... 4/681-9945  
greg30307@yahoo.com

### 1<sup>ST</sup> VICE PRESIDENT

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bert@tangentindustries.com

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### THE MESSENGER/CANDLER PARK

PO Box 5418 \* Atlanta, GA 30307  
www.candlerpark.org

## A Sidewalk Vote In June

No, we won't hold the June CPNO meeting out on the sidewalk — we'll be asking for your vote regarding a City of Atlanta sidewalk regulation.

A number of years ago, at the request of residents concerned about preserving the neighborhood's historic character, a City regulation was put in place requiring hexagonal pavers *or* hexagonally stamped pavement in most areas in Candler Park.

However, the quality of hex stamped walks is so poor that they look nothing like the original walks made of hex pavers, and do not achieve the original intent of the regulation.

We are recommending that CPNO ask Councilperson Cathy Woolard to sponsor legislation in City Council to eliminate this requirement, which will cut the cost of new sidewalks in half. (The city's price for 4' sidewalks with a plain finish is \$2.75 per sq. ft., while its charge for 4' sidewalks with a stenciled hexagonal finish is \$5.55 per sq. ft.; pavers installed by the city, set in concrete, are \$27 per sq. ft.) Come out and vote!

## FallFest Booths Filling Fast!

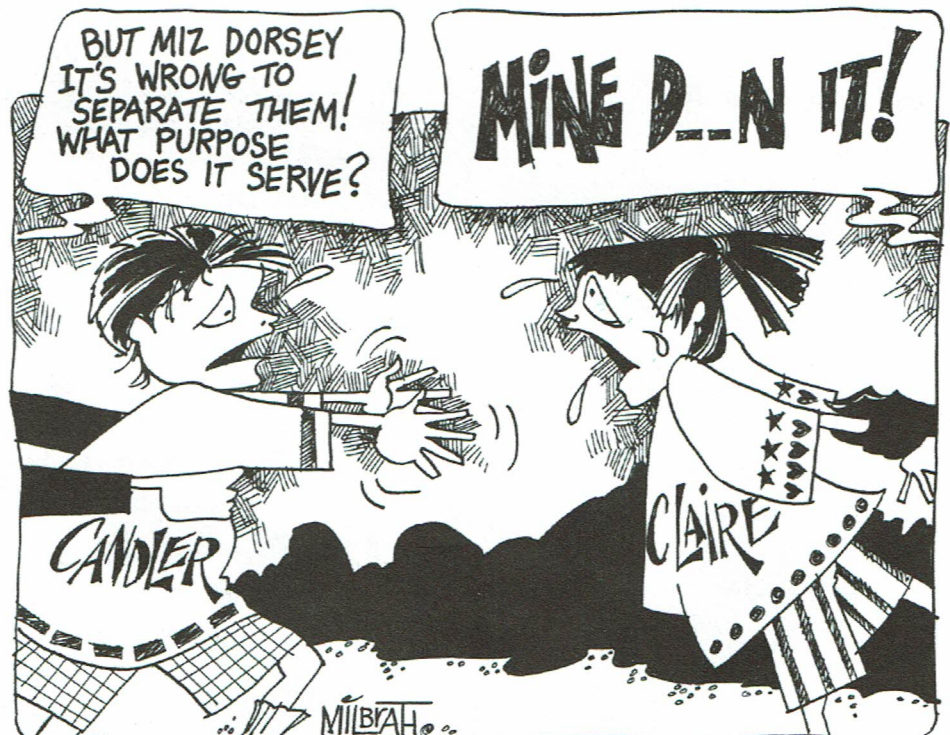
On June 1st, Candler Park FallFest began accepting applications for booth space for the October 13-14 festival, and debuted its new website (cpfallfest.org). In the short time since, applications have come rolling in!

FallFest will feature separate "neighborhoods" for different types of vendors. The Artists Neighborhood will be located in the greenspace at the corner of McLendon and Candler Park Drive. The MarketPlace Neighborhood will line the street running downhill to the center of the park, and will feature a variety of vendors, professionals, and service businesses. Other areas in the park will host the Entertainment, FoodFest, and Kids Neighborhoods.

One 10' x 10' space in the Artists Neighborhood is \$85, plus a \$10 application fee. (Three slides must be submitted with the application.) One 10' x 10' space in the MarketPlace neighborhood is \$95.

If you or someone you know wants a booth to reach lots of intown neighbors, download an application form from the website, or request it via email to bert@tangentindustries.com.

.....  
*Laughter in the Park* by Deb Milbrath





## Land Use Issues *(cont'd. from page 3)*

Candler Park residents who wish to improve their property frequently encounter issues of "setbacks." Minimum required yards for R-4 (35' front, 7' sides, 15' rear), R-4A (30' front, 7' sides, 15' rear) and R-4B (20' front, 5' sides, 5' rear) are intended to control construction of improvements higher than about 30 inches above ground.

If a lot lies on the corner of two streets, a required "half-depth" front yard is also observed along the secondary street side. Fences, garages, carports, air conditioning compressors, swimming pools, mailboxes, and sheds often require variances to occupy such yards, even if all other improvements are in conformity with the required zoning criteria.

If the principal structure is being modified and already occupies a required front, half-depth front, side or rear yard (because of prior variance or existence at the time of adoption of the 1982 ordinance), these are non-conforming structures for which even some minor modifications (such as porch enclosures, second-floor additions or decks) may trigger a variance as to the original structure's "footprint" (even when the proposed alteration does not itself impact the required yard).

Next month (if space permits), I'll explain more about multi-family, commercial and industrial zoning in Candler Park, and how "transitional" yards are intended to protect incompatible but adjacent uses.

CPNO residents with questions about the designation or zoning criteria of their lots and the variance or use permitting process should contact the Atlanta Bureau of Planning - Zoning Division at 404-330-6100. Other information that can be gleaned from the City of Atlanta 1982 Ordinance may be available by calling CPNO Zoning VP Walt Weimar at 404-377-1411, or NPU-N delegate Lexa King at 404-584-5050.

—Walt Weimar

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Candler Park Resident



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## Who's For More Benches?

Candler Park is looking good, with a brand-new playground and a rejuvenated swimming pool. Now all we need is more park benches! At the June CPNO meeting, we'll take a vote on adding more park benches. Don't be left standing... come vote!



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## It's Finally Time For A Swim At Candler Park Pool!

By the time you read this, we expect the pool will have been opened for swimming. If you're wondering what the delay was, it's because the extent of the repairs was greater than the City anticipated.

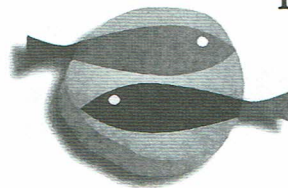
The brunt of our delay centers on the operation of the restroom service, specifically the functionality of the toilets. Given the potential risk of incurring a serious health hazard if not properly repaired, it's easy to understand why we waited!

Throughout this process we have been in daily contact with the City, as well as the offices of both Cathy Woolard and Debi Starnes. On the plus side, the City employees diligently addressed our situation and worked as fast as possible.

On the financial front, we're close to meeting our subscriber target for the season. Still, we need your help in getting us over the top. Please be sure to encourage your friends and neighbors to join (remember, it's a pretty fun place once it opens - lol!). You can refer them to CPNO's site at [www.candlerpark.org](http://www.candlerpark.org) to print out the form.

Also keep in mind that once we meet our operational budget, the paid swim and concession funds will stretch a lot further toward improving the facility and its amenities. So go forth and sell - everyone will benefit! We'd like to thank everyone for their patience... and now, everybody into the pool!

—CPPA Executive Committee



### The Epworth Church at Candler Park

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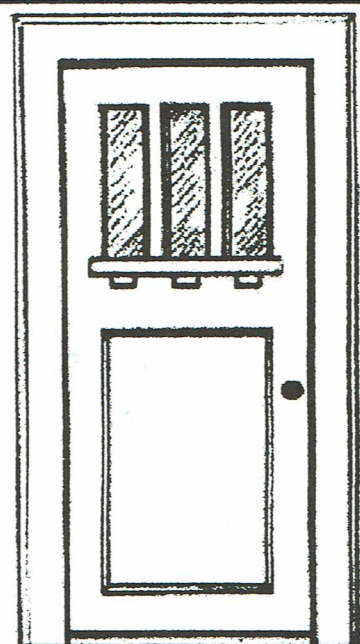
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## Land Use Issues: An Explanation Of City Regulations (Or, Why *Can't* I Build A Deck?)

As many who attend CPNO meetings already (wearily) understand, land use matters that are not permitted "by right" under the Atlanta Zoning Ordinance (1982, as amended) frequently require Neighborhood Planning Unit review before consideration by municipal agencies (variances and special exceptions, by the Board of Zoning Adjustment; rezoning and special use permits by the Zoning Review Board). As a "representative" form of Neighborhood Planning Unit, by-laws of NPU-"N" (of which CPNO is a member) require CPNO's prior consideration of such land use matters situated within the neighborhood. CPNO votes are reported to NPU-N's 10-member executive members by Lexa King, our CPNO delegate to NPU-N, for simple majority votes of approval or denial. Favorable recommendation by NPU-N generally helps applicants gain approval at subsequent municipal hearings, although CPNO and NPU recommendations are not necessarily binding. Accordingly, each land use matter, however trivial or distant from one's own property, is an important opportunity for CPNO residents to consider what they wish to preserve and what they prefer changed in their neighborhood.

Typical land use criteria in Candler Park, ranging from the most restrictive zoning (generally R-4 single-family residential, R-5 "duplex" or R-G multi-family residential) to the most intense development (I-1 Light Industrial or I-2 Heavy Industrial) have evolved for nearly a century. The 1982 Zoning Ordinance, which was imposed onto lots based on then-current usage and general conformity with zoning categories, provides limits on permitted uses of both principal and accessory structures, and defines performance characteristics including the "buildable area" of a lot, specifies maximum structural height limits (usually 35' above ground), and regulates common improvements (signage, parking, noise, lights, odors).

Some areas of CPNO, such as Special Public Interest (SPI) zoning around Freedom Park, or the recent Neighborhood Commercial Ordinance (NCO) zoning around Little Five Points, may impose more restrictive controls on usage and design, sometimes as an "overlay" to the underlying zoning classification.

For most single-family residential lots of Candler Park, zoning adopted in 1982 was that most appropriate to then-existing uses and then-current legal property boundaries. Land development patterns of the 1920s are apparent today in that few if any Candler Park lots would qualify for R-1, R-2 or R-3 zoning. The predominant zoning found is R-4 (minimum 9000 square feet with at least 70 foot street frontage), R-4A (minimum 7500 sf, 50-foot frontage) and R-4B (2800 sf, 40-foot frontage), each of which are principally for detached single dwelling units, but which may contain accessory structures such as garages, greenhouses, garden sheds, guesthouses, swimming pools, tennis courts, ham radio antennas (below 70') or solar or wind energy generation devices. Most other uses of these lots require a special use permit, rezoning to more appropriate classification having such permitted uses, or special exception, or has been "grandfathered" (and has continued

without an interruption of more than six months) as a non-conforming use recognized at the time of the 1982 ordinance.

*(continued on page 5)*



**Judy, 1991-2001**

**She walked in beauty, like the night**



**Maya Hahn**

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email: [dhpcusa@yahoo.com](mailto:dhpcusa@yahoo.com)





## CRIME REPORT

Crimes reported Apr. 12 - May 15, '01 in Zone 6 police records. (Block numbers rounded to closest hundred.)

**NOTICE:** We are still getting armed robberies.

**APOLOGY:** We apologize for referring to the race of some suspects in the May *Messenger*. It was unfair, and we regret the insult to the many upstanding citizens of all backgrounds in Candler Park.

**1600 DeKalb Ave., 4/15, 7:16 am, plants stolen.**

**Moreland and McLendon, 4/18, 2/55 am, DUI.**

**1200 McLendon, 4/23, 11:55 pm, woman robbed at gunpoint, purse stolen, men seen driving off.**

**1200 McLendon, 4/25, 8:30 pm, vehicle broken into, money, electronics, cellular phone taken.**

**300 Josephine, 4/28, 8:30 pm, vehicle broken into, money, electronics, cellular phone taken.**

**1500 McLendon, 5/01, 10:30 pm, man burglarized home, was seen under house; arrested.**

**1600 McLendon, 5/01, 10:12 pm, man caught smoking marijuana in parking lot, 2 people involved.**

**1600 McLendon, 5/4, 9:20 pm, man snatched purse.**

**300 Josephine, 5/07, 10:12 pm, computer stolen, victim left door open for a moment while in garden.**

**1200 Mansfield, 5/8, 6:38 am, elderly person found uncared for, husband seen as mentally confused.**

**1300 McLendon, 5/8, 6:10 pm, stolen vehicle recovered.**

**400 Moreland, 5/08, 6:07 pm, drunk suspect refused to leave restaurant, spat on police.**

**400 Moreland, 5/11, 12:06 am, theft of cellular phone victim had accidentally left in restaurant.**

**300 Josephine, 5/15, 4:44 am, neighbor called about people seen sleeping under a house. Marijuana found on one person, two arrested.**

**1400 McLendon, 5/15, 8:33 pm, man had asked victim for money on sidewalk then went to her house and attempted to break in her door. Victim contacted police, suspect fled but was arrested.**

**1600 McLendon, 5/17, 11:04 am, cash removed from business when closed. When owner returned he found window broken, cash taken from register.**

**Euclid and Moreland, 5/18, 6:55 pm, stolen tag.**

**Benning Place, 5/19, 4:44 am, vehicle stolen.**

**1600 DeKalb, 5/19, 9:30 pm, business had outside vending machine vandalized again, money taken.**

**ZONE 6 POLICE: CALL 911 FIRST!**

Individual Officers: 404-371-5002

## VARIANCE REQUESTS

Discussion and voting on the following issues will be held at the June CPNO meeting.

**1201 MCLENDON** - Dennis Shokes (678-463-0681), a non-resident owner of property located at 1201 McLendon (the southwest corner of Josephine St. and McLendon), currently zoned R-4 single-family residential and used as rental property, seeks a variance to allow reduction of the half-depth side yard setback (along Josephine St.) from 17.5' (required) to 8' (actual) in order to complete interior renovations that will entail a necessary change to the roofline visible from Josephine St. NPU-N will hear this matter at 7PM Thursday, June 28th at Epworth Methodist Church, followed by the application's hearing by the Atlanta Board of Zoning Adjustment at 1PM Friday July 6th at Council Chambers, Atlanta City Hall, 55 Trinity Avenue, 2nd Floor.

**532 CLIFTON ROAD** - Mike O'Malley and David Kirk (404-373-7551), owners of property located at 532 Clifton Road (west side of Clifton Road, 50' south of Harriet Drive intersection), currently zoned R-4 single-family residential, seek a variance to reduce the southerly side yard setback from 7' (required) to 5' 9" (proposed) in order to enclose an existing rear porch. NOTE: The existing structure's "footprint" will not be enlarged, and is currently located from 4' 7" to 4' 9" from the southerly property line. NPU-N will hear this matter at 7PM Thursday June 28th at Epworth Methodist Church, followed by the application's hearing by the Atlanta Board of Zoning Adjustment at 1PM Friday July 6th at Council Chambers, Atlanta City Hall, 55 Trinity Avenue, 2nd Floor.

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**RACE VOLUNTEERS HAVE MORE FUN!** -

We need volunteers for the Candler Park 5K Run on June 16. For details, please contact Michael Hyser at 404-228-6698 or email to mkhyser@mediaone.net.

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# FallFest!

Candler Park 2001

October 13-14, 2001 • Atlanta, Georgia

Candler Park FallFest is coming, and lots of help is still needed, including small jobs that take just an hour or two! For details, contact Bert Bellinson at 404-351-8000 or bert@tangentindustries.com.

Visit [www.cpfallfest.org](http://www.cpfallfest.org) for updates!

# real estate results

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