

# MHHA ♦ CONNECTION



Winter 2007 ♦ Volume 12, Issue 1



[www.merryhills.com](http://www.merryhills.com)

A quarterly newsletter by the Merry Hills Homeowners Association

## Your Neighborhood's Future

### Community-Wide Planning Process for the North Druid Hills/Briarcliff Road Area Begins

**March 14, 7 p.m. at Kittredge Magnet School**

On Wednesday, March 14, at 7 p.m., in the Kittredge Magnet School Cafeteria, the first in a series of six meetings to develop an area plan will take place. The area plan is intended to guide redevelopment in the North Druid Hills/Briarcliff Road area. All of our residents are encouraged to participate in these meetings.

As announced in an e-mail message to those on our MHHA mailing list, on February 15 DeKalb Commissioners Jeff Rader and Kathie Gannon held a meeting to explain the upcoming planning process. The area under study is bounded by Holly Lane, I-85, Cliff Valley Way, and Sheffield Drive.

The Area Plan is expected to be a 6-month process. The first meeting in March will generate guiding principles for the plan. The ensuing five meetings will focus on infrastructure analysis, a public realm framework, property plans, a proposed master plan, and a final master plan. The Livable Community Coalition is assisting in development of the plan. Commissioners Rader and Gannon expect it to be funded by contributions from participating commercial property owners and stakeholders such as civic associations and institutions in our area, in addition to in-kind donations of food and meeting space.

MHHA will continue to update you on events as they unfold. Since events unfold quickly, our primary means of communication must be email. If you are not currently receiving our events and meeting notices, you can add your email address to our list on our website, [www.merryhills.com](http://www.merryhills.com). To influence development decisions in our midst, we will need a lot of voices and support. To make sure MHHA is the voice of the entire neighborhood, attend meetings, volunteer to help your association in whatever way you can, and renew your membership—or join if not a member.

## 2007 Membership Drive

The annual membership drive for the Merry Hills Homeowners Association is now underway. A membership form and remittance envelope is being distributed with the printed version of this newsletter. Please support MHHA by renewing your membership for 2007, or consider joining if you are not currently a member. Send your check for \$20 (or more if desired) to: MHHA Treasurer, P.O. Box 98490, Atlanta, GA 30359. An on-line membership form is available at [www.merryhills.com](http://www.merryhills.com).

## Welcome to 2007 officers

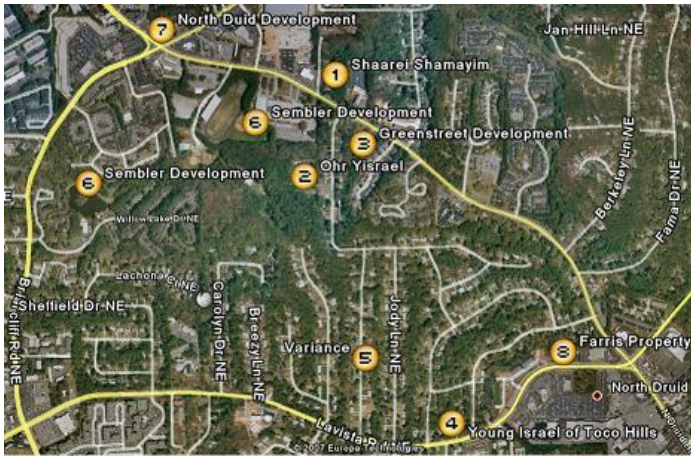
The following officers were elected to the 2007 MHHA board and took office on January 1: President Flo Wolf, Vice President Matt Rachford, Treasurer Sholly Feifer, and Secretary Dan Wenger. See the full list on page 4 of current board members who have stepped forward as MHHA leaders.

Pat Jenkins, Tracy Alexander, and Arlene Gross are to be congratulated for their service to MHHA as officers during the previous year. Tracy and husband P.J. Alexander are owed particular gratitude—both have rotated through several terms of office as treasurer during MHHA's existence.

### In this Issue

N. Druid/Briarcliff Plan.....	1
Membership Drive .....	1
2007 MHHA Officers .....	1
Zoning and Land Use.....	2
Planning/Development .....	3
Our Neighbors.....	3
Property Tax Freeze .....	3
DeKalb School News .....	3
Crime Update.....	4
Kittredge Park Update.....	4
Bylaws Revision .....	4

# Zoning and Land Use Issues



**1** *Congregation Shaarei Shamayim.* We have not been given further details since a letter to 1500 households in July solicited interest in a condominium project that would include space for the congregation at 2490 North Druid Hills Road. The proposed condominiums are one- and two-bedroom units. The property is zoned R-85 (single-family residential) with a Special Land Use Permit for a place of worship.

**2** *Yeshiva Ohr Yisrael.* MHHA learned on November 16 that Yeshiva Ohr Yisrael had changed its original plans for the former Gatchell Home property. A decision on Yeshiva Ohr Yisrael's special land use permit (SLUP) application has been deferred by the DeKalb County Board of Commissioner's to its 10 a.m. public hearing on February 27 in the Maloof Auditorium at 1300 Commerce Drive in Decatur.

Yeshiva Ohr Yisrael is requesting county approval for a place of worship, high school, and dormitory. Plans are to accommodate up to 150 students. According to its application, Ohr Yisrael plans to add a second floor to the existing building, a sanctuary, additional classroom and cafeteria space, and a 3-story dormitory building; and to provide 55 parking spaces.

The property does not have frontage on a minor or major thoroughfare nor sufficient setbacks as required by DeKalb County Code. Therefore, based on feedback from the neighborhood, MHHA requested a list of conditions be attached to the SLUP that are intended to mitigate the impact of this proposed land use on the neighborhood.

**3** *Green Street Development* received approval from the DeKalb County Board of Commissioners (BOC) for a rezoning/land use change for a 2.6 acre parcel on North Druid Hills Road near Holly Lane. The land use change is from the low density residential (LDR) category that permits up to 4 houses per acre to a low-medium density residential (LMR) category that permits up to 8 houses per acre. The zoning change is from an R-85 district that permits detached single-family residences to an R-A8

zoning district that permits attached single family residences. Approval of the rezoning is subject to a conceptual site plan shown to neighbors and a set of conditions that were negotiated by MHHA, North Druid Hills Residents Assn., and neighbors on Briarcliff Trail. The conditions of rezoning include:

- limiting construction to a maximum of 5 detached homes adjacent to Holly Lane homes and 16 attached townhouses adjacent to Briarcliff Trail
- retention of large specimen hardwood trees on the property

**4** *Young Israel of Toco Hills* is planning to use property comprised of six lots on LaVista Road and Pinetree Circle for a place of worship. The property is zoned R-85. A place of worship on 3 acres and on a major thoroughfare is a permissible land use in the R-85 zoning district, but requires a Special Land Use Permit from DeKalb County. We are awaiting further notification of their plans.

**5** *Zoning Board of Appeals in 2006 denied variance* for 1288 Bramble Road to reduce average front yard setback from 40.5 feet to 35 feet.

**6** *70 to 100-acre project proposed for Briarcliff and North Druid Hills Roads.* Sembler Company is negotiating the purchase of property for a mixed use project on the scale of Atlantic Station. The project site adjoins Holly Lane and is currently occupied by the Park at Briarcliff apartments/townhomes on Briarcliff Road; and Kittredge Magnet School, DeKalb School of the Arts, Open Campus, Jim Cherry Center, and Adams Stadium on North Druid Hills Road. Kittredge Park and Ohr Yisrael adjoin the project site as well.

According to Sembler's VP of Development, the residential component of the project could include up to 2,000 units, with a mix of condos, townhouses, and apartments, ranging from luxury to workforce housing. If existing school property is included in the project, the area developed will total 100 acres. DeKalb County school officials have not announced a decision on the sale of school property, but Sembler's president has indicated that contracts for the Park at Briarcliff property have been secured.

The project would require review by the Atlanta Regional Commission in addition to approval from DeKalb County.

**7** *North Druid Development* is seeking approval for the Druid, a mixed-use project on 4+ acres at the corner of Briarcliff and North Druid Hills Road. The project would replace a CITGO station and Lutheran Church with a free-standing retail structure and an 8- to 12-story condominium tower with street-level retail stores and underground parking. Decision by the Board of Commissioners on the application for a rezoning and land use change has been deferred at the request of the applicant. MHHA, as well as nearby LaVista Park Civic Assn. and North Druid Hills Residents Assn, has opposed the

*Continued on page 3*

## Zoning and Land Use Issues

*Continued from page 2*

### 7 North Druid Development (continued)

proposed project which is out of scale with the surrounding area, lacks safe vehicular access at one of the most dangerous intersections in DeKalb County, and does not meet the pedestrian and greenspace requirements to be rezoned PC-3. The property is currently zoned C-1, which permits commercial development of up to 2 floors in height. The developer has indicated the outcome of this proposal may be determined by the planning process now underway for the N. Druid Hills/Briarcliff area.

8 **Farris Property** – MHHA has been notified by the owner of 2166 LaVista Road that he may seek county approval to remove the conditions that were attached to his property more than 10 years ago. At that time, Merry Hills neighbors opposed the change from a residential to office-institutional zoning district for this property and 4 others at 2160 to 2184 LaVista Road (known collectively as the Farris property). Use of the property is limited by a set of conditions that prevents construction of new buildings and provides buffers for the neighboring homes. The property adjoins the Weatherstone Townhomes and homes on Merry Lane.

## Planning and development challenges around DeKalb County

Two recent planning and development projects elsewhere in DeKalb County illustrate the challenges that redevelopment projects present for residents.

A 50-acre mixed use Sembler project that was approved in the Brookhaven area by DeKalb County includes an 8-story structure (originally proposed for 20 stories but reduced due to FAA restrictions) and a 6-story parking garage adjacent to single-family residential homes. According to opponents, the density and height of the buildings exceeded that which is permitted in the proposed Brookhaven Overlay District, where the project is located. At the time of publication of our newsletter, the Brookhaven Overlay District has yet to be adopted by the County, but the Brookhaven Sembler project has been approved.

The Druid Hills Civic Association (DHCA) participated in a 5-year planning process to create an overlay district that was to revitalize Emory Village, a commercial strip, yet protect the existing character of the surrounding historic neighborhood. DHCA is challenging the overlay district as proposed to DeKalb County, stating that the overlay district presented for approval permits 4-story structures as opposed to the smaller 2- to 3-story structures envisioned by residents that are more in scale with surrounding property. DHCA is requesting the county to delay consideration of the overlay district for more neighborhood input.

## Our Neighbors

### New MHHA Members

Larry and Eleanor Bogart, Jody Lane  
Sholly and Julie Feifer, Christmas Lane  
Matt Rachford, Holly Lane  
Heidi Sanchez, Wembley Court  
Daniel and Rebecca Wenger, Christmas Lane

### Condolences

Rita Fine, longtime resident on Bramble Road, died in December. She is survived by her husband Howard.  
Dick Barksdale, longtime resident on Christmas Lane, died in January. He is survived by his wife Bonnie.

## Apply for Property Tax Freeze by March 1

Homeowners can now apply for a special type of homestead exemption which prevents property taxes from increasing due to rising property values. ***This exemption is not automatic.*** A homeowner must apply for this exemption by March 1, 2007 in order for the tax freeze to take effect this year, regardless of previous homestead status. The exemption applies to County taxes but not school, state, and city taxes.

Property assessment freeze applications were mailed by the Tax Commissioner's office to current homeowners receiving homestead exemption. If you have not completed and returned this application to the Tax Commissioner's office, you must do so by March 1, 2007. Applications received after March 1, 2007 will be applied to the following tax year. Taxpayers may also complete the property assessment freeze application online at [www.co.dekalb.ga.us/taxcommissioner](http://www.co.dekalb.ga.us/taxcommissioner).

You can contact the Tax Commissioner's office at (404) 298-4000 or at [proptax@co.dekalb.ga.us](mailto:proptax@co.dekalb.ga.us).

## DeKalb County School News

According to the DeKalb County School System (DCSS) website, a proposed redistricting plan by Superintendent Crawford Lewis, pending DCSS Board approval, would affect at least two schools in our area.

Kittredge Magnet School for High Achievers on North Druid Hills Road would relocate to the Nancy Creek elementary building, in the 2008-2009 school year. Briar Vista Elementary School near Briarcliff Road, which is the designated elementary school for our neighborhood, would receive additional students in the 2009-2010 school year.

The Montessori programs at Huntley Hills and Midway elementary schools would move to Briar Vista Elementary, increasing student enrollment at Briar Vista from 368 to 601 students. Briar Vista would be the sole system-wide Montessori school.

*Continued on page 4*

# DeKalb County School News


Continued from page 3

The future location of Open Campus, Jim Cherry Center, and DeKalb School of the Arts on North Druid Hills Road may be determined by the outcome of the March 20 referendum on SPLOST 3—a renewal of the one percent Special Local Option Sales Tax for DeKalb Schools—and a possible DCSS Board of Education vote to sell the North Druid Hills Road school property.

Beginning in March, DCSS will air Board of Education meetings live via its educational access channel PDS-TV 24. You can view board meetings without leaving home. PDS TV-24 can also be viewed via live stream through DeKalb Schools' website. Dates and times of Board of Education meetings can be found on DeKalb Schools' website at <http://www.dekalb.k12.ga.us>.

## Crime Update

A report from the DeKalb Police Crime Awareness program showed no break-ins or burglaries in our community during third quarter of 2006. The complete report listing all incidents is available at [www.merryhills.com/watch.htm](http://www.merryhills.com/watch.htm).

	<b>To report a crime or suspicious activity:</b>
	Call 911 to report the incident.
	Call the MHHA Hotline, 404-935-6936, to report the incident so an alert can be distributed to our residents if warranted.

## Kittredge Park Update

At a recent meeting with Commissioner Jeff Rader, MHHA leaders were told that DeKalb County is delaying improvements to Kittredge Park due to proposed development in the area. Mr. Rader cited the possibility of additional funding and the desire to include future property owners and residents in the park's planning process as reasons for the delay.

## Bylaws Revision

Two changes to the MHHA Bylaws were approved by the MHHA membership at its November 14 Annual Meeting. The Bylaws now state: Article VI, Board of Directors, Section 3b: A quorum of the Board of Directors consists of five members of the Board of Directors. Article VIII, Meetings, Section 4: Ten members present shall constitute a quorum.



Thank you to delivery team volunteers, including: Hannah and Simon Ghertner, Arlene Gross, Tracy and Doug Callas, Shirley Brickman, Ariana Fass, Adrienne Feinberg, Linda Billingsley, Arden Zinn, Larry Gilger, Stefanie and Jeremy Sarnat, and Ariel Asa.

# MHHA Connection

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See [www.merryhills.com](http://www.merryhills.com) for the 2007 calendar of MHHA activities and meetings