

Atlanta Arborist Division Response to Tree Fencing Violations
1585 South Ponce de Leon
February 25 – April 12, 2024

Sunday, February 25: Atlanta resident Carol Holliday (CH): sent email to Arborist.DPCD@Atlantaga.gov (Arborist Office) requesting an inspection at 1585 South Ponce de Leon because tree fencing appeared inadequate.

Sunday, February 25: CH sent email to OpenRecords-PlanningBuildings@Atlantaga.gov (ORR) requesting a copy of the City-approved plans and tree prescriptions at 1585 South Ponce de Leon because tree fencing appeared to be far too close to trees or was missing.

Monday, February 26: ORR provided form required to be submitted before providing tree save plan.

Monday, February 26: Arborist Office acknowledged receipt of request for inspection.

Wednesday, February 28: CH submitted form to ORR requesting plan.

Wednesday, February 28: Arborist Office requested that CH provide the permit number before they could schedule an inspection.

Wednesday, February 28: CH explained to Arborist Office: “There are many permits on this site. I am requesting an inspection of tree fencing at this address to determine if it is placed as required by the site plan.” *(I do not understand why an address is not adequate to request a site visit.)*

Wednesday, February 28: Arborist Office restates that a permit number is required to schedule an inspection.

Wednesday, February 28: CH responded to Arborist Office with best guess of permit number.

Thursday, February 29: Record in ACCELA Citizen shows that Peter Stovall placed a Stop Work Order on February 29. *(However, work continued on the site, and I never saw a Stop Work sign posted at the site until April 4, a full five weeks later).*

Wednesday, March 6: CH emailed ORR for a status update on 2/28 request for the site plan and her expectation for a 3-day turnaround.

Thursday, March 7: ORR Responded – “We have 3 business days to send a response to you, not that it will be completed in 3 days. I cannot say when it will be done as there are many requests we are getting through.”

Thursday, March 7: Record in ACCELA Citizen showed that the site is in compliance, per Stovall.

Friday, March 8: ORR requested permit number providing a list of 16 permits associated with work at 1585 South Ponce de Leon, NE.

Sunday, March 10: CH again had to guess the permit number, not knowing which contained the tree plans and prescriptions requested.

Tuesday, March 12: ORR provided plans with no tree prescriptions or tree-related information.

Monday, March 18 (7:05pm): CH emailed Arborist Office requesting status of site inspection result and further requesting assistance obtaining correct plans from ORR. CH also provided a photograph showing continued improper tree fencing, tree fencing too close to trees, and gravel and debris inside tree fencing.

Tuesday, March 19: Arborist Office responded that “tree fence was inspected and found to be in compliance.”

Tuesday, March 19: CH emailed David Zaparanick noting delay in obtaining site plan and the need for inspection because of continuing apparent non-compliance on site.

Tuesday, March 19: Zaparanick provided the site plans.

Tuesday, March 19: CH thanked Zaparanick (copied Stovall) for the plans and provided photos showing that the site did not match the approved plans. Pointed out problems with Trees Number 4, 5, 27, and 58. CH requested re-inspection of all existing trees (*since I did not have access to the site but could see from the street that there were obvious ongoing issues.*)

Tuesday, March 19: Zaparanick responded that re-inspection was scheduled.

Wednesday, March 20: In ACCELA Citizen, Stovall noted the site was in compliance. This same record shows that a re-inspection was scheduled for April 1.

Friday, March 22: CH requested result of inspection.

Friday, March 22: Stovall responded (copied Zaparanick). “I am working with the contractor to get chain link fence around tree # 4 and make sure the distance is correct on # 5.”

Friday, March 22: CH replied asking Stovall if there are consequences for not meeting requirements of the site plan.

Friday, March 22: Stovall responded (copied Zaparanick): “If there was a complete lack of tree protection, I would have stopped the exterior work. I did not feel that this was the case and I chose to allow them to proceed as I have an open line of communication with the project manager.”

Friday, March 22: CH responded to Stovall that site remains out of compliance and has been since CH reported concerns on February 25. Again asked why there are no consequences.

Friday, March 22: Stovall (copied Zaparanick): Responded that he did a site visit in response to initial request. Placed a stop work order. Did a second site visit and found site to be in compliance. Acknowledged “missed that tree # 4 required chain-link apparently” and acknowledged that he had not noticed that chain-link was required in other areas. Indicated “I will make sure the fencing is corrected.” Indicated that he decided he would allow work to continue and would not stop work while corrections were being made.

Sunday, March 24: CH email to Zaparanick – Outlined history of concerns on site, pointed out continuing non-compliance, and noted an additional tree that continued to be fenced incorrectly and inadequately, and that there was significant digging close to the tree. (Tree #2, a 31 inch-diameter white oak that was specified on the plan to be saved with a prescription.) CH pointed out that there was **no** chain link fencing on *the entire left side of the site* as required by the site plan. Provided photo.

Wednesday, March 27: CH acknowledged Zaparanick’s out of office reply and informed the Arborist Office that there was continued work on site.

Thursday, March 28 (5:15pm): Zaparanick responded to 3/24 email and explained that site visits must occur within two days after a complaint and that “compliance” means that approved arborist stamped plans match what is on site.

Friday, March 29: CH requested Arborist schedule another inspection since site remains out of compliance (*because I could not find a pending inspection in ACCELA Citizen at that time*).

Friday, March 29: Arborist responded that a re-inspection had been scheduled for the following week.

Friday, March 29: CH responded to Arborist Office that given the history of ongoing non-compliance at this site, there should not be any delay.

Saturday, March 30: Heavy construction equipment was operating over the root areas where the Arborist approved plan required protection. Digging occurred up to the edge of the improperly placed orange fencing. CH called both phone numbers listed for Code Busters on the City web site (404 330-6178 and 404 865-8550), but neither worked. CH then emailed Code Busters but never received a reply.

Monday, April 1: CH sent email to Zaparanick letting him know that site was still not in compliance, that an inspection had not been scheduled within 2 days as he indicated is required, and that bulldozers were operating in protected areas again on Saturday. Provided timeline of non-response since February 25.

Thursday, April 4, 8:54 a.m.: CH email to Zaparanick reminding him of Monday, April 1 email.

Thursday, April 4, 8:45 p.m.: CH email to Zaparanick letting him know that a stop work order is posted on the site but work was continuing. Provided photos of heavy equipment operating in areas that were required to be protected.

Friday, April 5: Zaparanick responded that he would have Stovall go back out and that he would respond *the following week* to concerns detailed in CH’s April 1 email.

Wednesday, April 10: CH emailed Zaparanick letting him know that work never stopped since the Stop Work sign went up on April 3. Provided

photos showing roots of *additional trees* being dug up that were unprotected by tree fencing.

Thursday, April 11: Response from Zaparanick, saying that the City had issued a stop work order and correction notice that required the site to come into compliance. Also said that “some of the work includes removing fill dirt” and that Stovall “will visit the site today to make sure the work they are doing is in line with the correction notice.” *Photos clearly showed work was not related to corrective actions but was impacting new area of the site.*

Friday, April 12: Zaparanick emailed that the stop work remains in place, that the Arborist aims to provide best in class customer service, and additional training will occur.

Zaparanick did not provide explanation of why the site was clearly out of compliance for five weeks, why prescriptions were not implemented, why work did not stop when stop work orders were posted, or whether there were consequences to the builder for all the ongoing infractions.