

PDK Watch Newsletter, May, 2001

CEO Vernon Jones' Staff Sets Stage For Airport Expansion

Showing total disregard for neighborhood interests, Airport Director Lee Rimmel proposes laws restricting the property rights of homeowners near PDK. County Attorney Charles Hicks says the planes can get heavier and the airport has no obligation to restrict noise. Under Mr. Rimmel's proposal homeowners surrounding the greater PDK area would need a permit, his approval, and be required to grant an easement to change a structure or plant a tree. READ ON.

Airport Director Proposes Restricting Property Rights

At the April 17, 2001, Board of Commissioners (BOC) work session Airport Director Lee Rimmel presented the commissioners with three proposed amendments to the county ordinances. These amendments would set in place an Airport Compatible Use Overlay District (ACOD) that governs the use of property in an area he deems within the noise zones of the airport. These zones are represented on a Noise Contour Map. The map Mr. Rimmel used in his presentation to the commissioners is a map created in 1996 by the consultant who did the Part 150 Noise Compatibility Study. It was designed to show the projected noise contours for 2001, if the airport did not implement noise control recommendations made by the consultant in the Part 150 Study and approved by the Federal Aviation Administration (FAA). No noise control recommendations that would benefit the community were followed.

The airport director is proposing changes to the county zoning ordinance to restrict what property owners can do on their own property using a five-year-old map of dubious accuracy. Under this proposal the airport director would have the right to arbitrarily extend the noise zones as the airport grows and becomes noisier, restricting the rights of even more citizens without due process. Use of this map with an enlarged noise footprint, is an admission by Mr. Rimmel that the noise has increased during the past five years. Why have the Part 150 Study recommendations for noise control not been implemented? Why does PDK not have a written noise reduction policy?

In proposing these changes, the airport director (our DeKalb County employee) appears to be working as an agent for the FAA. Why is he not responsive to the requests of the community for an updated evaluation of the effectiveness of the PDK noise program as required by the Part 150 Study? Charles Feltus, Airport Advisory Board member, has repeatedly requested the status of this required evaluation.

Mr. Rimmel chose to bypass the Airport Advisory Board (AAB) taking his proposals directly to a BOC work session. Thanks to Commissioner Gale Walldorff who alerted the community to the item on the work session agenda. At that work session Commissioner Judy Yates asked Mr. Rimmel to have the AAB review the amendments. (It should be on the May 9 meeting agenda.) The commissioners also requested another

work session on this item. Mr. Remmel has agreed to make the map and proposed ordinances available. Call the airport at 770-936-5440 for information.

County Attorney Responds to Airport Questions at Civic Meeting

Mr. Charles Hicks, DeKalb County Attorney, answered questions concerning the airport on April 19, 2001, at a Drew Valley Civic Association meeting. While PDK Watch disagrees with Mr. Hicks' opinions, here is a summary of his responses.

- 1) There is no 66,000-pound weight limit as the BOC and CEO have raised the weight limit to 75,000 pounds. Also, the limit will be raised as the weight of aircraft becomes heavier. (The 66,000-pound limit was the basis of an 11th Circuit Court decision in 1988. Visit the PDK Watch website for more information on the weight limit.)
- 2) PDK does not have to follow the noise ordinance; it is allowed to make whatever noise is related to aviation operations.
- 3) His office is not working on any type of lease to prohibit touch-and-go operations over neighborhoods. It is not possible to limit operations of any type at PDK since this could be taken as discriminatory.
- 4) A mandatory night curfew cannot legally be done; PDK is a 24-hour business.
- 5) He will check into the possibility of not renewing leases to flight schools.
- 6) The FAA runs the airport; the county is only the landlord. The FAA sets flight patterns and operations out of PDK.
- 7) The Airport Compatible Use Overlay District is beneficial to the community.

Recommendation From PDK Airport Advisory Board

Wednesday, April 11, 2001, the PDK Airport Advisory Board passed the following recommendation: "We request the Airport conduct a Part 161 study as proposed in the Part 150 noise study to initiate a mandatory night curfew at the PDK Airport. In the interim we request the airport director make the elimination of non-emergency night operations between the hours of 11 p.m. and 6 a.m. his priority." Also, Mr. Remmel will no longer charge citizens to listen to or make copies of the AAB meetings, provided the citizen brings his/her own tape player and/or recorder and tapes.

PDK Watch Needs Your Support

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