



CITY COUNCIL
ATLANTA, GEORGIA

00-0-1863

AN ORDINANCE BY COUNCILMEMBER MULLER
AS SUBSTITUTED BY THE ATLANTA CITY COUNCIL

AN ORDINANCE AMENDING PART 6, CHAPTER 4,
ARTICLE C, SECTION 6-4022 OF THE LAND DEVELOPMENT
CODE OF THE CITY OF ATLANTA PERTAINING TO THE
COMPOSITION, QUALIFICATIONS AND TERMS OF OFFICE
OF THE BOARD OF ZONING ADJUSTMENT FOR THE
PURPOSE OF CLARIFYING THE METHOD BY WHICH
MEMBERS ARE NOMINATED TO THE BOARD; AND FOR
OTHER PURPOSES.

WHEREAS, the Board of Zoning Adjustment was created and established for the purpose of exercising and performing all of the functions, powers and duties of a board of zoning appeals which are now or hereafter authorized by general or local act of the General Assembly of Georgia and by ordinance and such additional functions, powers and duties as may be prescribed by this council; and

WHEREAS, the Zoning Committee has established a Subdivision Task Force which has reviewed certain parts of the Land Development Code of the City of Atlanta; and

WHEREAS, the Subdivision Task Force has made certain recommendations pertaining to the method by which members are nominated to the Board of Zoning Adjustment for the purpose of clarifying the nomination process.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

Section 1: That Section 6-4022 of the Land Development Code of the City of Atlanta is amended by striking the present Section 6-4022 in its entirety and replacing it with the following language which is to be codified as Section 6-4022:

Sec. 6-4022. Composition; qualifications; terms of office.

- (1) The board shall be composed of (5) five residents of the City of Atlanta appointed by the Council and the President. Two (2) of the members of the board shall be actively engaged in the professions of municipal planning, architecture, law, or related professions. The remaining three (3) members shall be lay persons. Appointees shall serve for a term of three (3) years or until a successor is appointed and qualified.



- (2) All vacancies on the board, whether occurring due to expiration of an existing term, resignation, termination by operation of the rules of procedure of the board, or any other valid reason, shall be filled by the designated appointing authority as enumerated in this section.
- (3) The secretary of the Board of Zoning Adjustment (BZA) shall notify the Council or the president of council in writing that a position is vacant within fifteen (15) days of the vacancy. In that written communication, the secretary shall state whether the vacancy is in the category of municipal planning, architecture, law or lay person.
- (4) The council shall make nominations in a rotating manner as described in (a) through (d) below. Once notified of a vacancy, a nomination shall be submitted in writing to the president of council by the four (4) district representatives and the representative at-large, or the president of council shall submit a nomination.
 - a. Districts 1, 2, 3, 4 and Post 1 at-large.
 - b. Districts 5, 6, 7, 8 and Post 2 at-large.
 - c. Districts 9, 10, 11, 12 and Post 3 at-large.
 - d. President of Council.
- (5) The five (5) member board shall select a chairman from the membership. No member of the board shall, while serving as a member: be a full-time employee of the City; hold, or become a candidate for, elective or appointive public office in federal, state, county or municipal government; or become a nonresident of the city. Any vacancy in the membership of the board shall be filled for the unexpired term in the same manner as the initial appointment. No person shall serve more than six (6) years as a member of the board.

Section 2: That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

A true copy,

Rhonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED as amended by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

APR 02, 2001

APR 11, 2001

RCS# 2783
4/02/01
2:44 PM

Atlanta City Council

Regular Session

00-O-1863

Clarify nomination specifications for
members of Board of Zoning Adjustment
ADOPT ON SUB

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 2

NV McCarty	Y Dorsey	Y Moore	Y Thomas
NV Starnes	Y Woolard	B Martin	Y Emmons
NV Bond	Y Morris	Y Maddox	B Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

00-O-1863

00-C -1863

(Do Not Write Above This Line)

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PURPOSE OF CLARIFYING THE METHOD
BY WHICH MEMBERS ARE NOMINATED
TO THE BOARD; AND FOR OTHER
PURPOSES.

4/2/01 - Substitute Brought
Forward by roll call vote!
Adopted on Substitute by
roll call vote ✓

ADOPTED BY
APR 02 2001

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER AS AMENDED
- PERSONAL PAPER REFER

Date Referred 11/6/00

Referred To: Committee on Council

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____

Date _____

Chair _____

Referred to _____

Committee C/C

Date 11/20/00

Chair

Action: Amended

Fav, Adv, Hold (see rev. side)

Other:

Members

10/4/00 2/19/01

1/2/01 3/5/01

1/16/01 3/19/01

2/5/01

Refer To

Committee C/C

Date 4/2/01

Chair Mrs. Marie Harlow

Action: No Recommendation

Fav, Adv, Hold (see rev. side)

Other:

Members

Chair Shelley

Refer To

FINAL COUNCIL ACTION

2nd 1st & 2nd 3rd

Readings

Consent V Vote RC Vote

CERTIFIED

CERTIFIED

APR 2 2001

ATLANTA CITY COUNCIL PRESIDENT

Robert A. Parker

CERTIFIED

MAYOR'S ACTION

APPROVED

APR 11 2001

WITHOUT SIGNATURE
BY OPERATION OF LAW