

**AN ORDINANCE
BY: COUNCILMEMBER LEE MORRIS**

AN ORDINANCE TO WAIVE THE PROVISIONS OF CITY CODE SECTION 15-07.005(G), REGARDING A ONE-YEAR WAITING PERIOD ON VARIANCE APPLICATIONS, AS THEY APPLY TO THE BUCKHEAD TRACE SUBDIVISION AT 3940, 3950 AND 3966 PEACHTREE DUNWOODY ROAD, N.E., AND FOR OTHER PURPOSES.

NPU-B

COUNCIL DISTRICT 7

WHEREAS Section 15-07.005(g) of the Land Subdivision Ordinance of the City of Atlanta requires that “no application for a variance on any lot in said subdivision may be submitted for a period of one (1) year from the date of final approval of said plat”; and

WHEREAS the applicant, John Murray has applied to the Bureau of Planning for the subdivision of property at 3940, 3950 and 3966 Peachtree Dunwoody Road, N.E.; and

WHEREAS strict application of the front yard set-back requirements would have adverse impacts on the natural topography and on existing mature trees; and

WHEREAS the City Council wishes to waive the one-year waiting period requirement so as to allow applicant to have proposed variances heard by the Board of Zoning Adjustments; and

WHEREAS the City Council wishes to grant such waiver only for the proposed subdivision known as Buckhead Trace Subdivision, application number SD-99-13 of properties at 3940, 3950 and 3966 Peachtree Dunwoody Road, N.E.; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS;

Section 1. The provisions of Section 15-07.005(g) of the Land Subdivision Ordinance of the City of Atlanta are hereby waived as they apply to the Buckhead Trace Subdivision at 3940, 3950 and 3966 Peachtree Dunwoody Road, N.E.; and

Section 2. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

RCS# 2841
5/07/01
5:11 PM

Atlanta City Council

Regular Session

00-O-1425 Waive 1-yr. variance app. waiting period
 3940-3950/3966 Peachtree Dunwoody Rd.NE
 FILE

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

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

00-0-1425

(Do Not Write Above This Line)

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NPU-B COUNCIL DISTRICT 7

FILED BY
CITY COUNCIL
MAY 07 2001

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

Date Referred 9/5/00

Referred To: Zoning

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
 Date _____
 Chair _____
 Referred to _____

Committee _____
 Date _____
 Chair _____
 Action: _____
 Fav, Adv, Hold (see rev. side)
 Other: _____
 Members _____
 Refer To _____

Committee Planning Commission
 Date 9/12/00
 Chair Debra M. Starns
 Action: _____
 Fav, Adv, Hold (see rev. side)
 Other: _____
 Members 5/2
Clare Muller
 Refer To _____

Committee _____
 Date _____
 Chair _____
 Action: _____
 Fav, Adv, Hold (see rev. side)
 Other: _____
 Members _____
 Refer To _____

Committee Zoning
 Date 5-7-01
 Chair Debra M. Starns
 Action: _____
 Fav, Adv, Hold (see rev. side)
 Other: SEE
 Members 5/2
Clare Muller
 Refer To _____

FINAL COUNCIL ACTION
 2nd
 1st & 2nd
 3rd
 Readings
 Consent
 V Vote
 RC Vote

CERTIFIED

CERTIFIED
 MAY 7 2001
 ATLANTA CITY COUNCIL PRESIDENT
[Signature]

MAYOR'S ACTION

CERTIFIED
 MAY 07 2001
[Signature]
 MUNICIPAL CLERK