



CITY COUNCIL  
ATLANTA, GEORGIA

04-0-0869

BY COUNCILMEMBER JIM MADDOX

**AUTHORIZING THE MAYOR OR HER DESIGNEE TO WAIVE THE SIDEWALK REQUIREMENTS OF SECTION 15-09.003 OF THE CITY OF ATLANTA CODE OF ORDINANCES, TO PROVIDE THAT A CERTAIN SUBDIVISION SD-04-02 APPLICANT DEPOSIT A DOLLAR AMOUNT EQUAL TO THE VALUE OF THE REQUIRED SIDEWALK CONSTRUCTION INTO A DESIGNATED TRUST FUND ACCOUNT FOR DISTRICT 11; AND FOR OTHER PURPOSES.**

**WHEREAS**, pursuant to the application for the subdivision of land submitted by the developer, in compliance with the provisions of Section 15-09.003 to provide sidewalks on both sides of existing as well as proposed streets; and

**WHEREAS**, the construction of sidewalks along the frontage of this subdivision would adversely affect the appearance and character of the neighborhood due to the lack of any existing sidewalks on the streets that contain the proposed subdivided lots to which the sidewalks could connect; and

**WHEREAS**, the City and area residents would be better served by the construction of sidewalks and pedestrian improvements in other areas of said subdivision with in District 11.

**NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:**

**SECTION 1:** The requirements of Section 15-09.003 of the City of Atlanta Code of Ordinance, which requires that application for the subdivision of land provide sidewalks is hereby waived for Subdivision SD-04-02 (613 Kennolia Drive).

**SECTION 2:** That the waiver of said requirements for the aforementioned application are conditioned upon the agreement of the applicant to pay the City of Atlanta a dollar amount equal to the value of construction of said sidewalks as required by Section 1509.003 and as determined by the Commissioner of Department of Public Works.

**SECTION 3:** That before the Director of Bureau of Building issues any building permit for construction within the subdivisions sited above, said funds shall be deposited in Trust Fund Account 3P02 424101 Y63T19059999, to be used for pedestrian improvements and sidewalk construction only in Council District 11.

**SECTION 4:** That all other requirements of the Code of Ordinances for the subdivisions sited above shall remain in full force and effect.

**SECTION 5:** That the Chief Financial Officer or his designee is authorized to create the appropriate Fund, Account and Center Number to deposit and expend these funds.



**SECTION 6:** That all ordinances and parts of ordinances in conflict herewith be and the same are hereby waived.

A true copy,

*Rhonda Daughin Johnson*  
Municipal Clerk, CMG

ADOPTED by the Council  
APPROVED by the Mayor

MAY 17, 2004  
MAY 25, 2004



<b>3-01-04 Council Meeting</b>	
<b>ITEMS ADOPTED ON CONSENT</b>	<b>ITEMS ADOPTED ON CONSENT</b>
1. 04-O-0858	41. 04-R-0813
2. 04-O-0869	42. 04-R-0865
3. 04-O-0372	43. 04-R-0824
4. 04-O-0373	44. 04-R-0825
5. 04-O-0641	45. 04-R-0826
6. 04-O-0642	46. 04-R-0827
7. 04-O-0646	47. 04-R-0828
8. 04-O-0648	<b>ITEMS ADVERSED</b>
9. 04-O-0650	<b>ON CONSENT</b>
10. 04-O-0652	48. 04-R-0829
11. 04-O-0653	49. 04-R-0830
12. 04-O-0656	50. 04-R-0831
13. 04-O-0657	51. 04-R-0832
14. 04-O-0874	52. 04-R-0833
15. 04-O-0488	53. 04-R-0834
16. 04-O-0700	54. 04-R-0836
17. 04-O-0872	55. 04-R-0837
18. 04-O-0660	56. 04-R-0838
19. 04-O-0661	57. 04-R-0839
20. 04-O-0873	58. 04-R-0840
21. 03-R-2228	<b>59. 04-R-0841</b>
22. 04-R-0805	60. 04-R-0842
23. 04-R-0806	61. 04-R-0843
24. 04-R-0808	62. 04-R-0844
25. 04-R-0809	63. 04-R-0845
26. 04-R-0822	64. 04-R-0846
27. 04-R-0859	
28. 04-R-0882	
29. 04-R-0889	
30. 04-R-0369	
31. 04-R-0870	
32. 04-R-0876	
33. 04-R-0815	
34. 04-R-0847	
35. 04-R-0862	
36. 04-R-0863	
37. 04-R-0821	
38. 04-R-0807	
39. 04-R-0811	
40. 04-R-0812	

04-0-0869

(Do Not Write Above This Line)

AN ORDINANCE  
BY COUNCILMEMBER JIM MADDOX

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**ADOPTED BY**  
MAY 17 2004  
**COUNCIL**

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

Date Referred 5/3/04

Referred To: City Utilities

Date Referred \_\_\_\_\_

Referred To: \_\_\_\_\_

Date Referred \_\_\_\_\_

Referred To: \_\_\_\_\_

First Reading

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Referred To \_\_\_\_\_

Committee City Utilities

Date 5/3/04

Chair Jim Maddox

Action \_\_\_\_\_

Fav, Adv, Hold (see rev. side) \_\_\_\_\_

Other \_\_\_\_\_

Members [Signature]

Refer To \_\_\_\_\_

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Action \_\_\_\_\_

Fav, Adv, Hold (see rev. side) \_\_\_\_\_

Other \_\_\_\_\_

Members \_\_\_\_\_

Refer To \_\_\_\_\_

Second Reading

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Action \_\_\_\_\_

Fav, Adv, Hold (see rev. side) \_\_\_\_\_

Other \_\_\_\_\_

Members \_\_\_\_\_

Refer To \_\_\_\_\_

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Action \_\_\_\_\_

Fav, Adv, Hold (see rev. side) \_\_\_\_\_

Other \_\_\_\_\_

Members \_\_\_\_\_

Refer To \_\_\_\_\_

FINAL COUNCIL ACTION

- 2nd
- 1st & 2nd
- 3rd
- Consent
- V Vote
- RC Vote

CERTIFIED

**REPORTED**

MAY 17 2004

[Signature]

COUNCIL PRESIDENT PROTREM

**REPORTED**

MAY 17 2004

[Signature]

MUNICIPAL CLERK

MAYOR'S ACTION

[Signature]

MAY 25 2004

MAYOR