



ORDINANCE

BY: COUNCILMEMBER FELICIA MOORE

*Felicia U. Moore*  
*[Signature]*

AN ORDINANCE TO PLACE INTERIM DEVELOPMENT CONTROLS ON THE CONSTRUCTION OF DUPLEXES IN THE NEIGHBORHOOD BOUNDED BY RUTH STREET AND NORTH STREET TO THE NORTH, NEWMAN PLACE TO THE SOUTH, GUN CLUB ROAD AND HOLLYWOOD ROAD TO THE WEST AND PROCTOR CREEK TO THE EAST FOR A PERIOD NOT TO EXCEED SIX MONTHS TO ALLOW FOR THE CONSIDERATION OF AN AMENDMENT TO THE ZONING ORDINANCE REZONING THIS NEIGHBORHOOD FROM R-5 TO R-4A; AND FOR OTHER PURPOSES

WHEREAS, the property bounded by Ruth Street and North Street to the North, Newman Place to the South, Gun Club Road and Hollywood Road to the West and Proctor Creek to the East is a well-defined, predominately single family residential neighborhood;

WHEREAS, despite the predominance of single family uses, this area is presently zoned R-5 which allows for the construction of duplexes;

WHEREAS, the presence of these duplexes and their large number of occupants have caused numerous problems for the predominantly single family uses in this neighborhood including, but not limited to, overcrowding, visual blight, excessive noise and litter, public disturbances and illegal parking;

WHEREAS, these duplexes have and continue to adversely impact the neighborhood and are a threat to its stability and overall character;

WHEREAS, Ordinance No. 04-O-1360 has been introduced to rezone this neighborhood from R-5 to R-4A and it is currently going through the public process before being considered for a vote by City Council;

WHEREAS, there are numerous parcels in this neighborhood that could receive building permits prior to the consideration of Ordinance No. 04-O-1360 by the City Council;

NOW THEREFORE BE AND IT IS HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA AS FOLLOWS:

Section 1. That interim development controls on the construction of duplexes in the neighborhood bounded by Ruth Street and North Street to the North, Newman Place to the South, Gun Club Road and Hollywood Road to the West and Proctor Creek to the East, be in effect for a period not to exceed six months or until Ordinance No. 04-O-1360 becomes law or is adversed by the City Council, whichever occurs first.

Section 2. That all ordinances or parts of ordinances in conflict with this ordinance shall be repealed.

A true copy,  
*Rhonda Daughin Johnson*  
Municipal Clerk, CMC

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

October 18, 2004

October 27, 2004

RCS# 6189  
10/18/04  
6:49 PM

Atlanta City Council

Regular Session

04-O-1816 INTERIM DEV CNTRLS CNSTR DUPLEXES N'HOOD  
BOUND CERTAIN ST 6MOS REZONE R-5 TO R-4A  
ADOPT

YEAS: 11  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 4  
EXCUSED: 0  
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	NV Fauver	NV Martin	Y Norwood
Y Young	Y Shook	B Maddox	Y Willis
NV Winslow	Y Muller	Y Sheperd	NV Borders

		10-04-04 Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 04-O-1570	38. 04-R-1772	48. 04-R-1783
2. 04-O-1586	39. 04-R-1773	49. 04-R-1784
3. 04-O-1667	40. 04-R-1774	50. 04-R-1785
4. 04-O-1669	41. 04-R-1775	51. 04-R-1786
5. 04-O-1670	42. 04-R-1776	52. 04-R-1787
6. 04-O-1671	43. 04-R-1777	53. 04-R-1788
7. 04-O-1672	44. 04-R-1778	54. 04-R-1789
8. 04-O-1658	45. 04-R-1779	55. 04-R-1790
9. 04-O-1807	46. 04-R-1780	56. 04-R-1791
10. 04-O-1810	47. 04-R-1781	57. 04-R-1792
11. 04-O-1813		58. 04-R-1793
12. 04-O-1817		59. 04-R-1794
13. 04-O-1850		
14. 04-O-1651		
15. 04-O-1654		
16. 04-O-1808		
17. 04-R-1472		
18. 04-R-1751		
19. 04-R-1798		
20. 04-R-1485		
21. 04-R-1759		
22. 04-R-1760		
23. 04-R-1761		
24. 04-R-1797		
25. 04-R-1824		
26. 04-R-1825		
27. 04-R-1762		
28. 04-R-1754		
29. 04-R-1755		
30. 04-R-1756		
31. 04-R-1757		
32. 04-R-1827		
33. 04-R-1799		
34. 04-R-1768		
35. 04-R-1769		
36. 04-R-1770		
37. 04-R-1771		

04-1816

(Do Not Write Above This Line)

AN ORDINANCE

BY: COUNCILMEMBER FELICIA MOORE

*Felicia Moore*

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**ADOPTED BY**

OCT 18 2004

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

Date Referred 10/04/04  
 Referred To: Planning  
 Date Referred \_\_\_\_\_  
 Referred To: \_\_\_\_\_  
 Date Referred \_\_\_\_\_  
 Referred To: \_\_\_\_\_

First Reading  
 Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Referred To \_\_\_\_\_

Committee \_\_\_\_\_  
 Date 10/18/04  
 Chair [Signature]  
 Action [Signature]  
 Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
 Other \_\_\_\_\_

Members [Signatures]  
 Refer To \_\_\_\_\_

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 \_\_\_\_\_

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

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

CERTIFIED

**CERTIFIED**  
 OCT 18 2004

ATLANTA CITY COUNCIL PRESIDENT  
*[Signature]*

MAYOR'S ACTION

**APPROVED**

OCT 27 2004

WITHOUT SIGNATURE  
 BY OPERATION OF LAW