

AN ORDINANCE BY
COUNCILMEMBER *Felicia A. Moore*
FELICIA A. MOORE

AN ORDINANCE TO WAIVE THE SIDEWALK REQUIREMENTS OF SECTION 15-09.003 OF THE CITY OF ATLANTA CODE OF ORDINANCES TO PROVIDE THAT CERTAIN SUBDIVISION APPLICATIONS DEPOSIT A DOLLAR AMOUNT EQUAL TO THE VALUE OF THE REQUIRED SIDEWALK CONSTRUCTION INTO A DESIGNATED TRUST FUND ACCOUNT FOR DISTRICT 9, AND FOR OTHER PURPOSES.

WHEREAS, pursuant to the application for the subdivision of land submitted by several developers, 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 these subdivisions 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 the area of said subdivisions with in District 9.

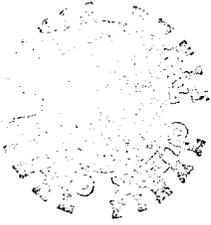
NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

Section 1: The requirements of Section 15-09.003 of the City of Atlanta Code of Ordinance, which requires that applications for subdivision of land provide sidewalks is hereby waived for subdivisions SD-04-85 and SD-05-01.

Section 2: That the waiver of said requirements for the aforementioned applications are conditioned upon the agreement of the applicants to pay the City of Atlanta a dollar amount equal to the value of construction SD-04-85, located at 2240 Spink Street ,NW (\$1,300) and SD-05-01, located at 2180 Spink Street, NW (\$2,500) of said sidewalk as required by Section 15-09.003 and as determined by the Commissioner of Department of Public Works.

Section 3: That before the Director of Bureau of Building issues any building permits for construction within the subdivisions sited above, said funds shall be deposited in trust fund account **3P02 424101 Y63T19019999**, to be used for pedestrian improvements and sidewalk construction in Council District 9.

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



Section 5: That all ordinances and parts of ordinances in conflict herewith be and the same are hereby waived.

A true copy,

Rhonda Dauphin Johnson
Municipal Clerk

ADOPTED by the City Council
APPROVED by the Mayor

March 21, 2005
March 25, 2005

RCS# 6559
3/21/05
2:26 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PG 4-16 EXCEPT
05-R-0499 04-O-2111
ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 2

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

CONSENT I

#13

05-0-0515
(Do Not Write Above This Line)

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ADOPTED BY
MAR 2 1 2005
COUNCIL

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

Date Referred 3/7/05
Referred To: City Utilities
Date Referred _____
Referred To: _____
Date Referred _____
Referred To: _____

First Reading
Committee _____
Date _____
Chair _____
Referred To _____

Committee _____
Date _____
Chair W. J. [Signature]
Action Fav, Adv, Hold (see rev. side) _____
Other _____

Members [Signatures]
Chair [Signature]
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

MAR 2 1 2005

CERTIFIED

CERTIFIED
MAR 2 1 2005
[Signature]
MAYOR'S ACTION

[Signature]