


AN ORDINANCE BY:  
COUNCILMEMBER IVORY LEE YOUNG, JR.

 08-0 -0084

**AUTHORIZING THE MAYOR OR DESIGNEE TO WAIVE SECTION 15-08.005 (D) (4) OF PART 15- SUBDIVISION ORDINANCE OF THE CITY OF ATLANTA LAND DEVELOPMENT CODE FOR CERTAIN SUBDIVISION APPLICATIONS.**

**WHEREAS**, Section 15-08.005 (D) (4) of the Subdivision Ordinance requires that “all lots, other than lots on the ball of cul-de-sac, corner lots, and lots on curved streets, which are described in subsections (1), (2) and (3) above, shall have the amount of lot frontage required by the applicable zoning district regulation. All such lots shall have side lot lines ranging between 80 and 100 degrees except where the existing side lot lines are approximately parallel to each other and intersect the adjacent street at an angle of not less than 60 degrees, and the proposed side lot lines replicate the existing side lot line pattern”; and

**WHEREAS**, several applications were submitted to the Bureau of Planning for the purpose of subdividing properties in order to create additional one and two-family lots based on extensive consultation with a former employee of the Bureau of the Planning; and

**WHEREAS**, these applications have been reviewed and accepted by the affected NPUs, received sign-off from the designated technical agencies on the Subdivision Review Committee; and the applicant has received building permits and expended funds to renovate existing dwellings that will remain as well as constructed sidewalks pursuant to the City regulations; and

**WHEREAS**, the applicants were advised by a former employee that the subdivisions met the requirements of the ordinance and recent reviews of updated application submissions by the Bureau of Planning indicate that these applications can not be approved unless relief is granted from Section 15-08.005 (D) (4); and

**WHEREAS**, the Bureau of Planning has determined that the waiver of this requirement will not compromise the purpose and intent of the Subdivision Ordinance and would support the following items in the purpose and intent:

- To regulate the development of new housing throughout the neighborhoods in the city for persons of all income groups.
- To protect and enhance the quality and character of existing neighborhoods while encouraging the development of new subdivisions.

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

**Section 1:** That the requirements for Section 15-08.005 (D) (4) of the Subdivision Ordinance are hereby waived for Subdivision SD-06-85 (1144 Mobile Street, N.W.) and SD-06-48 (1235 Martin Luther King, Jr. Drive, S.W.)

**Section 2:** That all other requirements of the Code of Ordinances for the subdivisions cited above shall remain in full force and effect.

**Section 3:** That all ordinances or parts of ordinances in conflict with this ordinance shall be repealed.