

Municipal Clerk
Atlanta, Georgia

A RESOLUTION

BY: COUNCILMEMBER CARLA SMITH

A RESOLUTION AUTHORIZING THE BUREAU OF PLANNING TO RECOGNIZE AS A NONCONFORMING LOT OF RECORD, A LOT LOCATED AT 96 RICHMOND STREET S.E., THAT HAS BEEN CREATED AS THE RESULT OF PREVIOUSLY ISSUED BUILDING PERMITS AND THAT PRESENTLY HAS A HOUSE LOCATED ON IT.

WHEREAS, there have been a few instances in which building permits have been issued in the past for construction of a single family house on a lot that did not conform to the Zoning Ordinance or the official City maps at the time the permits were issued; and

WHEREAS, the City issued the building permits and the former and current applicant and/or property owners have been paying property taxes on said dwelling constructed as a result of issued building permits; and

WHEREAS, a single family house now exist on this lot which the City is unable to recognize because the lot does not currently conform to the regulations of the Zoning Ordinance; and

WHEREAS, as a result of this situation the City was unable to issue building permits for repairs, alterations or redevelopment of the house located on this lot; and

WHEREAS, it is in the public interest that this lot be recognized as a nonconforming lot of record so that the present owners of the house are allowed to repair, make alterations, or redevelop it as needed or desired within the confines of the law.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA,

Section 1: That the Bureau of Planning is authorized to recognize a lot of record addressed as 96 Richmond Street, S.E. and as indicated by the attached legal description (Exhibit A) as a nonconforming lot of record.

Section 2: This authorization applies only if all information submitted to the City and substantially relied upon in issuing the permits was true and correct and that the applicant did not engage in deceptive or illegal conduct in obtaining the building permits.

Section 3: Provided further that this Resolution shall apply only to the property located at 96 Richmond Street, S.E.

EXHIBIT A

Legal Description

#96 Richmond Street:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 53 OF THE 14TH DISTRICT FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE AT THE POINT FORMED BY THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF MARTIN STREET (R/W VARIES) AND THE NORTHERLY RIGHT-OF-WAY LINE OF RICHMOND STREET (R/W VARIES); THENCE RUN IN A SOUTHWESTERLY DIRECTION ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF RICHMOND STREET A DISTANCE OF 89.96 FEET TO AN IRON PIN FOUND; THENCE SOUTH 87 DEGREES 03 MINUTES 31 SECONDS WEST A DISTANCE OF 28.60 TO A PK NAIL FOUND AND THE TRUE POINT OF BEGINNING.

THENCE FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED AND CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF RICHMOND STREET SOUTH 87 DEGREES 03 MINUTES 31 SECONDS WEST A DISTANCE OF 27.88 FEET TO AN IRON PIN FOUND; THENCE NORTH 01 DEGREES 44 MINUTES 42 SECONDS EAST A DISTANCE OF 120.34 FEET TO A PK NAIL FOUND; THENCE NORTH 89 DEGREES 27 MINUTES 21 SECONDS EAST A DISTANCE OF 24.34 FEET TO A PK NAIL FOUND; THENCE SOUTH 00 DEGREES 15 MINUTES 18 SECONDS WEST A DISTANCE OF 37.68 FEET TO A POINT; THENCE SOUTH 00 DEGREES 20 MINUTES 27 SECONDS EAST A DISTANCE OF 50.32 FEET TO A POINT; THENCE SOUTH 00 DEGREES 32 MINUTES 47 SECONDS WEST A DISTANCE OF 31.09 FEET TO THE TRUE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 3,126 SQUARE FEET.