

10-R-0651
 (Do Not Write Above This Line)

A RESOLUTION BY
 COUNCIL MEMBER NATALYN MOSBY
 ARCHIBONG

AUTHORIZING THE BUREAU OF PLANNING TO CHANGE THE LOT DIMENSIONS ON THE CITY OF ATLANTA CADASTRAL MAP FOR AN IMPROVED LEGAL, NON-CONFORMING LOT OF RECORD AT 816 CLIFTON ROAD; AND FOR OTHER PURPOSES.

ADOPTED BY
 MAY 03 2010
 COUNCIL

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

Date Referred 04/19/10
 Referred To: CD/HK
 Date Referred _____
 Referred To: _____
 Date Referred _____
 Referred To: _____

First Reading
 Committee _____
 Date _____
 Chair _____
 Referred To _____

Committee CD/HK
 Date 4/17/10
 Chair Steph
 Action _____
 Fav, Adv, Hold (see rev. side) _____
 Other _____
 Members _____
 Referred To _____

Committee _____
 Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (see rev. side) _____
 Other _____
 Members _____
 Referred To _____

Committee _____
 Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (see rev. side) _____
 Other _____
 Members _____
 Referred To _____

Committee _____
 Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (see rev. side) _____
 Other _____
 Members _____
 Referred To _____

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

CERTIFIED

CERTIFIED
 MAY 09 2010
 ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED
 MAY 03 2010
 Municipal Clerk

MAYOR'S ACTION

APPROVED
 MAY 11 2010
 Mayor



CITY COUNCIL
ATLANTA, GEORGIA

A RESOLUTION
BY: COUNCILMEMBER NATALYN ARCHIBONG

Natalyn Archibong

10- R -0651

A RESOLUTION AUTHORIZING THE BUREAU OF PLANNING TO CHANGE THE LOT DIMENSIONS ON THE CITY OF ATLANTA CADASTRAL MAP FOR AN IMPROVED LEGAL, NON-CONFORMING LOT OF RECORD AT 816 CLIFTON ROAD; AND FOR OTHER PURPOSES.

WHEREAS, 816 Clifton Road is improved with a single-family dwelling on a R-4 zoned non-conforming lot of record ("subject property") due to it having size and frontage dimensions that are below the R-4 minimum standards but created prior to the adoption of the current R-4 standards; and

WHEREAS, the City of Atlanta Cadastral Map, the official record of lot configurations for purposes of development, reflects the subject property's street frontage (i.e. lot width) to be 60.7 feet; and

WHEREAS, upon research of the subject property's chain of title, it has been determined that at no time has the current owner or any predecessor in title conveyed any portion of the subject property's width to an abutting property owner so as to cause the lot's width to decrease from 60.7 feet to 50 feet but rather that the subject property's street frontage has always been 50 feet since at least before the adoption of the first subdivision ordinance in 1958; and

WHEREAS, the subject property is and for years has been improved with a single-family residence for which the current owner has submitted building plans for further improvement of the subject property; and

WHEREAS, no building permit can legally issue until the subject property's current boundary lines are consistent with and updated onto the City of Atlanta Cadastral Maps; and

WHEREAS, under current subdivision regulations the Bureau of Planning may not administratively recognize lot dimensions onto the City of Atlanta Cadastral Maps that will render said lot or an adjoining lot below, or in this case, further below the minimum lot requirements of the applicable zoning district; and

WHEREAS, without legislative action there will be uncertainty as to the subject property's lot status for development purposes and the ability to obtain future building permits for the purpose of renovation, repair, construction, etc. to the existing residential structure on the property; and

WHEREAS, the City Council desires to resolve the uncertainty in this situation given that building permits have issued and structures exist on the property pursuant to those permits.

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



Section 1: That the Bureau of Planning is authorized to change the City of Atlanta Cadastral Map for property located at 816 Clifton Road into a configuration consistent with those property boundaries as indicated on the legal description (Exhibit "A") and property boundary survey (Exhibit "B"), said Exhibits incorporated herein by reference.

Section 2: That the Bureau of Planning is authorized to recognize the property located at 816 Clifton Road as one legal, non-conforming lot of record with all rights appurtenant thereto.

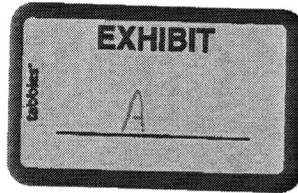
Section 3: That as a legal, non-conforming lot of record, any development of the subject property must comply with all applicable development standards, including, but not limited to, the provisions of Sec. 16-24.002.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk

ADOPTED by the Atlanta City Council
APPROVED by Mayor kasim Reed

MAY 03, 2010
MAY 11, 2010



ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 147 OF THE 15TH DISTRICT, DEKALB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN ON THE EASTERLY SIDE OF CLIFTON ROAD 44.5 FEET SOUTHERLY, AS MEASURED ALONG THE EASTERLY SIDE OF CLIFTON ROAD, FROM THE CORNER FORMED BY THE INTERSECTION OF THE EASTERLY SIDE OF CLIFTON ROAD WITH THE SOUTHEASTERLY SIDE OF BRAEBUM CIRCLE (FORMERLY SYLVESTER ROAD); RUNNING THENCE SOUTHERLY ALONG THE EASTERLY SIDE OF CLIFTON ROAD 50 FEET TO AN IRON PIN; THENCE EASTERLY AND FORMING AN INTERIOR ANGLE OF 90 DEGREES 22 MINUTES WITH THE PRECEDING DESCRIBED COURSE, 149.4 FEET TO AN IRON PIN; THENCE NORTHERLY 50 FEET TO AN IRON PIN; THENCE WESTERLY 149.5 FEET TO THE EASTERLY SIDE OF CLIFTON ROAD AND THE IRON PIN AT THE POINT OF BEGINNING, BEING IMPROVED PROPERTY KNOWN AS LOT 96, BLOCK 1, M.L. WARREN PROPERTY, AS PER PLAT RECORDED IN PLAT BOOK D, PAGE 242, OF THE RECORDS OF THE OFFICE OF THE COURT OF ORDINARY OF DEKALB COUNTY, GEORGIA, AND FURTHER BEING KNOWN AS 816 CLIFTON ROAD, ACCORDING TO THE PRESENT SYSTEM OF NUMBERING HOUSE IN THE CITY OF ATLANTA, DEKALB COUNTY, GEORGIA.

Parcel I. D. #: 15-147-10-002

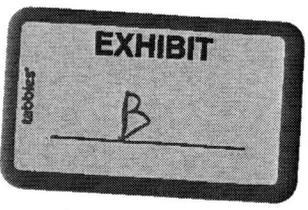
Property Address: 816 Clifton Road SE, Atlanta, GA 30316



The field data upon which this plat is based has a closure precision of one foot in 15,000+ feet and an angular error of 03" seconds per angle point and was adjusted using the Compass Rule. This plat has been calculated for closure and is found to be accurate within one foot in 100,000+ feet.

Equipment used: Topcon GTS-213 Total Station.

In my opinion this property is not in a flood hazard area as per F.I.R.M Flood Hazard Map of Dekalb County, Georgia
 Community Panel Number 13089C-0127-H
 Effective Date 05/07/2001
 Revision Date



CD 5

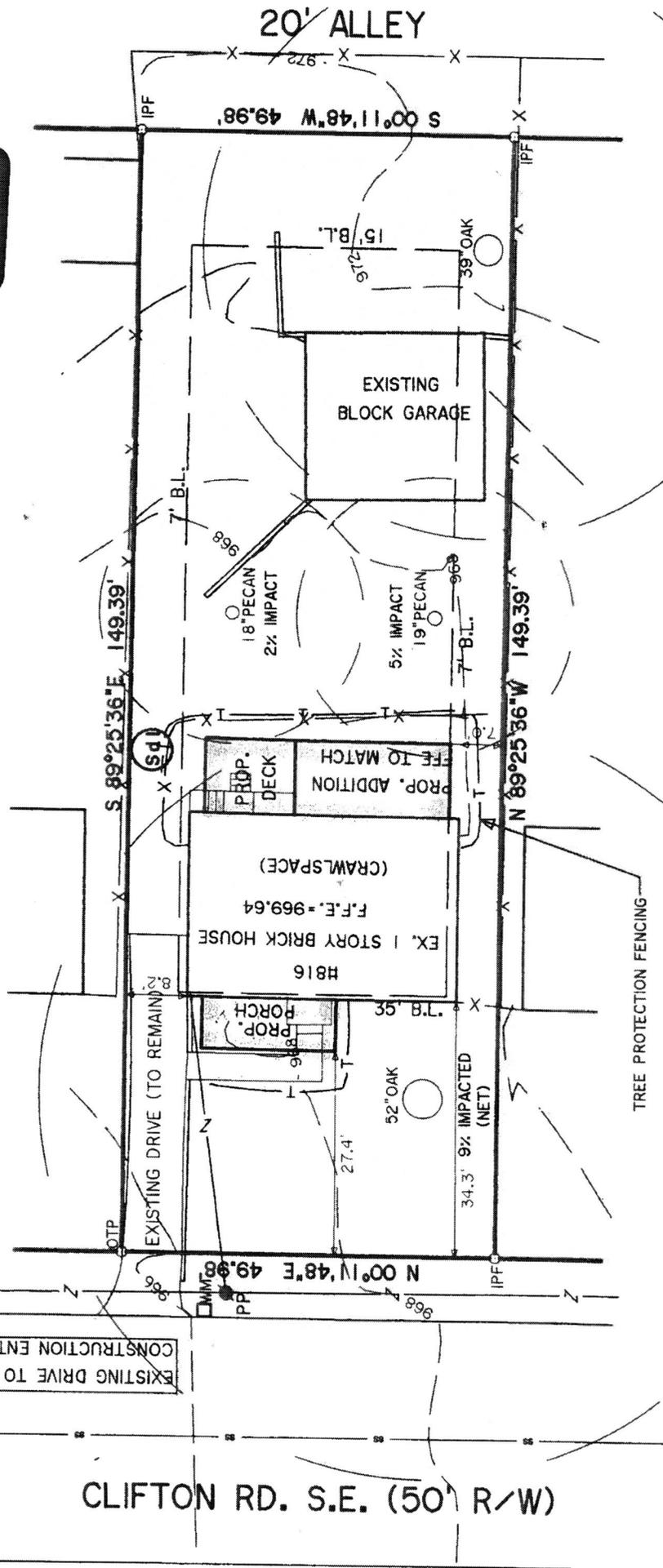
Ds1 Ds2 Ds3

ON ALL DISTURBED AREAS

SSMH
 TOP-962.62

EXISTING DRIVE TO SERVE AS
 CONSTRUCTION ENTRANCE

CLIFTON RD. S.E. (50' R/W)



RCS# 209
5/03/10
2:27 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 2

NV Smith	Y Archibong	Y Moore	B Bond
Y Hall	Y Wan	Y Martin	NV Watson
Y Young	Y Shook	Y Bottoms	Y Willis
B Winslow	Y Adrean	Y Sheperd	NV Mitchell

CONSENT I

		05-03-10
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 10-O-0393	36. 10-R-0642	76. 10-R-0682
2. 10-O-0492	37. 10-R-0651	77. 10-R-0683
3. 10-O-0598	38. 10-R-0783	78. 10-R-0684
4. 10-O-0595	39. 10-R-0789	79. 10-R-0685
5. 10-O-0782	40. 10-R-0724	80. 10-R-0686
6. 10-O-0790	41. 10-R-0725	81. 10-R-0687
7. 10-R-0652	42. 10-R-0726	82. 10-R-0688
8. 10-R-0749	43. 10-R-0771	83. 10-R-0689
9. 10-R-0750	44. 10-R-0736	84. 10-R-0690
10. 10-R-0753	45. 10-R-0737	85. 10-R-0691
11. 10-R-0754	46. 10-R-0738	86. 10-R-0692
12. 10-R-0755	47. 10-R-0653	87. 10-R-0693
13. 10-R-0756	48. 10-R-0654	88. 10-R-0694
14. 10-R-0757	49. 10-R-0655	89. 10-R-0695
15. 10-R-0758	50. 10-R-0656	90. 10-R-0696
16. 10-R-0759	51. 10-R-0657	91. 10-R-0697
17. 10-R-0770	52. 10-R-0658	92. 10-R-0698
19. 10-R-0775	53. 10-R-0659	93. 10-R-0699
20. 10-R-0781	54. 10-R-0660	94. 10-R-0700
21. 10-R-0786	55. 10-R-0661	95. 10-R-0701
22. 10-R-0787	56. 10-R-0662	96. 10-R-0702
23. 10-R-0797	57. 10-R-0663	97. 10-R-0703
24. 10-R-0799	58. 10-R-0664	98. 10-R-0704
25. 10-R-0800	59. 10-R-0665	99. 10-R-0705
26. 10-R-0620	60. 10-R-0666	100. 10-R-0706
27. 10-R-0621	61. 10-R-0667	101. 10-R-0707
28. 10-R-0622	62. 10-R-0668	102. 10-R-0708
29. 10-R-0625	63. 10-R-0669	103. 10-R-0709
30. 10-R-0626	64. 10-R-0670	104. 10-R-0710
31. 10-R-0637	65. 10-R-0671	105. 10-R-0711
32. 10-R-0752	66. 10-R-0672	106. 10-R-0712
33. 10-R-0496	67. 10-R-0673	107. 10-R-0713
34. 10-R-0640	68. 10-R-0674	108. 10-R-0714
35. 10-R-0641	69. 10-R-0675	109. 10-R-0715
	70. 10-R-0676	110. 10-R-0716
	71. 10-R-0677	111. 10-R-0717
	Items Adversed	112. 10-R-0718
	72. 10-R-0678	113. 10-R-0719
	73. 10-R-0679	114. 10-R-0720
	74. 10-R-0680	115. 10-R-0721
	75. 10-R-0681	116. 10-R-0722
		117. 10-R-0723