

**10-R-0789**  
 (Do Not Write Above This Line)

A RESOLUTION

BY: COUNCIL MEMBER IVORY LEE  
 YOUNG, JR.

*Ivory Lee Young, Jr.*

A RESOLUTION AUTHORIZING THE BUREAU OF PLANNING TO RECOGNIZE AS A NONCONFORMING LOT OF RECORD, A LOT LOCATED AT 416 ETHEL STREET N.W. THAT HAS BEEN CREATED AS THE RESULT OF PREVIOUSLY ISSUED BUILDING PERMITS AND THAT PRESENTLY HAS A HOUSE LOCATED ON IT.

NPUE COUNCIL DISTRICT 3

ADOPTED BY

MAY 03 2010

COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER *Personal Paper Refer*
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER

Date Referred *04/19/10*

Referred To: *CDHRR*

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_

Committee *CGMR*  
 Date *4/27/10*  
 Chair *Poyner Shope*

Action:  
 Fav, Adv, Held (see rev. side)  
 Other:

Members

*Members*  
*Refer To*

Refer To

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Action:  
 Fav, Adv, Held (see rev. side)  
 Other:

Members

Refer To

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Action:  
 Fav, Adv, Held (see rev. side)  
 Other:

Members

Refer To

COUNCIL ACTION

2nd  1st & 2nd  3rd

Readings

Consent  V Vote  RC Vote

CERTIFIED

CERTIFIED  
 MAY 03 2010

ATLANTA CITY COUNCIL PRESIDENT

*[Signature]*

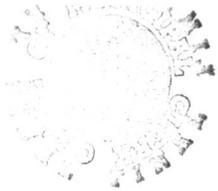
CERTIFIED  
 MAY 03 2010

*Ronald D. [Signature]*  
 MUNICIPAL CLERK

MAYOR'S ACTION  
 APPROVED

MAY 11 2010

*[Signature]*  
 MAYOR



ATLANTA, GEORGIA

Municipal Clerk  
Atlanta, Georgia

10-R-0789

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**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 416 Ethel Street, N.W. and as indicated by the attached legal description 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 416 Ethel Street, N.W.

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



Deed Book 47665 Pg 565  
Cathelene Robinson  
Clerk of Superior Court  
Fulton County, Georgia

**EXHIBIT A**

All that tract or parcel of land lying and being in Land Lot 149 of the 17<sup>th</sup> District, Fulton County, Georgia; and being more particularly described as follows:

**BEGINNING** at the southwest corner of the intersection of Ethel Street and Tumlin Street; running thence west along the south side of Tumlin Street, forty-six (46) feet; thence south one hundred eight (108) feet; thence east forty-six (46) feet to the west side of Tumlin Street; thence north along the west side of Tumlin Street, one hundred eight (108) feet to the Point of Beginning.

Being improved property known as No. 416 Ethel Street, NW, according to the present system of numbering houses in the City of Atlanta, Fulton County, Georgia.

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
	<b>Items Adversed</b>	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