

#4

11-R-1779

A RESOLUTION BY COUNCIL MEMBER FELICIA A. MOORE

Felicia A. Moore

A RESOLUTION AUTHORIZING THE BUREAU OF PLANNING TO RECONGNIZE AS A NONCONFORMING LOT OF RECORD, A LOT LOCATED AT 1865 CLAREMONT STREET, N.W. THAT HAS BEEN CREATED AS THE RESULT OF REVIOUSLY ISSUED BUILDING PERMITS AND THAT PRESENTLY HAS A HOUSE LOCATED ON IT.

ADOPTED BY

DEC 0 5 2011

COUNCIL

- CONSENT REFER
 - REGULAR REPORT REFER
 - ADVERTISE & REFER
 - 1ST ADOPT 2ND READ & REFER
 - PERSONAL PAPER REFER
- Date Referred: 11/21/11
 Referred To: CD/HR
 Date Referred: _____
 Referred To: _____
 Date Referred: _____
 Referred To: _____

First Reading

Committee _____
 Date _____
 Chair _____
 Referred To _____

Committee CD/HR

Date 11/23/11

Chair Gregory M. Shaper

Action Fav, Adv, Hold (see rev. side) Other

Members Murphy

Murphy

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 V

CERTIFIED

CERTIFIED
DEC 0 5 2011

ATLANTA CITY COUNCIL PRESIDENT

[Signature]

CERTIFIED
DEC 0 5 2011

MINICIPAL CLERK

MAYOR'S ACTION

APPROVED

DEC 1 4 2011

WITHOUT SIGNATURE BY OPERATION OF LAW



CITY COUNCIL
ATLANTA, GEORGIA

11-R-1779

A RESOLUTION
BY: COUNCIL MEMBER FELICIA A. MOORE

A RESOLUTION AUTHORIZING THE BUREAU OF PLANNING TO RECOGNIZE AS A NONCONFORMING LOT OF RECORD, A LOT LOCATED AT 1865 CLAREMONT STREET N.W. 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 1865 Claremont 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 1865 Claremont Street, N.W.

A true copy,

Deputy Clerk

ADOPTED by the Atlanta City Council
APPROVED as per City Charter Section 2-403

DEC 05, 2011
DEC 14, 2011

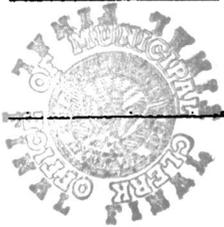


EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 186 of the 17th District of Fulton County Georgia, and being more particularly described as follows:

BEGINNING at an iron pipe on the East side of Claremont Avenue, said beginning point being 124.4 feet South of the Southeast corner of Claremont Avenue and Mantissa Street; run thence East along the South line of Lot 338, one hundred fifty (150) feet; thence South along the West lines of Lot 339, sixty (60) feet; run thence West along the North line of Lot 342, one hundred fifty (150) feet to the East side of Claremont Avenue; run thence North along the East side of Claremont Avenue sixty (60) feet to the Point of Beginning, and being Lot 340 of North Side Park, according to a Plat of same recorded in Plat Book 2, pages 194 and 195 of the records of the Clerk of the Superior Court of Fulton County, Georgia, as revised by C.S. Mercer, C.E., November 30, 1937, and being shown as a part of the Property depicted on a plat of survey of Lots 338 and 340 of North Side Park prepared by Charles C. Jones, RLS 1650 for Bennie L. House, dated March 7, 1994, which plat is incorporated herein.

RCS# 1601
12/05/11
4:55 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

CONSENT AGENDA SECTION I OF 12/5/2011
ALL ITEMS EXCEPT 11-O-1768, 11-R-1723
ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 0

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

CONSENT I

ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	12-05-11 ITEMS ADVERSED ON CONSENT
1. 11-O-1646 2. 11-O-1682 3. 11-O-1631 4. 11-O-1639 5. 11-O-1640 6. 11-O-1766 7. 11-O-1511 8. 11-O-1656 9. 11-O-1657 10. 11-O-1658 11. 11-O-1767 12. 11-O-1773 13. 11-O-1775 14. 11-O-1777 15. 10-O-0934 16. 10-O-0898 17. 11-O-1411 18. 11-O-1412 19. 11-O-1629 20. 11-O-1769 21. 11-R-1696 22. 11-R-1697 23. 11-R-1698 24. 11-R-1699 25. 11-R-1700 26. 11-R-1701 27. 11-R-1702 28. 11-R-1703 29. 11-R-1720 30. 11-R-1786 31. 11-R-1787 32. 11-R-1788 33. 11-R-1510 34. 11-R-1722 35. 11-R-1725 36. 11-R-1726 37. 11-R-1727 38. 11-R-1728 39. 11-R-1730 40. 11-R-1731 41. 11-R-1732	42. 11-R-1733 43. 11-R-1734 44. 11-R-1735 45. 11-R-1736 46. 11-R-1737 47. 11-R-1738 48. 11-R-1739 49. 11-R-1774 50. 11-R-1705 51. 11-R-1706 52. 11-R-1708 53. 11-R-1709 54. 11-R-1710 55. 11-R-1711 56. 11-R-1721 57. 11-R-1778 58. 11-R-1691 59. 11-R-1692 60. 11-R-1693 61. 11-R-1779 62. 11-R-1780 63. 11-R-1740 64. 11-R-1741 65. 11-R-1742 66. 11-R-1743 67. 11-R-1744 68. 11-R-1745 69. 11-R-1746 70. 11-R-1747 71. 11-R-1748 72. 11-R-1749 73. 11-R-1750 74. 11-R-1751 75. 11-R-1752	76. 11-R-1753 77. 11-R-1754 78. 11-R-1755 79. 11-R-1756