

#4

12-R-0783

(Do Not Write Above This Line)

A RESOLUTION BY: COUNCIL MEMBER CARLA SMITH

*Carla Smith*

A RESOLUTION AUTHORIZING THE BUREAU OF PLANNING TO RECOGNIZE AS A NONCONFORMING LOT OF RECORD, A LOT LOCATED AT 375 SYDNEY STREET, S.E. (AKA 373 SYDNEY STREET) THAT HAS BEEN CREATED AS THE RESULT OF PREVIOUSLY ISSUED BUILDING PERMITS AND THAT PRESENTLY HAS A HOUSE LOCATED ON IT.

NPU-W COUNCIL DISTRICT 1

ADOPTED BY

JUN 04 2012

COUNCIL

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

Date Referred: 5/21/12  
 Referred To: CD/HR  
 Date Referred: \_\_\_\_\_  
 Referred To: \_\_\_\_\_  
 Date Referred: \_\_\_\_\_  
 Referred To: \_\_\_\_\_

First Reading  
 Committee: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Chair: \_\_\_\_\_  
 Referred To: \_\_\_\_\_

Committee: CD/HR  
 Date: 5/25/12  
 Chair: Joseph M. Stapanian  
 Action: \_\_\_\_\_  
 Fav, Adv, Hold (see rev. side): \_\_\_\_\_  
 Other: \_\_\_\_\_

Members:  
*[Signatures]*

Refer To

Committee: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Chair: \_\_\_\_\_  
 Action: \_\_\_\_\_  
 Fav, Adv, Hold (see rev. side): \_\_\_\_\_  
 Other: \_\_\_\_\_

Committee: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Chair: \_\_\_\_\_  
 Action: \_\_\_\_\_  
 Fav, Adv, Hold (see rev. side): \_\_\_\_\_  
 Other: \_\_\_\_\_

Members

Refer To

Committee: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Chair: \_\_\_\_\_  
 Action: \_\_\_\_\_  
 Fav, Adv, Hold (see rev. side): \_\_\_\_\_  
 Other: \_\_\_\_\_

Members

Committee: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Chair: \_\_\_\_\_  
 Action: \_\_\_\_\_  
 Fav, Adv, Hold (see rev. side): \_\_\_\_\_  
 Other: \_\_\_\_\_

Members

Refer To

Refer To

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

CERTIFIED

CERTIFIED  
 JUN 04 2012  
 ATLANTA CITY COUNCIL PRESIDENT  
*[Signature]*

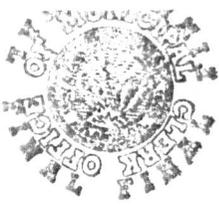
CERTIFIED  
 JUN 04 2012  
*Ronald Douglas Johnson*  
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

JUN 13 2012

WITHOUT SIGNATURE BY OPERATION OF LAW



Municipal Clerk  
Atlanta, Georgia

**A RESOLUTION  
BY: COUNCIL MEMBER CARLA SMITH**

**A RESOLUTION AUTHORIZING THE BUREAU OF PLANNING TO RECOGNIZE AS A NONCONFORMING LOT OF RECORD, A LOT LOCATED AT 375 SYDNEY STREET, S.E. (AKA 373 SYDNEY ST.) 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 exists 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 375 Sydney Street, S.E. (aka 373 Sydney Street) and as indicated by the attached survey, Exhibit 'A' and legal description, Exhibit 'B' 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 375 Sydney Street, S.E. (aka 373 Sydney Street).

A true copy,

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

June 04, 2012  
June 13, 2012

  
Municipal Clerk



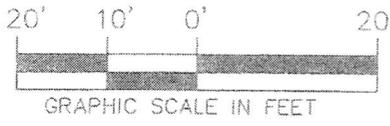
EXHIBIT 'A'

Sydney Street  
50' R/W

LEGEND

- IPS=IRON PIN SET
- IPF=IRON PIN FOUND
- CL=CENTER LINE
- BL=BUILDING LINE
- N/F=NOW OR FORMERLY
- MH=MAN HOLE
- S=SANITARY
- P=POWER
- W=WATER
- G=GAS
- X-=FENCE
- BC=BACK OF CURB
- WM=WATER METER
- WV=WATER VALVE
- PB=POWER BOX
- GM=GAS METER
- SSE=SANITARY SEWER ESM'T
- DE=DRAINAGE ESM'T
- ESM'T=EASEMENT
- CB=CATCH BASIN
- HW=HEAD WALL
- DI=DROP INLET
- JB=JUNCTION BOX
- LLL=LAND LOT LINE

MAG



THE FIELD DATA WHICH THIS SURVEY IS BASED HAS A PRECISION OF ONE FOOT IN 10000+ FEET AND A ANGULAR ERROR OF 3" PER ANGLE POINT

THE PLAT CLOSURE IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100000+ FEET

EQUIPMENT USED: TOPCON GTS-2

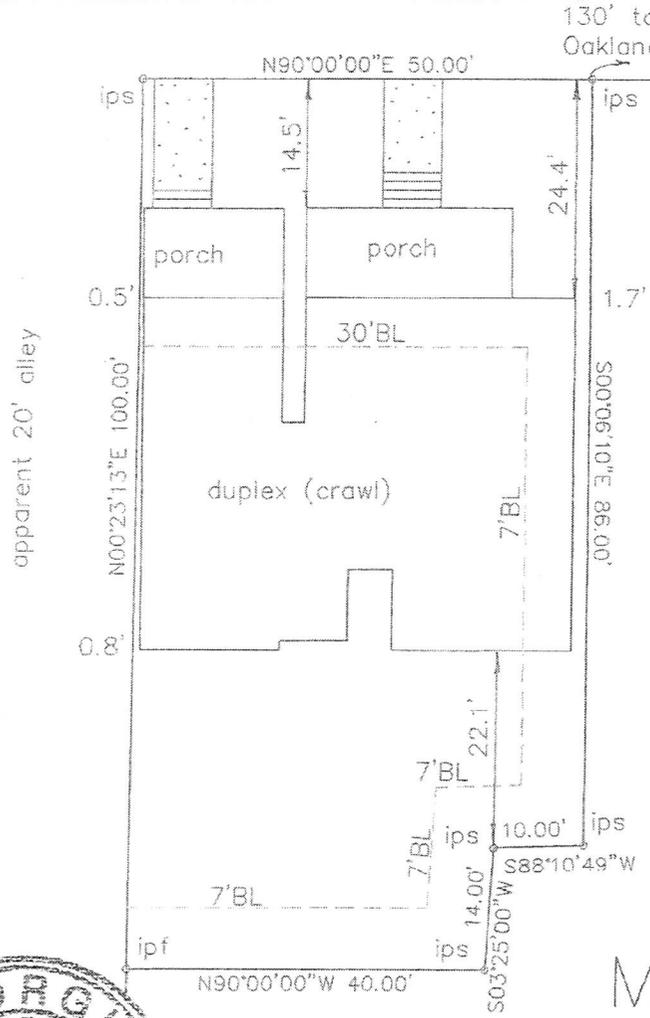
REFERENCE

- Deed Book 6965 Page 192
- Deed Book 10168 Page 16

NO PORTION OF THIS PROPERTY LIES WITHIN A FEDERALLY DESIGNATED 100 year flood zone

survey for

Maura Mitzner



IN MY OPINION THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATED

*Jeffrey J. Johnson*

JEFFREY J JOHNSON R.L.S. 2505

|  |  |               |
|--|--|---------------|
| JOHNSON<br>SURVEYING<br>5122-B Williams Rd<br>Norcross Ga. 30093<br>678-557-1449 | LAND LOT 44<br>DISTRICT 14<br>Fulton County, Ga.<br>373 & 375 Sydney St. |               |
|  | DATE: 2-23-2012  | SCALE: 1"=20' |



EXHIBIT 'B'

BEGINNING at a point on the south side of Sydney Street 130 feet west from the southwest corner of Sydney Street and Oakland Avenue, said point of beginning being at the southwest corner of Sydney Street and a 10-foot alley; thence west along the south side of Sydney Street 50 feet to an alley; thence south along the east side of said alley 100 feet; thence east 40 feet; thence north 14 feet; thence east 10 feet to the first mentioned alley; thence north along the west side of said alley 86 feet to the point of beginning on Sydney Street; being improved property known as Nos. 373-75 SYDNEY STREET, S. E., ATLANTA, GEORGIA.

RCS# 2006  
6/04/12  
2:46 PM

Atlanta City Council

CONSENT I

CONSENT AGENDA SECTION I, JUNE 4, 2012  
REGULAR MEETING OF ATLANTA CITY COUNCIL  
ADOPT

YEAS: 10  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 6  
EXCUSED: 0  
ABSENT 0

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

CONSENT I

|                             |                             | 06-04-12                     |
|-----------------------------|-----------------------------|------------------------------|
| ITEMS ADOPTED ON<br>CONSENT | ITEMS ADOPTED ON<br>CONSENT | ITEMS ADVERSED<br>ON CONSENT |
| 1. 12-O-0647                | 38. 12-R-0746               | 49. 12-R-0758                |
| 2. 12-O-0779                | 39. 12-R-0747               | 50. 12-R-0759                |
| 3. 12-O-0637                | 40. 12-R-0748               | 51. 12-R-0760                |
| 4. 12-O-0638                | 41. 12-R-0749               | 52. 12-R-0761                |
| 5. 12-O-0665                | 42. 12-R-0750               | 53. 12-R-0762                |
| 6. 12-O-0666                | 43. 12-R-0752               | 54. 12-R-0763                |
| 7. 12-O-0667                | 44. 12-R-0753               | 55. 12-R-0764                |
| 8. 12-O-0671                | 45. 12-R-0754               | 56. 12-R-0765                |
| 9. 12-O-0673                | 46. 12-R-0755               | 57. 12-R-0766                |
| 10. 12-R-0661               | 47. 12-R-0756               | 58. 12-R-0767                |
| 11. 12-R-0782               | 48. 12-R-0757               | 59. 12-R-0768                |
| 12. 12-R-0783               |                             | 60. 12-R-0769                |
| 13. 12-R-0641               |                             | 61. 12-R-0770                |
| 14. 12-R-0643               |                             | 62. 12-R-0771                |
| 15. 12-R-0731               |                             | 63. 12-R-0772                |
| 16. 12-R-0732               |                             |                              |
| 17. 12-R-0733               |                             |                              |
| 19. 12-R-0734               |                             |                              |
| 20. 12-R-0727               |                             |                              |
| 21. 12-R-0728               |                             |                              |
| 22. 12-R-0729               |                             |                              |
| 23. 12-R-0718               |                             |                              |
| 24. 12-R-0721               |                             |                              |
| 25. 12-R-0722               |                             |                              |
| 26. 12-R-0723               |                             |                              |
| 27. 12-R-0735               |                             |                              |
| 28. 12-R-0736               |                             |                              |
| 29. 12-R-0737               |                             |                              |
| 30. 12-R-0738               |                             |                              |
| 31. 12-R-0739               |                             |                              |
| 32. 12-R-0740               |                             |                              |
| 33. 12-R-0741               |                             |                              |
| 34. 12-R-0742               |                             |                              |
| 35. 12-R-0743               |                             |                              |
| 36. 12-R-0744               |                             |                              |
| 37. 12-R-0745               |                             |                              |