

**13-R-0631 A RESOLUTION BY COUNCILMEMBER NATALYN ARCHIBONG AS SUBSTITUTED BY COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AUTHORIZING THE OFFICE OF PLANNING TO CHANGE THE LOT DIMENSIONS ON THE CITY OF ATLANTA LOT BOUNDARY MAP, FOR IMPROVED NON-CONFORMING LOTS OF RECORD AT 402 LAKESHORE DRIVE AND 1872 MCLENDON AVENUE; AND FOR OTHER PURPOSES**

**Review List:**

Community Development & Human Resources Committee	Completed	05/10/2013 4:40 PM
Atlanta City Council	Completed	05/15/2013 2:21 PM
Community Development & Human Resources Committee	Completed	05/15/2013 3:53 PM
Atlanta City Council	Pending	

**HISTORY:**

04/30/13      Community Development & Human Resources Committee      HELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE [UNANIMOUS]</b>
<b>AYES:</b>	Sheperd, Hall, Shook, Winslow, Young Jr., Willis

05/06/13      Atlanta City Council

05/14/13      Community Development & Human Resources Committee      FAVORABLE ON SUBSTITUTE

<b>RESULT:</b>	<b>FAVORABLE ON SUBSTITUTE [UNANIMOUS]</b>	<b>Next: 5/20/2013 1:00 PM</b>
<b>AYES:</b>	Sheperd, Hall, Shook, Willis, Winslow, Young Jr.	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY – BLUE BACK

**CITY COUNCIL  
ATLANTA, GEORGIA  
SPONSOR SIGNATURES**



Natalyn Mosby Archibong, Councilmember, District 5

**RESOLUTION  
BY COUNCILMEMBER(S) ARCHIBONG  
COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

**13-R-0631 A RESOLUTION BY COUNCILMEMBER NATALYN ARCHIBONG AS SUBSTITUTED BY COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AUTHORIZING THE OFFICE OF PLANNING TO CHANGE THE LOT DIMENSIONS ON THE CITY OF ATLANTA LOT BOUNDARY MAP, FOR IMPROVED NON-CONFORMING LOTS OF RECORD AT 402 LAKESHORE DRIVE AND 1872 MCLENDON AVENUE; AND FOR OTHER PURPOSES**

WHEREAS, 402 Lakeshore Drive and 1872 McClendon Avenue are separate non-conforming lots of record, each improved with a single-family dwelling; and

WHEREAS, the City of Atlanta Lot Boundary Map, formerly known as the Cadastral Map, is the official City record of lot configuration for the purposes of development and reflects different dimensions for each lot than those appearing on the current real property records filed in the DeKalb County land records; and

WHEREAS, research of the subject property's chain of title reveals that the predecessor in title of the current property owner of 402 Lake Shore Drive conveyed the rear portion of the lot to the predecessor in title of the current property owner of 1872 McClendon Avenue, the result of which increased the lot size of 1872 McClendon Avenue and rendered the lot at 402 Lake Shore drive below the minimum lot size required by the property's R-4 zoning designation; and

WHEREAS, the subject properties are and for years have been improved with single-family residences and for which the current owner of 402 Lake Shore Drive has submitted building plans for further improvement of the property; and

WHEREAS, no building permit can legally be issued until the subject properties current boundary lines are consistent with and updated onto the City of Atlanta Lot Boundary Map; and

WHEREAS, under current subdivision regulations, the Office of Planning may not administratively recognize lot dimensions onto the City of Atlanta Lot Boundary Map 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 properties status for development purposes and the ability to obtain future building permits for the purpose of repair, renovation, construction, etc. to the existing residential structures on the properties; and

WHEREAS, the City Council desires to resolve the uncertainty in this situation, allowing the subject properties to be further improved.

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

Section 1: The Office of Planning is authorized to change the City of Atlanta Lot Boundary Map for property located at 402 Lakeshore Drive into a configuration consistent with those property boundaries as indicated on the attached property boundary survey (Exhibit "A"), said exhibit incorporated herein by reference.

Section 2: The Office of Planning is authorized to recognize the property located at 402 Lakeshore Drive, as described in Exhibit "A", as one non-conforming lot of record with all rights appurtenant thereto.

Section 3: The Office of Planning is authorized to change the City of Atlanta Cadastral Map for property located at 1872 McClendon Avenue into a configuration consistent with the aggregate property boundaries of tract 1 and tract 2, as set forth on the attached legal description (Exhibit "B"), said exhibit incorporated herein by reference, such that hereafter said tracts shall be one parcel of land for development purposes.

Section 4: That the Office of Planning is authorized to recognize the property located at 402 1872 McClendon Avenue, as described in Exhibit "B", as one non-conforming lot of record with all rights appurtenant thereto.

Section 5: That as non-conforming lots of record, any development on the subject properties must comply with all applicable development standards, including, but not limited to, the provisions of Sec. 16-24.002.