06-O -1055

AN ORDINANCE

BY COUNCILMEMBER CLAIR MULLER

AUTHORIZING THE MAYOR OR HER DESIGNEE TO WAIVE THE SIDEWALK REQUIREMENTS OF SECTION 15-09.003 OF THE CITY OF ATLANTA CODE OF ORDINANCES, TO PROVIDE THAT A CERTAIN SUBDIVISION SD-05-52 (513 BRYN MAWR LANE, NW) APPLICANT DEPOSIT A DOLLAR AMOUNT ($5,956.45) EQUAL TO THE VALUE OF THE REQUIRED SIDEWALK CONSTRUCTION INTO A DESIGNATED TRUST FUND ACCOUNT FOR DISTRICT 8; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to the application for the subdivision of land submitted by the developer, in compliance with the provisions of Section 15-09.003 to provide sidewalks on both sides of existing as well as proposed streets; and

WHEREAS, the construction of sidewalks along the frontage of this subdivision would adversely affect the appearance and character of the neighborhood due to the lack of any existing sidewalks on the streets that contain the proposed subdivided lots to which the sidewalks could connect; and

WHEREAS, the City and area residents would be better served by the construction of sidewalks and pedestrian improvements in other areas of District 8.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1: The requirements of Section 15-09.003 of the City of Atlanta Code of Ordinance, which requires that application for the subdivision of land provide sidewalks is hereby waived for Subdivision SD-05-52 (513 Bryn Lane, NW).

SECTION 2: That the waiver of said requirements for the aforementioned application are conditioned upon the agreement of the applicant to pay the City of Atlanta a dollar amount ($5,956.45) equal to the value of construction of said sidewalks as required by Section 1509.003 and as determined by the Commissioner of Department of Public Works.

SECTION 3: That before the Director of Bureau of Building issues any building permit for construction within the subdivisions sited above, said funds shall be deposited in Trust Fund Account 3P02 424101 Y63T19089999, to be used for pedestrian improvements and sidewalk construction only in Council District 8.

SECTION 4,: That all other requirements of the Code of Ordinances for the subdivisions sited above shall remain in full force and effect.

SECTION 5: That all ordinances and parts of ordinances in conflict herewith be and the same are hereby waived in this instance only.

CITY OF ATLANTA

SHIRLEY FRANKLIN
MAYOR

68 MITCHELL STREET, S.W.
SUITE 4500, CITY HALL SOUTH
ATLANTA, GEORGIA 30303-3531
TEL. 404-330-6739
FAX 404-658-7978

DEPARTMENT OF PUBLIC WORKS
DAVID E. SCOTT, P.E.
Commissioner

DAVID F. FERGUSON
Deputy Commissioner

MEMORANDUM

DATE: September 7, 2005

TO: Kevin Holloway
Department of Planning & Community Development

FROM: Scott Riding
Department of Public Works

RE: Developers' Sidewalk Cost Estimates

At your request, we have determined that the estimated developers' costs for sidewalks along the following locations:

SD-05-46	590 Mountain Way	7,442.50
SD-05-48	1867 DeFoor Ave	7,200.06
SD-05-50	191 Pineland Rd	13,262.46
SD-05-51	310 Spelman St	7,973.33
[redacted]	[redacted]	[redacted]
SD-05-53	1880 & 1894 Harbin Dr	12,071.18
SD-05-54	38 Candler Rd	5,250.54
SD-05-55	1671 West Paces Ferry	23,831.74
SD-05-58	2705 Butner Rd	3,705.03
SD-05-60	477 Overbrook Dr	1,257.10
SD-05-61	2366 Paul Ave	0.00
SD-05-62	2363 Burroughs Ave	2,083.00
SD-05-63	398 Nolan St	1,041.25
SD-05-64	445 Joseph E Lowery	0.00
SD-05-65	1685 Fairburn Rd	7,298.34
SD-05-68	1690 Adams Dr	29,500.00
SD-05-69	2741Glenwood Ave	5,913.86

RECEIVED
SEP 08 2005
BUREAU OF PLANNING