



CITY OF ATLANTA

DEPARTMENT OF LAW
2614 FIRST NATIONAL BANK BUILDING
ATLANTA, GEORGIA 30303

HENRY L. BOWDEN
CITY ATTORNEY
FERRIN Y. MATHEWS
ASSISTANT CITY ATTORNEY

August 5, 1969

ROBERT S. WIGGINS
MARTIN MCFARLAND
EDWIN L. STERNE
RALPH C. JENKINS
JOHN E. DOUGHERTY
CHARLES M. LOKEY
THOMAS F. CHOYCE
JAMES B. PILCHER
ASSOCIATE CITY ATTORNEYS

HORACE T. WARD
DEPUTY CITY ATTORNEY

ROBERT A. HARRIS
HENRY M. MURFF
CLAIMS ATTORNEYS

JAMES B. HENDERSON
SPECIAL ASSOCIATE CITY ATTORNEY

Honorable Ivan Allen, Jr.
Mayor
City Hall
Atlanta, Georgia 30303

Dear Mayor Allen:

This letter is written in response to your memorandum dated July 22, 1969, directed to Mr. Henry Bowden and Mr. W. R. Wofford.

In this memorandum you requested advice concerning restrictions that might prevent a house located at 1307 Thurgood Street, S. W. from being used as a dwelling place for a number of girls. Attached to your memorandum were copies of petitions signed by Mr. Herman E. Glass and certain concerned citizens.

The petition suggested that the girls be allowed to live together as a family on this particular property.

The question to be answered in this matter is whether the girls are living together as a family or occupying a boarding or rooming house.

The above mentioned property is located in an "R-4" zoning district in which boarding or rooming houses are not permitted. Another City Ordinance requires that a license be obtained in order to operate a boarding house.

In order for the arrangement to satisfy our zoning ordinances, it must be established that the girls are living together as a family. Article III, Section I (20) defines family as follows:

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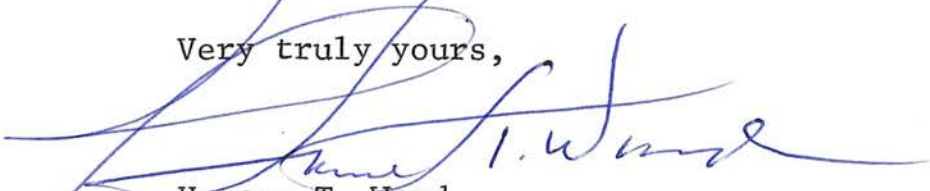
One or more persons occupying a dwelling and living as a single housekeeping unit, as distinguished from persons occupying a boarding house, lodging house, or hotel, as herein defined.

The key language in the above definition is "living as a single housekeeping unit." This requires a degree of central management. In the event it can be shown that the girls occupying the house are sharing the rent and expenses and are cooking and eating together, the arrangement would satisfy our definition of family in my opinion.

If the individual girls are paying periodic rents to the landlord or his agent for space, it would appear that a boarding or rooming house exists under the zoning ordinance.

I trust that the foregoing covers the information that you requested.

Very truly yours,



Horace T. Ward
Deputy City Attorney

HTW/cj

cc: Hon. Henry Bowden, City Attorney
Hon. W. R. Wofford, Building Official