

File
CITY OF ATLANTA



CITY HALL ATLANTA, GA. 30303

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DEPARTMENT OF PLANNING
COLLIER B. GLADIN, Director

February 3, 1967

MEMORANDUM

TO: Bill Wofford
Earl Landers

FROM: Collier Gladin (CG)

SUBJECT: 1967 Housing Code Compliance Program

This memo is in response to a discussion a few days ago between Mr. Wofford, myself and Pierce Mahony concerning some problem aspects of the 1967 Housing Code Compliance Program. At the meeting a decision was tentatively reached that Mr. Wofford would draft some changes to the program for a different approach in clearance - code enforcement areas. Even then the Planning Department had reservations concerning Mr. Wofford's suggestions. The draft and further analysis has not provided sufficient grounds to justify any change.

This department is in basic disagreement with the new concept of clearance - code enforcement as expressed in HCCP policy and procedure guide version of February 1, 1967. This refers specifically to paragraphs II. A. 4. on pages 2 and 3 and IV. E. 2. on page 12.

We realize that substandard houses in industrially zoned areas are a problem but do not feel that this is an acceptable answer. The word "ultimately" is too vague and indefinite and only serves to further postpone solution of the problem.

According to the Zoning Ordinance construction of new residences is not permitted in M-1 and M-2 districts and existing residences are nonconforming uses. To rehabilitate many of these substandard residences would require structural alteration which would be in violation of the nonconforming use provisions of the Zoning Ordinance. I am opposed to the city supporting a policy of rehabilitation in these areas which is in conflict with a city ordinance. I feel that two wrongs do not make a right in this case and propose to submit such a policy to the City Attorney for his review and evaluation. In any event, a strict

MEMORANDUM

Page 2

interpretation must be made of the provision of the policy that states "provided he complies in full with all codes and ordinances," and enforced with no deviation whatsoever.

If this interpretation is followed and full compliance is insisted upon, as the latter is now stated in the cited draft, then in the majority of cases the property owner would not be allowed to rehabilitate at all.

This department formally proposes that the nonconforming use provisions of the Zoning Ordinance be clarified and strengthened right away to permit a better resolution of the entire problem. The Planning Department will do this and strive to have them ready for adoption within 30 days.