

Special Land Use Application

Community Development

4800 Ashford Dunwoody Road | Dunwoody, GA 30338
Phone: (678) 382-6800 | Fax: (770) 396-4828

A special land use permit is a means by which the City Council gives special consideration, pursuant to a clear set of standards and criteria, to those types of uses which may or may not be compatible with uses and structures authorized by right within a particular zoning district. Special land use permits are required for uses that have operational characteristics and/or impacts that are significantly different from the zoning district's principal authorized uses and therefore require individual review pursuant to the standards and criteria set forth in the City's Zoning Ordinance. Special land use permit applications shall be authorized only for those uses specifically listed in the applicable zoning district regulations as permitted by special land use permit. An applicant desiring to apply for a special land use permit authorized within a district contained within the Zoning Ordinance shall file an application with the Community Development Department. The City Council, following recommendation by the Planning Commission, shall determine whether the proposed use, in the particular location contemplated, meets the standards and criteria set forth in this division and Chapter. Such uses may further require special conditions imposed by City Council in order to assure their compatibility with surrounding uses and to minimize adverse impacts of the use on surrounding property.

No application for an amendment to the land use plan shall be filed and/or accepted for filing until such time as the applicant has conducted an applicant-initiated meeting in accordance with Chapter 27, Section 27-306. The purpose of the applicant-initiated meeting requirements is to help educate applicants for development approvals and neighbors about one another's interests, to attempt to resolve issues in a manner that respects those interests and to identify unresolved issues. Written notice is required for all applicant-initiated meetings and will be sent via first class mail to the owners of all residentially zoned property within 1,000 feet of the boundaries of the subject property, as those property owners are listed on the tax records of DeKalb County. The notices must be mailed at least 20 days before the date of the applicant-initiated meeting. Written notices must indicate the nature of the application and the date, time, place and purpose of the meeting. All meetings will be held at a convenient time and location within the City of Dunwoody. At least seven days before but not more than 30 days before the date of the applicant-initiated meeting, notice of the meeting must be published in the official legal organ of the city. A notice of the meeting shall be sent to the city planner. If there is no residential zoning within 500 feet of the property under consideration, the applicant is exempt from neighbor communication summary requirements. A summary report containing the following information is required to be submitted with an application for special land use permit:

1. Efforts to notify neighbors about the proposal (how and when notification occurred, and who was notified);
2. Meeting location, date and time;
3. Who was involved in the discussions;
4. Suggestions and concerns raised by neighbors; and
5. What specific changes to the proposal were considered and/or made as a result of the meeting.

To initiate a request for a special land use permit within the City of Dunwoody, an applicant must also attend a pre-application conference (Pre-Application Review) with key City personnel. Those meetings are scheduled as-needed, but the deadline for having such a meeting is set to ensure the appropriate time for staff review and communication prior to the special land use application deadline. The purpose of the Pre-Application Review Process is to establish an expectation on the part of both staff and the applicant for the special land use process. At the meeting(s), the applicant should display any preliminary site plans and/or other illustrative documents as necessary. The applicant will then detail an overview of their proposed application and their reasoning for why the application is necessary. Staff can then inform the applicant of the City's process to effect the change proposed and offer a preliminary analysis of the feasibility of the proposal, including ways upon which the proposal may need improvements or revisions.

Following the Pre-Application Review Process, applicants can submit their application and required supplemental materials (detailed in the following checklist) to the Community Development Department, located at 41 Perimeter Center East, Suite 250, Dunwoody, Georgia 30346.

Special Land Use Application Checklist

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- Neighbor Communications Summary Report (or site plan indicating no residential zoning within 500 feet of the property).
- Completed application with all applicable information.
- Electronic version of the entirety of your application submittal, saved as a single PDF
- Signed and notarized affidavits of all owners. Use application and attached sheet, as necessary.
- Signed and notarized affidavits of all applicants. Use application and attached sheet, as necessary.
- Complete and detailed site plan of the proposed use prepared, signed and sealed by an architect, landscape architect or engineer licensed in the State of Georgia, showing the following, as relevant:
 - a. All buildings and structures proposed to be constructed and their location on the property;
 - b. Height of proposed building(s);
 - c. Proposed use of each portion of each building;
 - d. All driveways, parking areas, and loading areas;
 - e. Location of all trash and garbage disposal facilities;
 - f. Setback and buffer zones required in the district in which such use is proposed to be located;
 - g. Landscaping plan for parking areas.
- Please respond to the following criteria, in your own words, as required by state law and City of Dunwoody Zoning Ordinance (use additional pages where necessary):
 - a. Whether the proposed use is consistent with the policies of the comprehensive plan;
 - b. Whether the proposed use complies with the requirements of this zoning ordinance;
 - c. Whether the proposed site provides adequate land area for the proposed use, including provision of all required open space, off-street parking and all other applicable requirements of the subject zoning district;
 - d. Whether the proposed use is compatible with adjacent properties and land uses, including consideration of:
 - e. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust or vibration generated by the pro-posed use;
 - f. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use;
 - g. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use;
 - h. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the character of vehicles or the volume of traffic generated by the proposed use;
 - i. Whether the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings;
 - j. Whether the proposed plan will adversely affect historic buildings, sites, districts, or archaeological resources;

- k. Whether public services, public facilities and utilities—including motorized and non-motorized transportation facilities—are adequate to serve the proposed use;
- l. Whether adequate means of ingress and egress are proposed, with particular reference to non-motorized and motorized traffic safety and convenience, traffic flow and control and emergency vehicle access;
- m. Whether adequate provision has been made for refuse and service areas; and
- n. Whether the proposed building as a result of its proposed height will create a negative shadow impact on any adjoining lot or building.

SPECIAL LAND USE PERMIT APPLICATION

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*** Applicant Information:**

Company Name: _____
Contact Name: _____
Address: _____
Phone: _____ Fax: _____ Email: _____
Pre-application conference date (required): _____

*** Owner Information:** Check here if same as applicant

Owner's Name: _____
Owner's Address: _____
Phone: _____ Fax: _____ Email: _____

*** Property Information:**

Property Address: _____ Parcel ID: _____
Zoning Classification: _____
Requested Use of the Property: _____

*** Applicant Affidavit:**

I hereby certify that to the best of my knowledge, this special land use application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Dunwoody Zoning Ordinance. I certify that I, the applicant (if different), am authorized to act on the owner's behalf, pursuant to this application and associated actions.

Applicant's Name: _____
Applicant's Signature: _____ Date: _____

*** Notary:**

Sworn to and subscribed before me this _____ Day of _____, 20_____
Notary Public: _____
Signature: _____
My Commission Expires: _____

*** Owner Affidavit:**

I hereby certify that to the best of my knowledge, this special land use application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Dunwoody Zoning Ordinance. I certify that the applicant(s) (if different) are authorized to act on my behalf, pursuant to this application and associated actions.

Property Owner's Name: _____
Property Owner's Signature: _____ Date: _____

*** Notary:**

Sworn to and subscribed before me this _____ Day of _____, 20_____
Notary Public: _____
Signature: _____
My Commission Expires: _____

**Additional Property
Owner(s)
Notarized Certification**

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*** Property Owner (If Applicable):**

Owner Name: _____
Signature: _____ Date: _____
Address: _____
Phone: _____ Fax: _____ Email: _____
Sworn to and subscribed before me this _____ Day of _____, 20_____
Notary Public:

*** Property Owner (If Applicable):**

Owner Name: _____
Signature: _____ Date: _____
Address: _____
Phone: _____ Fax: _____ Email: _____
Sworn to and subscribed before me this _____ Day of _____, 20_____
Notary Public:

*** Property Owner (If Applicable):**

Owner Name: _____
Signature: _____ Date: _____
Address: _____
Phone: _____ Fax: _____ Email: _____
Sworn to and subscribed before me this _____ Day of _____, 20_____
Notary Public:



Additional Applicant Notarized Certification

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*** Applicant:**

Applicant Name: _____
Signature: _____ Date: _____
Address: _____
Phone: _____ Fax: _____ Email: _____
Sworn to and subscribed before me this _____ Day of _____, 20_____
Notary Public:

*** Applicant:**

Applicant Name: _____
Signature: _____ Date: _____
Address: _____
Phone: _____ Fax: _____ Email: _____
Sworn to and subscribed before me this _____ Day of _____, 20_____
Notary Public:

*** Applicant:**

Applicant Name: _____
Signature: _____ Date: _____
Address: _____
Phone: _____ Fax: _____ Email: _____
Sworn to and subscribed before me this _____ Day of _____, 20_____
Notary Public:

Campaign Disclosure Ordinance



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Campaign Disclosure Ordinance

Please read the law and complete the Campaign Disclosure Statement on the following page if you are requesting a Rezoning, Concurrent Variance, or Conditional Use.

GA Citation/Title

GA Code 36-67A-3, Disclosure of campaign contributions

*38069 Code, 36-67A-3

CODE OF GEORGIA TITLE 36. LOCAL GOVERNMENT PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS CHAPTER 67A. CONFLICT OF INTEREST IN ZONING ACTIONS

(Current through 2000 General Assembly)

36-67A-3 Disclosure of campaign contributions.

- a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
 - 1) The name and official position of the local government official to whom the campaign contribution was made; and
 - 2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.
- c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority respective local government showing:
 - 1) The name and official position of the local government official to whom the campaign contribution was made; and
 - 2) The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government of any of its agencies on the rezoning application.

(Code 1981, 36-67A-3, enacted by Ga. L. 1986, p. 1269, 1; Ga. L. 1991, p. 1365, 1; Ga. L. 1993, p. 91, 36.)

Official Code of Georgia Annotated Copyright 1982 – 2000 State of Georgia.

