City of Dunwoody
41 Perimeter Center East
Dunwoody, GA 30346
Phone: (678) 382-6800
Fax: (770) 396-4828

Special Exception Application

In specific instances, an applicant may be entitled to present a request for a Special Exception before the Dunwoody Zoning Board of Appeals (ZBA). For instance, if an applicant cannot meet all the standards and regulations of the off-street parking or loading space requirements found in the city's Zoning Ordinance, that applicant may be entitled to present a request for a Special Exception before the Dunwoody Zoning Board of Appeals (ZBA). The board may waive or reduce the required number of parking spaces or the required number of loading spaces in any district only upon an expressed finding that:

1. The character of the use of the building(s) is such as to make unnecessary the full provision of parking or loading spaces; or

2. The lot upon which the building(s) is/are located is within one thousand (1,000) feet of the boundary of a MARTA Rapid Transit Station.

3. The provision of the full number of parking spaces would have a deleterious effect on a historic building, site, district or archaeological resource.

You will need to complete and submit your Special Exception Application by the 1st Thursday of the month in order for the request to be heard at the next available scheduled meeting. The Zoning Board of Appeals meets the first Thursday of each month at 7:00 p.m. in the Dunwoody City Hall, located at 41 Perimeter Center East, Dunwoody, GA 30346. See the attached ZBA calendar for deadline dates and the Application Checklist for complete application requirements.

You must present your request to the Board in the form of a hardship that you will experience if the strict application of the zoning regulation is enforced. The process is very similar to the Zoning and Variance process, and when granting a Special Exception, the Zoning Board of Appeals may impose requirements and conditions to protect adjacent properties and the public interest. Any application for a Special Exception must be supported by written verification pursuant to the questions listed on the attached Special Exception Application Requirements.

Please fill out the attached application form, as well as the supplemental information as required in the attached Application Checklist.

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Special Exception
Application Requirements

- ❑ Completed application.
- ❑ Letter of Intent: Please describe your situation and why a special exception is needed.
- ❑ **Electronic version of the entirety of your application submittal, saved as a single PDF.**
- ❑ Survey Plat of the subject property in accordance with the attached site plan checklist.
- ❑ Signed and notarized affidavits of all owners. Use attached sheet.
- ❑ Written legal description of the property.
- ❑ Provide a written statement of how your special exception request is a result of one or more of the following situations:

  1. The character of the use of the building(s) is such as to make unnecessary the full provision of parking or loading spaces; or
  2. The lot upon which the building(s) is/are located is within one thousand (1,000) feet of the boundary of a MARTA Rapid Transit Station.
  3. The provision of the full number of parking spaces would have a deleterious affect on a historic building, site, district or archaeological resource.

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Site Plan Checklist

All items must be included on the Site Plan; separate sheets may be used

1. Key and/or legend and site location map with North arrow
2. Boundary survey of subject property which includes dimensions along property lines that match the metes and bounds of the property's written legal description and clearly indicates the point of beginning
3. Acreage of subject property
4. Location of land lot lines and identification of land lots
5. Existing, proposed new dedicated and future reserved rights-of-way of all streets, roads, and railroads adjacent to and on the subject property
6. Proposed streets on the subject site
7. Current zoning of the subject site and adjoining properties
8. Existing buildings with square footages and heights (stories), wells, driveways, fences, cell towers, and any other structures or improvements on the subject property
9. Existing buildings' locations and heights (stories), wells, driveways, fences, cell towers, and any other structures or improvement on adjacent properties within 200 feet of the subject property
10. Location of proposed buildings with total square footage
11. Layout and minimum lot size of proposed single family residential lots
12. Topography on the subject site and adjacent property up to 200 feet as required to assess runoff effects
13. Location of overhead and underground electrical and pipeline transmission/conveyance lines
14. Required and/or proposed setbacks
15. 100-year flood plain horizontal limits and flood zone designations as shown on survey or FEMA FIRM maps
16. Required landscape strips, undisturbed buffers, and any other natural areas as required or proposed
17. Required and proposed parking spaces; Loading and unloading facilities
18. Lakes, streams, wetlands, and Waters of the State and associated buffers
19. Proposed stormwater management facilities
20. Community wastewater facilities including preliminary areas reserved for septic drain fields and points of access
21. Availability of water system and sanitary sewer system
22. Tree lines, woodlands and open fields on subject site

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Special Exception Application

Type	Type of Request: ❑ Administrative ❑ Board		
		Required	Proposed
	# of Parking Spaces		
	Loading		
	Other_____		

Project	Name of Project/Subdivision:			Present Zoning:
	Property Address/Location:			
	District:	Land Lot:	Block:	Property ID:
Owner Information	Name:			
	Address:			
	Phone:	Fax:		
	Cell:	Email:		
Applicant	Name:			
	Address:			
	Phone:	Fax:		
	Cell:	Email:		
Affidavit	*To the best of my knowledge, this variance 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 understand that failure to supply all required information (per the relevant Applicant Checklists and Requirements of the Dunwoody Zoning Ordinance) will result in the rejection of this application. I have read the provisions of the Georgia Code Section 36-67A-3 as required regarding Campaign Disclosures. My Signed Campaign Disclosure Statement is included with the Application.*			
	Applicant's Name:			
	Applicant's Signature:			Date:
Notary	Sworn to and subscribed before me this	Day of		20
	Notary Public:			
	Signature:			
	Date:			
Office Use	Application Received By:	Project Title:		Project Number:
	❑ Application Fee ❑ Sign Fee ($135 x number of signs required*)—not required for ASE			
	Fee: $	Payment: ❑ Cash ❑ Check ❑ CC		Date:
	❑ Approved ❑ Approved with Conditions ❑ Denied			Date:

*** one sign required per street frontage and/or every 500 feet of street frontage**

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Property Owner(s)
Notarized Certification

The owner and petitioner acknowledge that this Special Exception application form is correct and complete. If additional materials are determined to be necessary, they understand that they are responsible for filing additional materials as specified by the City of Dunwoody Zoning Ordinances.

Property Owner	Signature:		Date:
	Address:	City, State:	Zip:
	Phone:		
	Sworn to and subscribed before me this _____ day of _____, 20_____ Notary Public:		
Property Owner (If Applicable)	Signature:		Date:
	Address:	City, State:	Zip:
	Phone:		
	Sworn to and subscribed before me this _____ day of _____, 20_____ Notary Public:		
Property Owner (If Applicable)	Signature:		Date:
	Address:	City, State:	Zip:
	Phone:		
	Sworn to and subscribed before me this _____ day of _____, 20_____ Notary Public:		

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Campaign Disclosure Ordinance

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.

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Campaign Disclosure Statement

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating $250.00 or more to a member of the City of Dunwoody City Council or a member of the City of Dunwoody Planning Commission? ❑ YES ❑ NO

Applicant / Owner	
	Signature:
	Address:
	Date:

If the answer above is yes, please complete the following section:

Date	Government Official	Official Position	Description	Amount