

PURPOSE OF CONDITIONAL USE PERMIT (CUP)

Pursuant to Sec. 23-1501, a conditional use permit (CUP) is to allow the establishment of uses which may be suitable only in certain locations in a zoning district or only when subject to standards and conditions that assure compatibility with adjoining uses. Conditional uses are those uses which are generally compatible with the permitted land uses in a given zoning district, but which require individual review of their proposed location, design and configuration, and the imposition of conditions in order to ensure the appropriateness of the use at a particular location within a given zoning district. Only those uses enumerated as conditional uses in a particular zoning district shall be authorized as conditional uses. The CUP application must be accompanied by a site plan drawn to scale depicting how the proposed conditional use will conform to all space limits, buffers, parking and loading provisions, and other provisions of the Code of Ordinances.

Application process:

- 1) Meet with City staff. Prior to submitting for a conditional use permit, the applicant shall meet with the planning department to discuss the process, zoning, conditional use permits, and development of the property.
- 2) Submittal of the application. The applicant or property owner should submit **all** items as listed on the conditional use permit application.
- 3) Review by City staff. The planning department will process the CUP. Staff may contact the applicant or owner for additional information during the review period.
- 4) Presentation to Planning Commission. The Planning Commission shall review the application and hear any presentation which the Applicant may wish to make. The Planning Commission shall make a recommendation to the City Council for approval, denial, or approval with conditions to the City Council.
- 5) Notification of public hearing. Staff will notify the applicant of the date of the public hearing. A legal notice is also sent to the local newspaper for publication.
- 6) Posting of signs on property for zoning notification. As required by ordinance, the applicant will be responsible for the cost of posting the zoning notification signs on the property for which the change in zoning has been requested prior to the public hearing in accordance with the Georgia Zoning Procedures Law.
- 7) City Council public hearing. A public hearing is required for a conditional use permit application. During the public hearing, staff will present a summary of the proposed development to the Mayor and Council. Persons in support of the proposed request and persons in opposition to the proposed request may speak during the public hearing. The applicant, property owner, and/or their representative, may be present at the meeting and should be prepared to discuss the conditional use permit and answer any questions that arise.
- 8) City Council decision. After hearing the evidence and reviewing the application as well as any staff comments, the City Council considers the proposed CUP.
- 9) Conditions. The City Council may require such modifications in the proposed use and attach such conditions to the CUP as they deem necessary to mitigate adverse effects of the proposed use and to carry out the spirit and intent of the ordinance. Conditions and modifications may include, but are not limited to: limitation of building size or height, increased open space, limitations on impervious surfaces, enhanced loading and parking requirements, additional landscaping, curbing, sidewalk, vehicular access and parking improvements, placement or orientation of buildings and entryways, buffer yards, landscaping and screening, signage restrictions and design, maintenance of buildings and outdoor areas, duration of the permit, and hours of operation.

Applications are accepted Monday through Friday between 8:30AM and 2PM.

Application Deadline	Planning Commission Meeting 6pm	Newspaper Advertisement Deadline	Property Sign Posting Deadline	City Council Public Hearing 6:30pm
November 6, 2015	December 9, 2015	December 9, 2015	December 20, 2015	January 4, 2016
		December 23, 2015	January 3, 2016	January 19, 2016
December 11, 2015	January 6, 2016	January 6, 2016	January 17, 2016	February 1, 2016
		January 20, 2016	January 31, 2016	February 16, 2016
January 15, 2016	February 3, 2016	February 10, 2016	February 21, 2016	March 7, 2016
		February 24, 2016	March 6, 2016	March 21, 2016
February 12, 2016	March 2, 2016	March 9, 2016	March 20, 2016	April 4, 2016
		March 23, 2016	April 3, 2016	April 18, 2016
March 18, 2016	April 6, 2016	April 6, 2016	April 17, 2016	May 2, 2016
		April 20, 2016	May 1, 2016	May 16, 2016
April 15, 2016	May 4, 2016	May 11, 2016	May 22, 2016	June 6, 2016
		May 25, 2016	June 5, 2016	June 20, 2016
May 13, 2016	June 1, 2016	June 8, 2016	June 19, 2016	July 5, 2016
		June 22, 2016	July 3, 2016	July 18, 2016
June 17, 2016	July 6, 2016	July 6, 2016	July 17, 2016	August 1, 2016
		July 20, 2016	July 31, 2016	August 15, 2016
July 15, 2016	August 3, 2016	August 10, 2016	August 21, 2016	September 6, 2016
		August 24, 2016	September 4, 2016	September 19, 2016
August 19, 2016	September 7, 2016	September 7, 2016	September 18, 2016	October 3, 2016
		September 21, 2016	October 2, 2016	October 17, 2016
September 16, 2016	October 5, 2016	October 12, 2016	October 23, 2016	November 14, 2016
		October 26, 2016	November 6, 2016	-
October 14, 2016	November 2, 2016	November 9, 2016	November 20, 2016	November 14, 2016
		December 14, 2016	December 23, 2016	January 9, 2017
November 18, 2016	December 7, 2016	December 14, 2016	December 23, 2016	January 9, 2017
		December 21, 2016	January 1, 2017	January 17, 2017
December 9, 2016	January 4, 2017	January 11, 2017	January 22, 2017	February 6, 2017
		January 25, 2017	February 5, 2017	February 20, 2017

Rezoning, zoning text amendments, conditional use permits (CUP), and variances go to the Planning Commission and the Doraville City Council.

Appeals go to the Doraville City Council only.



CONDITIONAL USE PERMIT APPLICATION
Community Development Department

DATE RECEIVED

CUP # _____

APPLICANT

Name: _____
Mailing Address: _____ Suite/Unit # _____
E-mail: _____ Daytime Phone: _____ Fax: _____

PROPERTY OWNER

Name: _____
Mailing Address: _____
E-mail: _____ Daytime Phone: _____ Fax: _____

SUBJECT PROPERTY

Street Address: _____
Tax ID Parcel No.: _____ Council District: _____
Current Zoning Category: _____ Future Land Use Character Area: _____
Conditional Use Requested _____

Application Submission Requirements (one copy of application materials & 3 copies of drawings if larger than 8 ½" x 11").

SUBMIT ALL MATERIALS NOTED BELOW:

- ___ 1) Cover letter describing the request and the proposed use and the manors of operation:
 - a. Proposed Use and Square Footage
 - b. Services to be provided
 - c. Proposed Manners of Operation (Business hours/Projected employees and general job descriptions)
 - d. Business manager experience
 - e. Sewage disposal method (e.g. information about private company hired to dispose of waste)
 - f. Uses on adjacent properties
- ___ 2) "Standards" letter responding to each of the eight (8) "Standards" criteria. List criteria and responses in the same letter.
- ___ 3) Property Survey (prepared within the last 10 years) showing property lines, building footprints and parking layout.
- ___ 4) Full site plan, drawn-to-scale, for projects with any proposed construction and/or site development work other than interior or façade renovations or uses with special requirements as per zoning requirements such as screening, etc. (see site plan check list for plan requirements).
- ___ 5) Floor plan, drawn-to-scale, for proposed use for projects involving adaptive reuse or interior renovations;
- ___ 6) Notarized property owner (or owner representative) authorization and applicant campaign contributions disclosure using the attached forms.
- ___ 7) Photographs of existing site. Renderings and/or building elevations for new construction.
- ___ 8) Additional information: may be required by the City based upon the initial application meeting with staff.
- ___ 9) CD or thumbdrive of drawings submitted in digital PDF format.

STANDARDS for a Conditional Use Permit (CUP)

In addition to the cover letter, applicant shall submit a letter listing each standard and providing a written response to each standard.

Pursuant to Sec. Sec. 23-1501, when considering an application for a CUP, the Planning Staff, Planning Commission, Mayor, and City Council shall evaluate the impact of the proposed conditional use on and its compatibility with surrounding properties and residential areas to ensure the appropriateness of the use at the particular location, and shall consider the extent to which:

- 1) The proposed use at the specified location is consistent with the policies embodied in the adopted comprehensive plan;
- 2) The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations;
- 3) The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent developments and neighborhoods;
- 4) The proposed use does not generate pedestrian and vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood;
- 5) The proposed use incorporates roadway adjustments, traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets;
- 6) The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties; and the proposed use meets the standards for the zoning district, or to the extent variations from such standards have been requested, that such variations are necessary to render the use compatible with adjoining development and neighborhoods.
- 7) The proposed use is based on the site plan in conformity with all space limits, buffers, parking and loading provisions, and other provisions of this article.
- 8) The proposed use applicant has agreed to any specific limitations or conditions necessary to protect the public interest and assure the continued beneficial use and enjoyment of nearby properties or that no special limitations are necessary to protect the public.

SITE PLAN REQUIREMENTS (Survey may replace site plan if it matches the existing site conditions and no improvements or new construction are proposed):

The site plan shall be clearly drawn at a scale of not less than 100 feet per inch on a sheet size not to exceed 24" x 36". The Director may approve other sheet sizes as deemed appropriate.

The following information shall be depicted on the site plan if applicable:

- _____ Project name;
- _____ Project owner and address (both local and permanent if different), telephone numbers and e-mail address;
- _____ Date, scale and north arrow;
- _____ Site location / vicinity map;
- _____ Proposed use of property;
- _____ Required yard setbacks;
- _____ Project acreage including breakdown of pervious / impervious area, and/or dedicated greenspace;
- _____ Total number of lots and minimum lot sizes (if applicable);
- _____ Names, locations, and right-of-way widths of adjoining existing streets or access drives and proposed right-of-ways and roadways;
- _____ Topography with contour interval no greater than 10 feet;
- _____ Sewage disposal method (note);
- _____ Property lines with bearings and distances; location of utility and private easements;
- _____ All proposed development features and layout;
- _____ Location of floodplains, lakes, ponds, water courses, conservation areas, and environmental areas of concern;
- _____ Building heights;
- _____ Proposed buffers, landscape development, sidewalks and other hardscape;
- _____ Land lot and district;
- _____ General development data in tabular form;
- _____ Name of person or company preparing the site plan;
- _____ Any other data requested by the Planning Director necessary for an understanding and evaluation of the project.



CONDITIONAL USE PERMIT APPLICATION
Community Development Department

CUP # _____

Subject Property Street Address: _____

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

In accordance with the Conflict of Interest in Zoning Act, O.C.G.A. Ch 36-67A, the following questions must be answered:

Have you the applicant made \$250 or more in campaign contributions to a local government official within two years immediately preceding the filing of this application? Yes _____ No _____

If the answer is Yes, you must file a disclosure report with the governing authority of the City of Doraville showing:

1. The name and official position of the local government official to whom the campaign contribution was made.
2. The dollar amount and description of each campaign contribution made during the two years immediately preceding the filing of this application and date of each such contribution.

NOTARY DATE

SIGNATURE OF APPLICANT DATE

Notary Name Printed

Applicant Name Printed

EXPIRATION DATE / SEAL

Check One: Owner _____ Applicant/Agent _____



NOTARIZED AUTHORIZATION OF PROPERTY LANDOWNER

TYPE OF APPLICATION: _____.

I, _____ SWEAR THAT I AM THE **PROPERTY**
Printed owner(s) name

LANDOWNER OF: _____
AND PARCEL ID NO. _____

AS SHOWN IN THE RECORDS OF DEKALB COUNTY, GEORGIA WHICH IS THE SUBJECT MATTER OF THE ATTACHED APPLICATION. I AUTHORIZE THE PERSON NAMED BELOW TO ACT AS THE APPLICANT IN THE PURSUIT OF THIS APPLICATION. I ALSO HEREBY AUTHORIZE CITY STAFF TO INSPECT PREMISES OF ABOVE DESCRIBED PROPERTY.

NAME OF APPLICANT (PRINT CLEARLY):

ADDRESS: _____

TELEPHONE: _____ EMAIL: _____

Signature of Property Landowner

Print Name of Property Landowner

Personally Appeared
Before Me

Who Swears That The
Information Contained
In this Authorization
Is True and Correct
To The Best of His or Her
Knowledge and Belief.

Signature of Notary Public

Date



CONDITIONAL USE PERMIT APPLICATION
Community Development Department

CUP # _____

Subject Property Street Address: _____

APPLICANT SIGNATURES

SUBMISSION: **ONE (1) COMPLETED APPLICATION SET OF FORMS and 15 COLLATED COPIES OF DRAWINGS (WHICH ARE TO BE FOLDED TO APPROXIMATELY 9" X 12" IN SIZE AND SUBMITTED AS SEPARATE PACKAGES)** ARE REQUIRED FOR SUBMITTAL FOR REVIEW BY STAFF, PLANNING COMMISSION AND CITY COUNCIL.

APPLICATION FEE: See current City Fee Schedule. Sec. 2-261. - Zoning processing fees:

- CUP Application: \$450.00
- Concurrent Variance Request: \$150.00/variance request
- Telecommunications: see City Fee Schedule.

PLEASE READ THE FOLLOWING BEFORE SIGNING

This form must be completed in its entirety before it will be accepted. It must include all required attachments and filing fees. **An application which lacks any of the required attachments or information shall be deemed incomplete and shall not be accepted.**

NOTARY DATE

SIGNATURE OF APPLICANT DATE

Notary Name Printed

Applicant Name Printed

EXPIRATION DATE / SEAL

Check One: Owner _____ Applicant/Agent _____