



# [APPLICATION FOR SPECIAL USE]

CITY OF DULUTH, GEORGIA  
PLANNING AND DEVELOPMENT DEPARTMENT  
3167 MAIN STREET  
DULUTH, GA 30096



# CITY OF DULUTH SPECIAL USE APPLICATION

## Section 1

## Application Instructions

- A. The accompanying application package must be completed in full in order to be accepted. Applications must meet submittal deadlines as outlined on the City of Duluth Planning Commission Public Schedule.
- B. Upon submittal of an application, you will be given a tentative hearing date. All deadlines and requirements found on the Planning Commission Public Schedule must be adhered to in order for the case to be heard on the tentatively scheduled date.
- C. **The applicant must submit the following forms with ORIGINAL signatures:**
1. Application for Special Use
  2. Conflict of Interest Certification
  3. Applicant Response and written narrative of proposal
  4. Disclosure Statement
  6. Authorization by Property Owner
  7. Verification of Current Paid Property Taxes

**Additional submittals required for the Case File:**

1. Application fee per the adopted fee schedule
2. 1 copy of legal description
3. List of adjoining property owner's names and mailing addresses
4. 2 copies of the site plan to scale
5. Reduced copy of the site plan (no larger than 11" x 17")
6. Digital copies of all photos, maps and site plans are required. Please submit these on cd or flash drive with your application.

**Initial Review Period** Planning Staff will process your application for completeness within 10 business days starting on the business day following your submittal. After this review period, you will be contacted via e-mail with an approval or denial notice of your application. This notice will include specific information such as your case number, Case Manager within the City of Duluth and tentative hearing dates. Applications will only be denied if they are incomplete.

- D. **Applicant Withdrawal.** Once an application has been filed, the applicant has three (3) days to withdraw the application. Withdrawal must be submitted in writing to the Department.
- E. **Planning Commission Hearing.** Once your case manager has authorized your case to proceed to the Planning Commission for review (all applicable deadlines have been met), a hearing will be held to consider and make a recommendation to City Council regarding your request.
- F. **Notice to Proceed.** Upon the approval of the subsequent City Council minutes to ensure adequate documentation of the appropriate conditions, the City of Duluth will transmit a notice of final approval to the applicant.



# CITY OF DULUTH SPECIAL USE APPLICATION

## Section 2

## Site Plan Requirements

*All applications for a Variance or Special Use shall be accompanied by a plat prepared and stamped by a registered land surveyor, engineer, architect or landscape architect containing the following information:*

**The site plan shall be clearly legibly drawn at a scale of not less than 100 feet to one 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 addresses if different) and telephone and fax number(s);
- Date, scale and north arrow;
- Vicinity map;
- Proposed use of property is developed;
- Required yard setbacks appropriately dimensioned;
- Total acreage;
- Total number of lots and minimum lot sizes (if applicable);
- Size, location, and names of adjoining existing streets or access drives and proposed rights-of-ways and roadways;
- Topography with contour interval no greater than 10 feet;
- Proposed method of sewerage disposal (express as a note);
- Property lines and dimensions (showing bearings and distances);
- All contiguous property under ownership or control of the applicant, except those lands specifically to be excluded by the Department. Areas not planned for development at the time of the submittal shall be shown as "Future Development";
- Location of ingress and egress points;
- Location of 100-year floodplain, lakes, ponds and other water courses;
- Dumpster location;
- Existing and proposed landscaping;
- Building heights;
- For multi-family and non-residential developments, the approximate location and arrangement of existing buildings, parking areas and other improvements including stormwater detention areas and all required buffers.
- Location of existing and proposed sidewalks;
- Existing zoning of the property and adjoining properties;
- Land lot and district;
- Name of person or company preparing the plat;
- Boundaries of the Chattahoochee River Corridor and Chattahoochee River Tributary Protection Areas, if applicable;
- General development data (in tabular form) for multi-family or non-residential site developments, such as number of residential units, gross square feet of each building, number of parking spaces, etc.;
- General development data (in tabular form) for single family developments, such as minimum lot size, floor area of homes, and all relevant conditions of zoning;



# CITY OF DULUTH SPECIAL USE APPLICATION

## Section 3

## Application Form

SU \_\_\_\_\_

Application Date: \_\_\_\_\_

### Applicant Information

Name: \_\_\_\_\_

Address: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

### Owner Information

Name: \_\_\_\_\_

Address: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

### Property Information

Present Zoning: \_\_\_\_\_

Address: \_\_\_\_\_

Parcel ID Number: \_\_\_\_\_

Use of Property: \_\_\_\_\_

I hereby certify that the above information and all attached information are true and correct.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Date



# CITY OF DULUTH SPECIAL USE APPLICATION

## CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE

The undersigned below, making application for a variance has complied with the O.C.G.A. § 36-67A-1, ET. seq., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided. Title 36 relates to disclosure of financial interests, campaign contributions, and penalties for violating O.C.G.A.

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Signature of Applicant

Date

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Type or print name and title

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Signature of applicant's attorney

Date

(If applicable)

---

Type or print name and title

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Signature of Notary Public

Date

(Notary Seal)



# CITY OF DULUTH SPECIAL USE APPLICATION

## DISCLOSURE STATEMENT

- No, I have not made any campaign contributions to City officials voting on this application exceeding \$250 in the past two years.
- Yes, I have made campaign contributions to City officials voting on this application exceeding \$250 in the past two years.

To whom: \_\_\_\_\_

Value of contribution: \_\_\_\_\_

Date of contribution: \_\_\_\_\_

I have read and understand the above and hereby agree to all that is required by me as the applicant.

\_\_\_\_\_  
Signature of Applicant

Personally appeared before me

\_\_\_\_\_  
Applicant (print)

Who on oath deposes and says that the Above is true to the best of his or her knowledge and belief.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Date



# CITY OF DULUTH SPECIAL USE APPLICATION

## AUTHORIZATION BY PROPERTY OWNER

If there is more than one owner, a separate form must be submitted with the original signature of each owner.

\_\_\_\_\_, being duly sworn upon his/her oath, being of sound mind and legal age deposes and states: That he/she is the owner of the property which is subject matter of the attached application, as is shown in the records of Gwinnett County, Georgia.

He/She authorizes the person named below to act as applicant in the pursuit of a SPECIAL USE on this property.

I hereby authorize the staff of the City of Duluth Department of Planning and Development to inspect the premises which are subject of this application.

Name of applicant \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Telephone Number \_\_\_\_\_

\_\_\_\_\_  
Signature of Owner

Personally appeared before me

\_\_\_\_\_  
Owners Name (print)

Who swears that the information contained  
In this authorization is true and correct to  
The best of his or her knowledge and belief.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Date



# CITY OF DULUTH SPECIAL USE APPLICATION

## VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR APPLICATION

The undersigned below is authorized to make this application. The undersigned certifies that all Gwinnett County and City of Duluth property taxes billed to date for the parcel listed below have been paid in full to the Tax Commissioner of Gwinnett County, Georgia, and to the Tax Officer of the City of Duluth, Georgia. In no case shall an application or reapplication for variance be processed without such property verification.

**\*NOTE: A separate verification form must be completed for each tax parcel included in the variance request. This form is required to be completed by the Applicant.**

**Parcel I.D. Number**

(Map Reference Number)

\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_  
District Land Lot Parcel

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

Date: \_\_\_\_\_

-----  
**CITY OF DULUTH TAX OFFICER'S USE ONLY**

(Payment of all property taxes billed to date for the above referenced parcel has been verified as paid current and confirmed by the signature below.)

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_





# CITY OF DULUTH SPECIAL USE APPLICATION

## **Section 4**

## **Applicant Response**

The applicant finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property and shall govern the exercise of the zoning power.

Please respond to the following standards in the form of a written narrative that must be submitted with the application. The response must be in this format. Any additional information may be included at the discretion of the applicant. Answers should cite specific examples.

- (A) How the proposed special use will allow a use that is suitable in view of the use and development of adjacent and nearby property,
- (B) How the proposed special use will adversely affect the existing use or usability of adjacent or nearby property.
- (C) Whether the property to be affected by a proposed special use has a reasonable economic use as currently zoned.
- (D) Whether the proposed special use will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
- (E) Whether the proposed special use is in conformity with the policy and interest of the Comprehensive Plan; Land Use Plan; transportation plans and other plans adopted for guiding development within the City of Duluth.
- (F) Whether there is other existing or changing conditions affecting the use and give grounds for either approval or disapproval of the special use.



# CITY OF DULUTH SPECIAL USE APPLICATION

## Adjoining Property Owner Notification Requirements (Page One)

Notification of your request should be mailed via the United States Postal Service Certified Mail to all adjoining property owners. Notification should be in the following form:

[Insert Date]

### NOTIFICATION OF SPECIAL USE APPLICATION

This Letter is to inform you that an application for a special use has been submitted to the City of Duluth Planning Commission / City Council on a tract of land adjacent to your property. Please be advised of the following information pertaining to the Rezoning request and public hearings.

Case Number:	
Applicant Name:	
Applicant Address:	
Applicant Phone Number:	
Present Zoning:	
Property Address:	
Proposed Use:	
Planning Commission Hearing:	[INSERT DATE]
City Council Hearing:	[Insert Date]
Location of Hearings:	3167 Main Street, Duluth GA 30096

For further information, please call the City of Duluth Planning Department at 770.476.1790. If for any reason hearings are continued or tabled to another date, no further notice will be provided. It is advisable to call the above number to confirm that this case is on the agenda prior to arriving.

Sincerely,

[Applicant Name]



# CITY OF DULUTH SPECIAL USE APPLICATION

## **Adjoining Property Owner Notification Requirements (Page Two)**

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In addition to the above letter, the mailing should include the following:

1. A copy of the site plan and or any drawings reduced to 8 ½ "x 11 ".
2. A copy of the zoning map for the site (can be provided by the city upon request).