

DEKALB COUNTY
STATE OF GEORGIA

ORDINANCE 2008-XX-XX

**AN ORDINANCE TO APPROVE AND AUTHORIZE THE MAYOR AND CITY
COUNCIL ZONING HEARING POLICIES AND PROCEDURES FOR THE CITY OF
DUNWOODY**

WHEREAS, the City of Dunwoody Mayor and City Council Zoning Hearing Policies and Procedures are attached hereto and incorporated herein and shall govern the procedures for conducting public hearings on zoning matters; and

WHEREAS, the first reading of this Ordinance was held on December 8, 2008 and the second reading and Public Hearing pursuant to O.C.G.A. § 36-66-5 were held on December 18, 2008; and

WHEREAS, this Ordinance shall become effective upon adoption.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF DUNWOODY, GEORGIA HEREBY ORDAINS that the Mayor and City Council Zoning Hearing Rules and Procedures, as attached hereto and incorporated herein, are hereby adopted and approved.

SO ORDAINED AND EFFECTIVE, this the ____ day of _____, 2008.

Approved:

Ken Wright, Mayor

Attest:

Joan C. Jones, Acting City Clerk
Seal

Approved as to Form and Content:

Brian Anderson, City Attorney

MAYOR AND CITY COUNCIL ZONING HEARING POLICY AND PROCEDURES SCRIPT

The Mayor and City council have previously adopted procedures for holding public hearings. Additionally, you will find a copy of the standards of review available at the sign-in table. The City Clerk will call cases on the agenda for public hearing. The Community Development Department will provide a summary of the application and present any recommendations or result of an investigation. The Staff shall make a presentation of the case, after which Mayor and Council may ask questions of the Staff or other city representative providing the report or recommendations.

After presentation by staff, the Mayor will call for a show of hands of those persons who wish to appear in support of the application. At this time, the applicant shall be allowed to present the application before council. The applicant shall receive a time period of ten (10) minutes to present the case. The applicant may choose to use the entire allotment or reserve time from the ten (10) minutes for rebuttal. Any member of the Council, upon recognition by the Mayor, may ask questions of the applicant or agent of the application. The period of questions from council shall not be deducted from the applicant's ten (10) minute period.

At the conclusion of the applicant's presentation, the Mayor shall call for a show of hand of those persons who wish to appear in opposition to the application. If a large number of people wish to speak, it may be advisable to designate a spokesperson to make the presentation. Opposition shall be granted a time period of (10) minutes per application at the public hearing to present data, evidence and opinions. The city shall not be obligated to provide the full ten (10) minute period to the opponents if they elect not to use that much time. Any member of the Council, upon recognition by the Mayor, may ask questions of any person giving public comment. The period of questions from council shall not be deducted from the ten (10) minute period.

At the conclusion of the public comment from opposition, the applicant shall be permitted to utilize any time reserved form the initial ten (10) minutes for rebuttal.

After completion of this procedure, the Mayor will indicate that the public hearing is closed. Upon closing of the public hearing, there shall be no more addressing of the Mayor or Council by either the applicant or opposition.