

**AN ORDINANCE AMENDING CHAPTER 27 OF THE CITY OF DUNWOODY CODE
OF ORDINANCES BY DELETING PERSONAL CARE HOMES AS PERMITTED
USES AND REQUIRING SPECIAL ADMINISTRATIVE PERMITS**

WHEREAS, the City of Dunwoody is charged with preserving the health, safety and welfare of the citizens of the City; and

WHEREAS, the City desires to be informed of personal care family homes that exist within the City of Dunwoody to ensure compliance with State laws; and

WHEREAS, the City has determined that the best way to ensure compliance with state law is to require applicants for personal care family homes to acquire an administrative permit from the City; and

WHEREAS, A properly-advertised public hearing has been held on November 23, 2009 during the First Read of this Ordinance and the Second Read of this Ordinance and adoption is being held on December 14, 2009.

THEREFORE, Mayor and City Council of the City of Dunwoody hereby ordain as follows:

Section 1: The City of Dunwoody Zoning Ordinance, Chapter 27 of the City Code of Ordinances, is hereby amended by deleting the following sections in their entirety: Sec.2A-3(b), Sec. 2A(1)-3(b), 2B-3(b), 2C-3(b), 2D-3(b), 2E-3(b), 2F-3(b), 2F(2)-3(c), 2G-3(c), 2H-2(g)(1), 2I-2(i)(1), 2J-3(d), 2K-3(c)(1), 2L-3(c)(1), 2M-3(c)(1), 2N-3(c)(1), 2P-3(c)(1), 2Q-3(e)(1), 2R-3(f), and 2S-5(f).

Section 2: The following sections shall be added to Chapter 27, Article 2 of the City Code of Ordinances (Zoning Ordinance), being residential zoning district regulations of the City of Dunwoody Zoning Ordinance, Special Permits provisions, to read as follows:

Sec. 2A-5(a)(2): “Personal Care Home, family.”

Sec. 2A(1)-5(a)(2): “Personal Care Home, family.”

Sec. 2B-5(a)(2): “Personal Care Home, family.”

Sec. 2C-5(a)(2): “Personal Care Home, family.”

Sec. 2D-5(a)(2): “Personal Care Home, family.”

Sec. 2E-5(a)(2): “Personal Care Home, family.”

Sec. 2F-5(a)(2): “Personal Care Home, family.”

Sec. 2F(2)-5(d): “*Special administrative permit from City Manager or his/ her designee:*

(1) Personal Care Home, family.”

Sec. 2G-5(a)(2): “Personal Care Home, family.”

Sec. 2J-5(d): “*Special administrative permit from City Manager or his/ her designee:*

(1) Personal Care Home, family.”

Sec. 2K-5(d): “*Special administrative permit from City Manager or his/ her designee:*

(1) Personal Care Home, family.”

Sec. 2L-5(d): “*Special administrative permit from City Manager or his/ her designee:*

(1) Personal Care Home, family.”

Sec. 2M-5(d): “*Special administrative permit from City Manager or his/ her designee:*

(1) Personal Care Home, family.”

Sec. 2N-5(a)(2): “Personal Care Home, family.”

Sec. 2P-5(d): “*Special administrative permit from City Manager or his/ her designee:*

(1) Personal Care Home, family.”

Sec. 2Q-5(d): “*Special administrative permit from City Manager or his/ her designee:*

(1) Personal Care Home, family.”

Sec. 2R-5(d): “*Special administrative permit from City Manager or his/ her designee:*

(1) Personal Care Home, family.”

Sec. 2S-7(d): “*Special administrative permit from City Manager or his/ her designee:*

(1) Personal Care Home, family.”

Section 3: This Amendment shall become effective immediately upon its adoption by the City Council, and incorporated into the Code of the City of Dunwoody, Georgia. This Amendment hereby repeals any and all conflicting ordinances and amendments.

SO ORDAINED, this ___ day of _____, 2009.

Approved:

Ken Wright, Mayor

ATTEST:

Approved as to Form and Content:

Sharon Lowery, City Clerk
(Seal)

Brian Anderson, City Attorney