

## CITY OF DUNWOODY

41 Perimeter Center East, Suite 250

Dunwoody, GA 30346

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## MEMORANDUM

To: City of Dunwoody, Georgia □ Mayor and City Council

From: Howard J. Koontz, City Planner

Date: October 11, 2010

Subject: Amendments to the text of the Zoning Ordinance, specifically Section 27-1303, □ Accessory Buildings, structures, and uses. □

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### BACKGROUND

The Dunwoody Mayor & City Council has directed staff to review the current Zoning Ordinance as it relates to “Accessory Building and Structures.” Accessory Buildings and Structures are defined as:

*Accessory building* means a building detached from the principal building located on the same lot and customarily incidental and subordinate in area, extent, and purpose to the principal building or use.

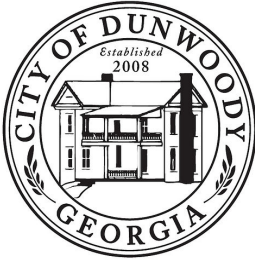
*Accessory structure* means a structure detached from the principal building located on the same lot and customarily incidental and subordinate in area, extent, and purpose to the principal building or use.

### DISCUSSION

Specifically, staff has been asked to investigate the idea of requiring a minimum distance an accessory building or structure must be located from the principal structure, known as a primary building separation. The proposed amendment is added to the end of Section 27-1303 as a subsection that would read as follows:

Option A.

(i) All accessory buildings and structures shall be located a minimum of ten (10) feet from a principal building or structure on the same lot. The primary building separation between a principal building or structure and accessory building or structure is determined by measuring the perpendicular distance from the closest points on the buildings or structures.



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Option B.

(i) For any accessory building and structure constructed partially or entirely into a required yard, those accessory buildings and structures shall be entirely located a minimum of ten (10) feet from the principal building or structure on the same lot. The primary building separation between a principal building or structure and accessory building or structure is determined by measuring the perpendicular distance from the closest points on the buildings or structures.

### RECOMMENDATION

Community Council heard Option A at their regularly scheduled July 8 meeting. The Council voted to recommend the proposed changes by a vote of 5-1. The dissenting vote belonged to Dennis Crean, who believed it should be allowable to erect an accessory structure closer than ten feet to the primary residence.

Planning Commission heard Option A at their regularly scheduled meeting on August 10. After discussion, the Commission voted to recommend the proposed changes 4-0.

Mayor and City Council deferred the item at their regularly scheduled meeting on September 27. Staff has provided the Council with two options for discussion. Option A has been reviewed by both Community Council and Planning Commission. Option B was created in response to a query from the City Attorney, and although the option would achieve the same goal, it has not been reviewed by either.