
MEMORANDUM

To: Mayor and City Council

From: Rich Edinger

Date: 4/9/2012

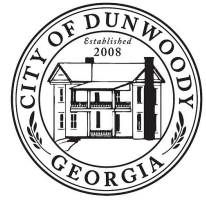
Subject: **Discussion of Subdivision Renaming Policy**

ITEM DESCRIPTION

It has come to the attention of staff that residents may wish to rename subdivisions that have existing names and established households. Staff proposes the attached policy to fairly and effectively administer subdivision renaming requests that are brought to the City.

RECOMMENDED ACTION

Staff recommends adopting a policy to fairly process applications for subdivision renaming.



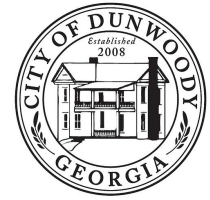
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CITY OF DUNWOODY

SUBDIVISION RENAMING

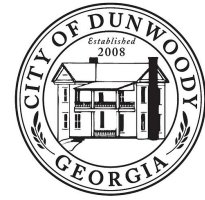
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Version 2012.04.XX



City of Dunwoody
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SUBDIVISION RENAMING

I. Purpose

The purpose of this policy is to afford residents/owners of lots in subdivisions within the City the ability to rename an existing subdivision by defining the procedure for which a successful application may be obtained. The City recognizes that some circumstances warrant changing a subdivision name, and this policy will outline the process and requirements to lawfully pursue such a renaming.

II. Definitions

When used in this policy, the following words, terms and phrases, and their derivations, shall be the meaning ascribed to them in this section, except where the context clearly indicates a different meaning.

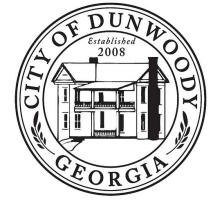
A. CITY ENGINEER means the engineer or other employee or agent as designated in writing by the City Manager having primary review and enforcement responsibilities under this policy.

B. CITY COMMUNITY DEVELOPMENT DIRECTOR means the Director of Community Development or other employee or agent as designated in writing by the City Manager and charged with the responsibility for approval of subdivision renaming applications in the City of Dunwoody required pursuant to this policy.

C. REPRESENTATIVE means a person acting on behalf of the applicant for the purpose of distributing the petition, may or may not own property in the subject subdivision, and who represents themselves as such.

D. SUBDIVISION means any division or redivision of a lot, tract or parcel, regardless of its existing and future use, in two or more lots, tracts, or parcels currently named and recorded at the DeKalb County Superior Court.

III. Scope



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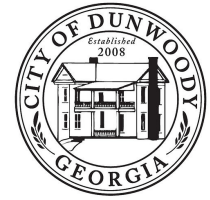
The terms and provisions of this policy shall apply to all private property in the City of Dunwoody and subject to city regulations. The objective of the City of Dunwoody's *Subdivision Renaming Policy* is to provide property owners a process to rename subdivisions from that which has previously been platted and recorded by the County Superior Court where the name change is favored by a supermajority of property owner(s). Any person(s) wishing to change the name of a subdivision must submit a completed application and petition to the Community Development Department in accordance with the following process to ensure the fairness and integrity of the renaming process:

A. Application for Subdivision Renaming

1. Any applicant submitting a request must own at least one lot in the subject subdivision.
2. Submit the completed application and a copy of the recorded subdivision plat to the Community Development Department for review.
3. Within ten (10) business days of the Department's receipt of the application, the Department will determine if your request meets the requirements of this policy and will notify the applicant of the decision. The Department will issue a petition form if the application is approved with a notice to proceed. The applicant may add more petition lines as necessary.
4. The petition shall be completed by the applicant or their representative(s) within four (4) months of receiving approval to proceed.

B. Petition for Subdivision Renaming

1. All the property owners in the subject subdivision shall be contacted and given an opportunity to sign a petition format as provided by the Community Development Department, indicating "yes" or "no" concerning the subdivision renaming.
2. Unless a property is undergoing change of ownership, a spouse's signature will not be acceptable if s/he is not the legal owner. If *both* husband and wife are joint legal owners, both signatures are required. A "Mr. and Mrs." signature is not acceptable. *All* owners must sign individually. This includes owners of undeveloped lots. Renting tenants are not an acceptable substitute for the legal property owner.
3. A witness's signature is required for each of the signature votes to verify the signatures of the property owners, if in question. The witness may be the applicant or their representative(s).
4. The completed petition must be signed by the applicant, notarized, and returned to the Community Development Department where it will be checked against tax records and land lot maps to ensure that it meets all requirements of the application



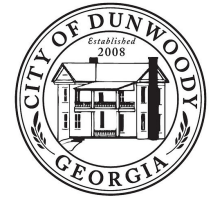
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- and is not duplicated elsewhere in DeKalb County. Incomplete or incorrectly completed petitions will not be accepted.
5. No signature may be withdrawn from the petition after it is filed with the Community Development Department.
 6. The percentages shall be calculated, based on individual lots where owners sign affirmatively, divided by the total number of lots in the platted subdivision. Each lot counts as only one vote, regardless of the number of owners signing. At least 70 percent of the lots must vote in favor of the name changed before petitions can be presented to the Community Development Director.
 7. All unrepresented lots will be counted as “no” votes.
 8. The Community Development Department will review the Petition and will notify the applicant of a decision within ten (10) business days of its receipt. It will be returned to the sender if it does not meet the requirements. Petitions that do meet the requirements will be approved by the Community Development Director.
- C. Recording at DeKalb County
1. The applicant must record the name change at the DeKalb County Superior Court within four (4) months of an approval.
 2. A copy of the signed, recorded copy of the subdivision renaming shall be submitted to the Community Development Department within four months.
- D. Subdivision Sign Changes
1. All signage changes required by the name change shall be submitted and approved in accordance with Chapter 20, “Signs,” of the Code of Ordinances prior to the issuance of any permits.
 2. No application for subdivision sign name change shall be reviewed until a signed, recorded copy of the subdivision renaming is received by the Department.
 3. Neither an approval by the Department of the name change, nor a successful filing of same with the Superior Court records shall guarantee the issuance of a sign permit for the change of the subdivision sign if the application is deficient in any manner or the sign would be in violation of any of the provisions of Chapter 20 of the City Code. The approval of a name change does not grant the subdivision any property rights or other rights in the issuance of a sign permit.

VI. Responsibility

A. City Engineer



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The City Engineer has primary enforcement responsibilities for this policy and is charged with the responsibility for review of all subdivision name changes for private property in the City of Dunwoody required pursuant to this policy.

DUTIES: The City Engineer shall have the following duties and powers in regards to the Subdivision Renaming Policy:

1. Reviewing all applications and petitions for subdivision renaming on private property in the City of Dunwoody as required pursuant to this policy.
2. Monitoring and ensuring the success of the Subdivision Renaming Policy, and when appropriate, working with Administration to assess technical feasibility and/or cost effectiveness.
3. Maintain and update applications and petitions forms for subdivision renaming.