

## APPLICATION

### STREAM BUFFER VARIANCE

**Application Checklist:**

Page No.	Item	Completed/ Included in Submittal
2	Project Information Sheet	<input type="checkbox"/>
3-4	Detailed Process and Instructions	N/A
5-6	Authorization Forms	<input type="checkbox"/>
7	Letter of Intent	<input type="checkbox"/>
7	Stream Buffer Variance Analysis	<input type="checkbox"/>
7	Chattahoochee River Corridor Certificate	<input type="checkbox"/> or N/A <input type="checkbox"/>
8	Stormwater Management Plan	<input type="checkbox"/> or N/A <input type="checkbox"/>
8	Georgia Environmental Protection Division (EPD) Approval	<input type="checkbox"/> or N/A <input type="checkbox"/>
8-9	8½" x 11" copy of Survey	<input type="checkbox"/>
8-9	8½" x 11" copy of Site Plan	<input type="checkbox"/>
8-9	11" x 17" copy of Survey	<input type="checkbox"/>
8-9	11" x 17" copy of Site Plan	<input type="checkbox"/>
8-9	Two (2) full-scale copies of Survey	<input type="checkbox"/>
8-9	Two (2) full-scale copies of Site Plan	<input type="checkbox"/>
8	8½" x 11" copy of Legal Description (must be in Word format)	<input type="checkbox"/>
9	Mitigation Plan	<input type="checkbox"/>
	11" x 17" copy of Elevations	<input type="checkbox"/> or N/A <input type="checkbox"/>
10	Meeting Schedule	N/A
11	Fee Schedule	N/A
11	Fee Payment	<input type="checkbox"/>
12	Sign Specifications	N/A
	All documents in electronic form (email)	<input type="checkbox"/>

The Director reserves the right to request additional information deemed necessary to analyze the request. Incomplete applications will not be accepted.

Planner's initials: \_\_\_\_\_



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Case No.: \_\_\_\_\_  
Planner's initials: \_\_\_\_\_

PROJECT INFORMATION SHEET

<b>PROPERTY</b>	Address(es):	
	Parcel Tax ID(s):	
	Total acreage:	Council District:
	Current zoning:	Current use:
	Character Area:	

<b>APPLICATION</b>	Detailed request (include Code Section No.):	
	Petitioner:	
	Petitioner's address:	
	Phone:	Email:

<b>OWNER</b>	Property owner:	
	Owner's address:	
	Phone:	Email:
	Signature (authorizing initiation of the process):	
	<i>If the property is under contract, provide a copy of the contract</i>	

- TO BE FILLED OUT BY P&Z STAFF -

Pre-Application Meeting date:	Anticipated Application date:
Anticipated BOA date:	
<b>ADDITIONAL INFORMATION NEEDED:</b>	

## DETAILED PROCESS & INSTRUCTIONS

Legend: ☐ and o: Action required by Applicant

•: For information

### Before the Pre-Application Meeting:

- ☐ Read this Application packet in its entirety.
- ☐ Consult the Sandy Springs Development Code (available online at [https://library.municode.com/ga/sandy\\_springs/codes/development\\_code](https://library.municode.com/ga/sandy_springs/codes/development_code)).
- ☐ Fill out the Project Information Sheet of this Application packet.
- ☐ Prepare a plan to scale of the proposed project.
- ☐ Obtain written permission from the property owner to pursue the project. If the property is under contract, provide a copy of the contract at the Pre-Application Meeting.
- ☐ Contact a Planner at [pz@sandyspringsga.gov](mailto:pz@sandyspringsga.gov) or (770) 730-5600 to schedule the Meeting.
- A stormwater concept plan and/or corresponding meeting may be required depending on the scope of work of the particular project or request.

### Pre-Application Meeting:

- ☐ The Pre-Application Meeting must take place at least two (2) weeks but no more than two (2) months before the Application filing date.

### Filing:

- ☐ Contact the Lead Planner prior to filing.
- ☐ Complete the Application packet, and submit a complete Application to the Department.
- ☐ Provide payment (verify the amount with the Lead Planner beforehand); see p. 11.
- Applications are due by **4:00 PM** on the **fourth (4<sup>th</sup>) Tuesday** of the month. No more than five (5) Applications, all types included, will be accepted each month.
- Staff will initiate review, ask for more information if needed (at which point the Application may be placed on administrative hold), and send an Initiation Letter.

### Before the Board of Appeals (BOA) Meeting:

- ☐ Submit any revision to the Application at least **twenty-one (21) days** prior to a scheduled Public Meeting or Public Hearing to allow time for proper revision by Staff and legal advertisement.
- The Staff Report, including the recommendation, will be posted on the City website at least one (1) week prior to the BOA Meeting.
- Staff will publish a legal ad in the newspaper.
- ☐ Order and post signage using Staff's sign template on the subject property (see p. 12) at least **fifteen (15) calendar days** prior to the BOA Meeting before **8:30 AM**. Send date-stamped pictures of the signage once in place to the Lead Planner.
- ☐ Mail written notice to property owners within 500' at least **fifteen (15) calendar days but not more than 45 calendar days** prior to the BOA Meeting; use Staff's mailing template. *Obtain a Certificate of Mailing from the Post Office and keep for your records; Applicant must produce a Certificate of Mailing upon request from Staff.*

**Board of Appeals (BOA) Meeting:**

- Staff will briefly introduce your request and present its recommendation.
- ☐ You will have ten (10) minutes to present your case to BOA, including any supporters speaking in favor of your request. You may save any remaining time for rebuttal to the opposition.
- The opposition will also have ten (10) minutes to speak.
- BOA will discuss and render its decision. BOA may approve, approve with conditions, or deny the request. BOA may also defer the case to another regularly scheduled Meeting.
- ☐ Remove signage within 48 hours of final action on the petition.

**TYPICAL SEQUENCE OF EVENTS**

See p. 10 for Meeting Schedule

Week (approx.)	Activity & Timeframe
1	Pre-Application Meeting: Between two (2) weeks and two (2) months prior to the filing deadline
<b>3-4</b>	<b>Filing: Before 4:00 PM on the fourth (4<sup>th</sup>) Tuesday of the month</b>
4	Initial review and Initiation Letter: Approx. one (1) week after the filing deadline
4	Staff Report production
4-5	Revised Application, if necessary: At least twenty-one (21) days prior to BOA
4-5	BOA advertising: At least fifteen (15) calendar days prior to the date of BOA for sign posting, and at least fifteen (15) calendar days but not more than 45 calendar days prior to the date of BOA for mailed notice
6	Staff Report posted on website at least one (1) week prior to the BOA Meeting
7-8	BOA Meeting: First (1 <sup>st</sup> ) Wednesday of the month
Days After BOA	Decision Letter: A few days after BOA (maximum seven (7) days)

Failure to complete any of these events within the above timeframe may result in an administrative hold, and the case will be rescheduled to a future filing cycle.



## AUTHORIZATION FORM – PART I

A- The property owner must fill out the following section and have it notarized. If a property has multiple owners, each owner must separately fill out a copy of the Authorization Form.

Owner states under oath that he/she is the owner of the property described in the attached legal description, which is made part of this Application.	
Owner's name:	Sworn and subscribed before me this  <div style="text-align: center;">           _____<sup>th</sup> day of _____ 20____         </div> Notary public:  Seal:          Commission expires:
Address:	
City, State, Zip Code:	
Email address:	
Phone number:	
Owner's signature:	

B- If the Applicant is *not* the owner of the subject property:

Fill out the following section, check the appropriate statement and have it notarized.

Applicant states under oath that:	
<input type="checkbox"/> He/she is the executor or Attorney-in-Fact under a Power-of-Attorney for the owner ( <i>attach a copy of the contract</i> ); or <input type="checkbox"/> He/she has an option to purchase the subject property ( <i>attach a copy of the contract</i> ); or <input type="checkbox"/> He/she has an estate of years which permits the Applicant to apply ( <i>attach a copy of the lease</i> )	
Applicant's name:	Sworn and subscribed before me this  <div style="text-align: center;">           _____<sup>th</sup> day of _____ 20____         </div> Notary public:  Seal:          Commission expires:
Company name:	
Address:	
City, State, Zip Code:	
Email address:	
Phone number:	
Applicant's signature:	



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**AUTHORIZATION FORM – PART II**

C- If an agent or attorney will represent the owner and/or the Applicant:

Fill out the following section and have it notarized.

Agent's name:
Company:
Address:
City, State, Zip Code:
Email address:
Phone number:
Agent's signature:
Applicant's signature:

Sworn and subscribed before me this
_____ <sup>th</sup> day of _____ 20 _____
Notary public:
Seal:
Commission expires:

## ADDITIONAL REQUIREMENTS

<b>Letter of Intent</b>
Required for <b>all</b> cases
<p>Address the following in detail, on a separate sheet:</p> <ol style="list-style-type: none"> <li>1. Requested Stream Buffer Variance</li> <li>2. Factual details about the proposal: <ul style="list-style-type: none"> <li>• Number and size of buildings</li> <li>• Square footage of gross floor area of nonresidential uses</li> <li>• Type and number of residential units</li> <li>• Number of employees and customers, number of classrooms, hours of operation, etc.</li> </ul> </li> <li>3. Factual details about the site: shape, topography, slope, vegetation, soils, and other physical characteristics of the property</li> <li>4. Mitigation and restoration strategy: phasing and timeline, construction methodology, equipment used, calculations, etc.</li> <li>5. Alternative designs explored: <ol style="list-style-type: none"> <li>a. Provide details of alternative design(s) that could reduce the need for a Stream Buffer Variance</li> <li>b. Explain why the alternatives were not selected</li> </ol> </li> </ol>
<b>Stream Buffer Variance Analysis (Sec. 9.2.4.B.)</b>
Required for <b>all</b> cases
<p>Explain in detail, on a separate sheet, and for <u>each</u> Stream Buffer Variance requested how:</p> <ol style="list-style-type: none"> <li>a. The property's shape, topography or other physical conditions existing on December 12, 2005 prevent land development unless a Stream Buffer Variance is granted;</li> <li>b. Unusual circumstances when strict adherence to the minimal buffer and setback requirements would create an extreme hardship.</li> </ol> <p>Notes:</p> <ul style="list-style-type: none"> <li>• Stream Buffer Variances will not be considered when actions of any property owner of a given property after December 12, 2005 have created conditions of a hardship on that property.</li> <li>• The following factors will be considered by the BOA in determining whether to issue a Stream Buffer Variance: <ol style="list-style-type: none"> <li>a. The shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;</li> <li>b. The locations of all state waters, wetlands, floodplain boundaries and other natural features on the property, including along property boundaries, as determined by field survey;</li> <li>c. The location and extent of the proposed buffer or setback intrusion;</li> <li>d. Whether alternative designs are possible which require less intrusion or no intrusion;</li> <li>e. The long-term and water quality impacts of the proposed Variance; and</li> <li>f. Whether issuance of the Stream Buffer Variance is at least as protective of natural resources and the environment.</li> </ol> </li> </ul>
<b>Chattahoochee River Corridor Certificate</b>
Required for properties located within the Chattahoochee River Corridor (within 2,000' of the Chattahoochee River)
Contact Lindsay Walker, City Arborist, at (770) 206-1568 or <a href="mailto:lwalker@sandyspringsga.gov">lwalker@sandyspringsga.gov</a>

<b>Stormwater Management Plan</b>
Contact Jon Amsberry, City Engineer, at (770) 206-1514 or <a href="mailto:jamsberry@sandyspringsga.gov">jamsberry@sandyspringsga.gov</a> .

<b>Georgia Environmental Protection Division (EPD) Approval</b>
Required for Stream Buffer Variance petitions to encroach into the 25' State undisturbed natural vegetative buffer
<input type="checkbox"/> Variance Application <input type="checkbox"/> Approval letter from EPD

<b>Survey and Site Plan</b>	
Required for <b>all</b> cases	
Provide one (1) copy printed on 11" x 17" paper and two (2) copies printed to scale no larger than 30" x 42"; also include in the electronic package.	
The survey and site plan must include, at a minimum, the following:	
Basic Information	<input type="checkbox"/> Legal description (metes and bounds; should also be submitted as a separate document)
	<input type="checkbox"/> Key and/or legend, site location map with North arrow, and scale
	<input type="checkbox"/> Boundary survey of the subject property, which includes dimensions along property lines that match the metes and bounds of the subject property's written legal description, and clearly indicate the point of beginning
	<input type="checkbox"/> Acreage of the subject property
	<input type="checkbox"/> Location of the subject property's land lot lines and identification of land lots
	<input type="checkbox"/> Current zoning district of the subject and adjacent properties
	<input type="checkbox"/> Layout and minimum lot size of proposed single unit detached residential lots
	<input type="checkbox"/> Topography on the subject and adjacent properties within 200' to assess runoff effects
	<input type="checkbox"/> Location of overhead and underground electrical and pipeline transmission/conveyance lines
Roads	<input type="checkbox"/> Building setback lines and build-to zones, transitions, buffers, etc.
	<input type="checkbox"/> Existing and proposed dedicated and reserved rights-of-way of all streets on and adjacent to the subject property
	<input type="checkbox"/> Posted speeds of existing streets
Improvements	<input type="checkbox"/> Proposed streets on the subject property
	<input type="checkbox"/> Existing buildings with square footages and heights (stories), wells, driveways, fences, cell towers, and any other structures or improvements on the subject property
	<input type="checkbox"/> Existing buildings with square footages and heights (stories), wells, driveways, fences, cell towers, and any other structures or improvements on adjacent properties within 400' of the subject property
	<input type="checkbox"/> Location of proposed buildings with total square footage
	<input type="checkbox"/> Required and proposed parking spaces, loading areas, service areas, etc.
	<input type="checkbox"/> Development Statistics Summary Chart with % of total lot coverage: <ul style="list-style-type: none"> <li>○ Total area of site (acres and sq. ft.)</li> <li>○ Building footprints (sq. ft. and %)</li> <li>○ Parking spaces (number and %)</li> <li>○ Lot coverage (sq. ft. and %)</li> </ul>



Environmental	<input type="checkbox"/> 100-year floodplain horizontal limits and flood zone designations as shown on survey or Federal Emergency Management Agency Flood Insurance Rate Maps																				
	<input type="checkbox"/> State waters and associated buffers																				
	<input type="checkbox"/> Existing and proposed stormwater management facilities																				
	<input type="checkbox"/> Community wastewater facilities, including preliminary areas reserved for septic drain fields and points of access																				
	<input type="checkbox"/> Availability of water and sanitary sewer systems																				
	<input type="checkbox"/> Trees and open space on the subject property																				
	<input type="checkbox"/> Wetlands																				
	<input type="checkbox"/> State Waters Buffer Encroachment Chart ( <i>example below</i> ):																				
	<table border="1"> <thead> <tr> <th>Buffer/Impervious Setback</th> <th>Existing</th> <th>Proposed</th> <th>Difference</th> </tr> </thead> <tbody> <tr> <td>0'-25' State undisturbed natural vegetative buffer</td> <td>22 sq. ft.</td> <td>35 sq. ft.</td> <td>+13 sq. ft. +59%</td> </tr> <tr> <td>25'-50' City undisturbed natural vegetative buffer</td> <td>100 sq. ft.</td> <td>80 sq. ft.</td> <td>-20 sq. ft. -20%</td> </tr> <tr> <td>50'-75' City additional impervious surface setback</td> <td>2 sq. ft.</td> <td>10 sq. ft.</td> <td>+8 sq. ft. +400%</td> </tr> <tr> <td><i>Total</i></td> <td><i>134 sq. ft.</i></td> <td><i>125 sq. ft.</i></td> <td><i>-9 sq. ft.</i> <i>-6.7%</i></td> </tr> </tbody> </table>	Buffer/Impervious Setback	Existing	Proposed	Difference	0'-25' State undisturbed natural vegetative buffer	22 sq. ft.	35 sq. ft.	+13 sq. ft. +59%	25'-50' City undisturbed natural vegetative buffer	100 sq. ft.	80 sq. ft.	-20 sq. ft. -20%	50'-75' City additional impervious surface setback	2 sq. ft.	10 sq. ft.	+8 sq. ft. +400%	<i>Total</i>	<i>134 sq. ft.</i>	<i>125 sq. ft.</i>	<i>-9 sq. ft.</i> <i>-6.7%</i>
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Mitigation Plan (Sec. 9.2.4.B)	
Required for <b>all</b> cases	
Provide one (1) copy printed on 11" x 17" paper, and two (2) copies printed to scale no larger than 30" x 42"; also include in the electronic package.	
The mitigation plan must include, at a minimum, the following:	
E&SC	<input type="checkbox"/> Area proposed to be disturbed <input type="checkbox"/> Location and width of construction entrance <input type="checkbox"/> Location and type of E&SC and pollution control measures (temporary and permanent)
Planting	<input type="checkbox"/> Chart of plants to be removed chart (common and botanical names, quantity and size) <input type="checkbox"/> Planting plan (must include multiple strata, i.e. grasses, forbs, shrubs, and trees) <input type="checkbox"/> Planting chart (common and botanical names, quantity and size, native/non-native)

The Director reserves the right to request additional information deemed necessary to analyze the request.

## 2021 VARIANCE SCHEDULE

<b>Pre-App Meeting Deadline</b>	<b>Application Filing Deadline (4<sup>th</sup> Tuesday)</b>	<b>Board of Appeals Meeting Sign Posting Deadline</b>	<b>Board of Appeals Meeting (1<sup>st</sup> Wednesday)</b>
<b>11/10/2020</b>	<b>11/24/2020</b>	12/22/2020	<b>01/06/2021</b>
<b>12/15/2020</b>	<b>12/29/2020</b>	01/19/2021	<b>02/03/2021</b>
<b>01/12/2021</b>	<b>01/26/2021</b>	02/16/2021	<b>03/03/2021</b>
<b>02/09/2021</b>	<b>02/23/2021</b>	03/23/2021	<b>04/07/2021</b>
<b>03/16/2021</b>	<b>03/30/2021</b>	04/20/2021	<b>05/05/2021</b>
<b>04/13/2021</b>	<b>04/27/2021</b>	05/18/2021	<b>06/02/2021</b>
<b>05/11/2021</b>	<b>05/25/2021</b>	06/22/2021	<b>07/07/2021</b>
<b>06/15/2021</b>	<b>06/29/2021</b>	07/20/2021	<b>08/04/2021</b>
<b>07/13/2021</b>	<b>07/27/2021</b>	08/24/2021	<b>N/A*</b>
<b>08/17/2021</b>	<b>08/31/2021</b>	09/21/2021	<b>10/06/2021</b>
<b>09/14/2021</b>	<b>09/28/2021</b>	10/19/2021	<b>11/03/2021</b>
<b>10/12/2021</b>	<b>10/26/2021</b>	11/23/2021	<b>12/08/2021</b>
<b>11/16/2021</b>	<b>11/30/2021</b>	<i>TBD</i>	<i>TBD</i>

\*No meeting due to Rosh Hashanah holiday.

NOTE: All meetings will have a virtual option available for attendees, if necessary, due to any continuance of a pandemic.

The deadlines for the Pre-Application Meetings are flexible at the discretion of the Director.

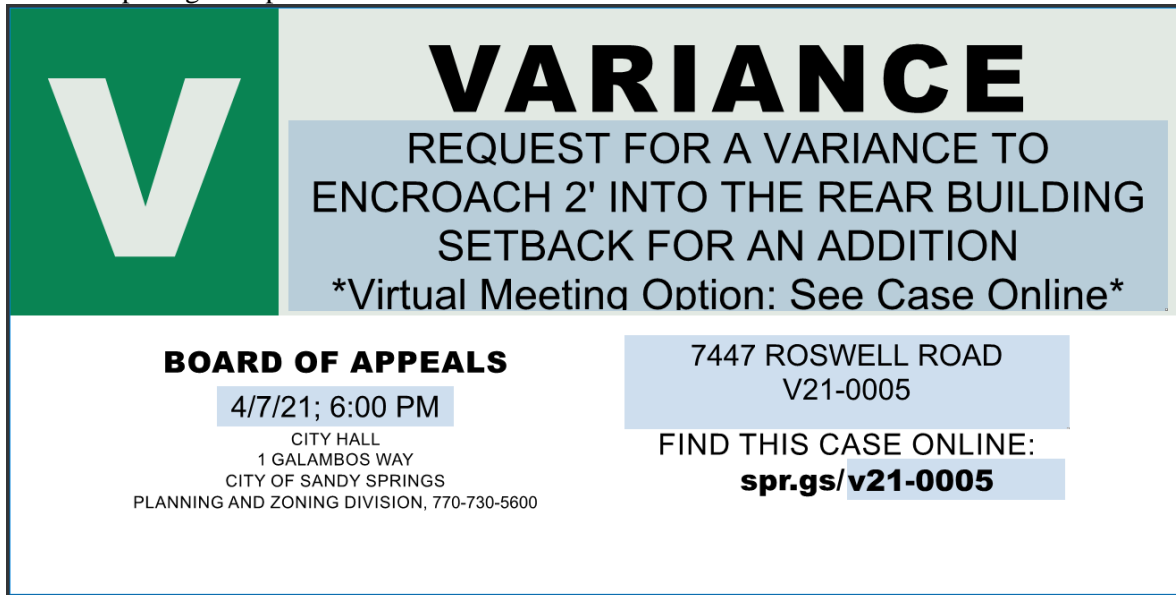
## FEE SCHEDULE

Type	Adopted Fee	
Stream Buffer Variance	For property zoned:	
	RE-, RD-	\$750 + \$100/each additional request
	RU-, RT-, RM-, RX- ON-, OX-, CX-, SX-, TX-, CS-, IX-, CC-, PR-, PX-, PM- PK, CON	\$850 + \$100/each additional request
Revisions to a filed Application	Stream Buffer Variance	\$250
Public Notice	Public Notice (newspaper)	Actual cost
	Readvertisement (newspaper)	Actual cost
BOA Meeting Signage (min. one (1) sign/street frontage)	Applicant handles	
<i>Notes:</i> <ul style="list-style-type: none"><li>• Debit and credit card transactions are subject to a 5% surcharge</li><li>• All fees are based on each request</li></ul>		

## SIGN SPECIFICATIONS

### For Board of Appeals:

- At least one (1) sign on each public or private street frontage at a point visible from the nearest public or private street, installed parallel to the roadway; in the case of multiple lots, sufficient signs must be posted to provide reasonable notice to interested persons
- Printed on durable material; 8' wide x 4' tall in dimension
- Example sign template:



- Signage must be removed within 48 hours of final action on the petition