



## VARIANCE APPLICATION

(Excludes Stream Buffer Variances)

**Application checklist:**

Page No.	Item	Completed/ Included in Submittal
1	Project Information Sheet	<input checked="" type="checkbox"/>
2 - 4	Detailed Process and Instructions	N/A
5 - 6	Authorization Forms	<input checked="" type="checkbox"/>
	Additional requirements:	
7	Letter of Intent (Short Form Lease)	<input checked="" type="checkbox"/>
7	Variance Analysis	<input type="checkbox"/>
7	Chattahoochee River Corridor Certificate	<input type="checkbox"/> or N/A <input checked="" type="checkbox"/>
8-9	Survey, Site Plan and Legal Description	<input checked="" type="checkbox"/>
10	Fee schedule	N/A
10	Meeting schedule	N/A

**Provide also:**

All the documents electronically (CD/DVD, thumb drive or via email) Note: The Legal Description must be in a Word document	<input checked="" type="checkbox"/>
Site plan: one (1) copy on 11"x17" and two (2) full-scale copies	<input checked="" 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: \_\_\_\_\_



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

PROJECT INFORMATION SHEET

<b>PROPERTY</b>	Address(es): 8433, 8435, 8437 and 8445 Roswell Road	
	Parcel Tax ID: 170026 LL0781; 170026LL0799; 170026LL0815; 170026LL0807	
	Land Lot(s):	Land District(s): Tax District 59
	Total acreage: 2.2	Council district: District 2
	Current zoning: C1	Current use: Chick-fil-A
	Overlay district: Suburban Overlay	Future land use: Commercial

<b>APPLICATION</b>	Detailed request (include Code/Ordinance Section No.):	
	<b>Zoning Ordinance/ Article 18:</b>	
	Chick-fil-A is requesting a variance from the code referenced above to allow for a (10) spaces variance from the required (98) spaces. Through the shared parking agreement, a total of 88 spaces shall be provided in the shopping center in the proposed Chick-fil-A project. It is understood that the parking of the shopping center performs at high levels and that the proposed project shall not have negative impacts. The project proposes a larger building that allows for a bigger kitchen to better serve the drive through lanes and eliminates long queues. The new Chick-fil-A will also includes a total of sixteen (16) seats which is significantly less than the existing number of outdoor seating.	
	<b>Section 12 Variance / D Standards, No. 2:</b>	
	The property is allowed wall signs on two (2) elevations per the city code because there are two (2) road frontages. The front wall sign will face Roswell Road. The code will allow for a wall sign facing Northridge Parkway as well. However, there is a line of trees between that elevation and Northridge Parkway. Chick-fil-A is proposing the allowed second wall sign be moved to the opposite side of the building on the elevation facing the Good Year tire store. Chick-fil-A is not asking for an increase in allowable square footage or an increase in the number of signs.	
	Petitioner: Chick-fil-A, Inc.	
	Petitioner's address: 5200 Buffington Road, Atlanta, GA 30349	
	Phone: 404.305.7745	Email: <a href="mailto:joseph.latimer@cfacorp.com">joseph.latimer@cfacorp.com</a>

<b>OWNER</b>	Property owner: Wallace Oil Company Inc.	
	Owner's address: 5370 Oakdale Road	
	Smyrna, GA 30082	
	Phone: 404.799.9400	Email: <i>tiffany@wredev.com</i>
	Signature (authorizing initiation of the process): <i>Tiffany W. Singh, VP</i>	
<i>If the property is under contract and the owner is unavailable to sign, provide a copy of the contract</i>		



Case No.:

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

- TO BE FILLED OUT BY P&Z STAFF -

Pre-application meeting date:	Anticipated application date:
Anticipated PC date: N/A <input type="checkbox"/>	Anticipated BOA date:
<b>ADDITIONAL INFORMATION NEEDED:</b>	

## DETAILED PROCESS & INSTRUCTIONS

Legend:  and o: action required by applicant

•: for information only

### Before the pre-application meeting:

- Read this application packet in its entirety;
- Consult the Zoning Ordinance, the Development Regulations, and the Interim Development Guidelines:  
<http://www.sandyspringsga.gov/city-services/urban-development/planning-and-zoning/>
- Fill out the first page of this application packet;
- Prepare a sketch plan of the proposed project (if applicable);
- 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), 770-730-5600 to schedule the meeting.

### Pre-application meeting:

- The pre-application meeting must take place at least **two weeks** (but no more than two months) before the application filing date.

### Filing:

- Contact the lead planner prior to coming to the office
- Complete the rest of the application packet
- Bring a check or credit card (5% surcharge) to pay the fee (verify the amount with the lead planner beforehand; see p.10)
- Applications are due by 4:00pm on the **first Tuesday** of each month;
- No more than five new applications will be accepted each month;
- Staff will initiate review and will send a confirmation letter, or ask for more information if needed (at which point the application may be placed on administrative hold);
- Staff will provide a sign to be posted on the property.

### Planning Commission (PC) Meeting:

- If the property is located in the Sandy Springs Overlay District (either Suburban or Main Street categories), and a variance is sought for relief from the overlay standards, the case will be heard by the Planning Commission for design review. The meeting procedure is similar to that of the BOA meeting, see below.

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

- Any revision to the application is due at least **three weeks** prior to the BOA meeting (or PC if applicable), to allow time for proper revision by staff and legal advertisement;
- The staff report, including the recommendation, will be posted on the City website one week prior to the BOA meeting;
- Staff will publish a legal ad in the newspaper;
- Place sign(s) on site at least **twenty days** prior to BOA meeting;
  - Send a date-stamped picture of the sign once in place to the lead planner
- Send written notice to property owners within 500' at least **two weeks** prior to the BOA meeting.

P&Z will provide the contact info and a sample letter.

Board of Appeals Meeting:

- Staff will briefly introduce your request and present their recommendation.
- You will have ten minutes to present your case to the 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 minutes to speak.
- The Board members will discuss and render their decision. They may approve, approve with conditions, defer or deny the request.

**Sequence of events**

See p.10 for meeting schedule

Regular variance

Responsible Party	Week (approx.)	Activity & Timeframe
Applicant	-2	Pre-application meeting: Between two weeks and two months prior to filing deadline
<b>Applicant</b>	<b>0</b>	<b>Filing: Before 4:00pm, 1st Tuesday of the month</b>
City	+1	Initial review and Initiation Letter: One week after the filing deadline
Applicant	+3	Revised application, if necessary: At least 21 days prior to BOA
Applicant & City	+2/+3	Advertising: At least two weeks prior to BOA (20 days for signs)
City	+4	Staff report production
City	+6	BOA meeting: 2 <sup>nd</sup> Thursday of the month
City	+7	Decision Letter: A few days after BOA (max. 7 days)

Variance with Design Review (within the Sandy Springs Overlay District)

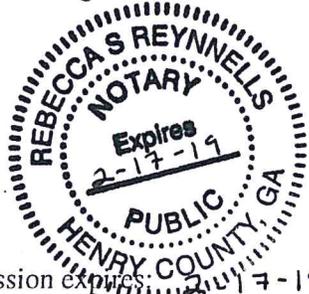
Responsible Party	Week (approx.)	Activity & Timeframe
Applicant	-2	Pre-application meeting: Between two weeks and two months prior to filing deadline
<b>Applicant</b>	<b>0</b>	<b>Filing: Before 4:00pm, 1st Tuesday of the month</b>
City	+1	Initial review and Initiation Letter: One week after the filing deadline
Applicant	+3	Revised application, if necessary: At least 21 days prior to PC
City	+4	Staff report production
City	+6	PC meeting: 3 <sup>rd</sup> Thursday of the month
Applicant & City	+7/+8	Advertising: At least two weeks prior to BOA (20 days for signs)
City	+8	Staff report update
City	+10	BOA meeting: 2 <sup>nd</sup> Thursday of the month
City	+7	Decision Letter: A few days after BOA (max. 7 days)

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



AUTHORIZATION FORM – PART I

A- If the applicant is also the owner of the subject property:  
Fill out the following section and have it notarize.

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  31 day of <u>May</u> 20 <u>14</u> Notary public: <u>Rebecca S. Reynnells</u> Seal:  Commission expires: <u>2-17-19</u>
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 checked="" 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: Joseph Latimer	Sworn and subscribed before me this  _____ day of _____ 20 _____ Notary public:  Seal:
Company name: Chick-fil-A, Inc.	
Address: 5200 Buffington Road	
City, State, Zip Code: Atlanta, GA 30349	
Email address: joseph.latimer@cfacorp.com	
Phone number: 404.305.7745	
Applicant's signature: <u>J. Joseph Latimer</u>	

## 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: Stuart Anderson
Company: Interplan LLC
Address: 604 Courtland Street, Suite# 100
City, State, Zip Code: Orlando, FL 32804
Email address: <a href="mailto:sanderson@interplanllc.com">sanderson@interplanllc.com</a>
Phone number: 407.645.5008
Agent's signature: <i>Stuart Anderson</i>
Applicant's signature: <i>J. Joseph Latimer</i>

Sworn and subscribed before me this 31 day of <u>May</u> 20 <u>16</u>
Notary public: <i>Rebecca S. Reynnells</i> <i>RSA</i>
Seal: 
Commission expires: <u>2-17-19</u>

## ADDITIONAL REQUIREMENTS

### **Letter of Intent**

Required for **all** cases

Address the following in detail, on a separate sheet:

1. Requested variance(s)
2. Factual details about the proposed development:
  - Number and size of buildings, square footage of gross floor area of nonresidential uses
  - Type and number of residential units,
  - Number of employees and customers, hours of operation, number of classrooms, etc.
3. Alternative design explored:
  - Provide the details of alternative designs that could reduce the need for a variance;
  - Explain why the alternatives were rejected;
  - If no alternative was explored, explain why.

### **Variance Analysis (Sec. 22.3.1)**

Required for **all** cases

Explain in detail, on a separate sheet, and for each variance requested how:

- a. Relief, if granted, would be in harmony with, or, could be made to be in harmony with, the general purpose and intent of the Zoning Ordinance; or,
- b. The application of the particular provision of the Zoning Ordinance to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape, or topography, would create an unnecessary hardship for the owner while causing no detriment to the public.
- c. Applicable to signs only: Conditions resulting from existing foliage or structures bring about a hardship where a sign meeting minimum letter size, square footage and height requirements cannot be read from an adjoining public road.

Note: The general purpose and intent of the Zoning Ordinance (Art.II, Sec.1) includes:

- Lessening congestion on the roads and streets;
- Securing safety from fire, flood, and other dangers; providing adequate light and air;
- Promoting the health and general welfare;
- Encouraging such distribution of population and such classification of land uses and utilization as will facilitate economic and adequate provisions for transportation, communications, roads, airports, water supply, drainage, sanitation, education, recreation and other public requirements;
- Promoting desirable living conditions;
- Protecting property against blight and depreciation,
- Encouraging the most appropriate use of land throughout the City of Sandy Springs.

### **Chattahoochee River Corridor Certificate**

Required for properties located within the Chattahoochee River Corridor (within 2,000' of the river)

Contact Michael Barnett, Chief Environmental Compliance Officer:  
(770) 206-1572 or mbarnett@sandyspringsga.gov

<b>Survey and Plan (Sec. 28.5.2)</b>	
Required for <b>all</b> cases	
Provide one (1) copy printed on 11"x17" paper, and two (2) copies printed to scale no larger than 30"x42"; also include in electronic package.	
The survey and site plan must include, at a minimum, the following:	
<b>Basic Information</b>	<input type="checkbox"/> Legal description (metes and bounds; can 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 indicates the point of beginning; <input type="checkbox"/> Acreage of subject property; <input type="checkbox"/> Location of subject property land lot lines and identification of land lots; <input type="checkbox"/> Current zoning of the subject site and adjoining properties; <input type="checkbox"/> Layout and minimum lot size of proposed single family residential lots; <input type="checkbox"/> Topography (surveyed or City) on the subject site and adjacent property within two hundred (200) feet as required to assess runoff effects; <input type="checkbox"/> Location of overhead and underground electrical and pipeline transmission/conveyance lines; <input type="checkbox"/> Required and/or proposed setbacks, zoning buffers and landscape strips; <input type="checkbox"/> Location of the requested variance(s) with dimensions;
<b>Roads</b>	<input type="checkbox"/> Existing and proposed new dedicated and future reserved rights-of-way of all streets, roads, and railroads adjacent to and on the subject property; <input type="checkbox"/> Posted speed of existing streets; <input type="checkbox"/> Proposed streets on the subject site;
<b>Improvements</b>	<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 four hundred (400) feet of the subject site based on the City's aerial photography or an acceptable substitute as approved by the Director; <input type="checkbox"/> Location of proposed buildings with total square footage; Required landscape strips, undisturbed buffers, and any other natural areas as required or proposed; <input type="checkbox"/> Required and proposed parking spaces; and loading and unloading facilities; <input type="checkbox"/> Development Statistics Summary Chart, with % of total site 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 provided (number and %)</li> <li>○ Total impervious surface (sq. ft and %)</li> <li>○ Landscaping (sq. ft and %)</li> <li>○ Undisturbed area, excluding landscaping (sq. ft and %)</li> <li>○ Floodplain (acres or sq. ft and %)</li> </ul>

Environmental

- 100 year flood plain horizontal limits and flood zone designations as shown on survey or Federal Emergency Management Agency Flood Insurance Rate Maps;
- Lakes, streams, and waters on the subject site and associated buffers;
- Proposed stormwater management facilities;
- Community wastewater facilities including preliminary areas reserved for septic drain fields and points of access;
- Availability of water system and sanitary sewer system;
- Tree lines, woodlands and open fields on the subject site;
- Wetlands shown on the GIS maps or survey.

**FEE SCHEDULE**

<b>Item</b>	<b>Fee</b>
Variance for property zoned: R-1, R-2, R-2A, R-3, R-3A, R-4, R4-A, R-5, R-5A, NUP, CUP, MHP	\$250 for first + \$50/additional request
Variance for property zoned: AG-1, R-6, TR, A, A-L, O-I, C-1, C-2, M-1A, M-1, M-2, MIX and nonresidential uses in a residential district	\$350 for first + \$100/additional request
Sign variance (all zoning districts)	\$300 for first + \$100/additional request
Revision to application	\$150 each submittal
Public Notice Sign	\$25 each

**MEETING SCHEDULE**

<b>Filing Deadline (1st Tuesday)</b>	<b>Planning Commission Meeting (3rd Thursday) <i>If applicable</i></b>	<b>Sign Posting Deadline (20 days prior to BOA meeting)</b>	<b>Board of Appeals Meeting (2nd Thursday)</b>
1/5/2016	N/A	1/22/2016	2/11/2016
1/5/2016	2/18/2016	2/19/2016	3/10/2016
2/2/2016	N/A	2/19/2016	3/10/2016
2/2/2016	3/17/2016	3/25/2016	4/14/2016
3/1/2016	N/A	3/25/2016	4/14/2016
3/1/2016	4/21/2016	4/22/2016	5/12/2016
4/5/2016	N/A	4/22/2016	5/12/2016
4/5/2016	5/19/2016	5/20/2016	6/9/2016
5/3/2016	N/A	5/20/2016	6/9/2016
5/3/2016	6/16/2016	6/24/2016	7/14/2016
6/7/2016	N/A	6/24/2016	7/14/2016
6/7/2016	7/21/2016	7/22/2016	8/11/2016
7/5/2016	N/A	7/22/2016	8/11/2016
7/5/2016	8/18/2016	8/19/2016	9/8/2016
8/2/2016	N/A	8/19/2016	9/8/2016
8/2/2016	9/15/2016	9/23/2016	10/13/2016
9/6/2016	N/A	9/23/2016	10/13/2016
9/6/2016	10/20/2016	10/21/2016	11/10/2016
10/4/2016	N/A	10/21/2016	11/10/2016
10/4/2016	11/17/2016	11/18/2016	12/8/2016
11/1/2016	N/A	11/18/2016	12/8/2016
11/1/2016	12/15/2016	12/23/2016	1/12/2017
12/6/2016	N/A	12/23/2016	1/12/2017
12/6/2016	1/19/2017	1/20/2017	2/9/2017