



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

PROJECT INFORMATION SHEET

PROPERTY	Address(es): 535 Forest Hills Drive , Sandy Spring , Ga 30342	
	Parcel Tax ID:	
	Land Lot(s): 67	Land District(s): 17th
	Total acreage: 0.90 acres	Council district: District 5
	Current zoning: R-3	Current use: Residential
	Overlay district:	Future land use:

APPLICATION	Detailed request (include Code/Ordinance Section No.):	
	The variance request is for impervious encroachment for a wall inside 75 foot buffer (Sec. 109-225a(2)) and pier footings inside of the 50 foot buffer (Sec. 109-225a(1))	
	Petitioner: John Lynch	
	Petitioner's address: 535 Forest Hills Drive	
	Phone: 404-274-5061	Email: jlynch.valarda@gmail.com

OWNER	Property owner: David Levitan	
	Owner's address: 535 Forest Hills Drive	
	Phone: 770-845-5773	Email: jlynch.valarda@gmail.com
	Signature (authorizing initiation of the process): <i>David Levitan</i>	
<i>If the property is under contract and the owner is unavailable to sign, provide a copy of the contract</i>		

- 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:
ADDITIONAL INFORMATION NEEDED:	

## DETAILED PROCESS & INSTRUCTIONS

Legend: "□" and "o": action required by applicant  
"•": for information only

<p><u>Before the pre-application meeting:</u></p> <ul style="list-style-type: none"><li>□ Read this application packet in its entirety;</li><li>□ Consult the Zoning Ordinance, the Development Regulations, and the Interim Development Guidelines: <a href="http://www.sandyspringsga.gov/city-services/urban-development/planning-and-zoning/">http://www.sandyspringsga.gov/city-services/urban-development/planning-and-zoning/</a></li><li>□ Fill out the first page of this application packet;</li><li>□ Have a sketch plan of the proposed project prepared, to scale (if applicable);</li><li>□ 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;</li><li>□ Contact a planner at <a href="mailto:pz@sandyspringsga.gov">pz@sandyspringsga.gov</a>, 770-730-5600 to schedule the meeting.</li></ul>
<p><u>Pre-application meeting:</u></p> <ul style="list-style-type: none"><li>□ The pre-application meeting must take place at least <b>two weeks</b> (but no more than two months) before the application filing date.</li></ul>
<p><u>Filing:</u></p> <ul style="list-style-type: none"><li>□ Contact the lead planner prior to coming to the office</li><li>□ Complete the rest of the application packet</li><li>□ Bring a check or credit card (5% surcharge) to pay the fee (verify the amount with the lead planner beforehand; see p.9)</li><li>• Filing deadline is 4:00pm on the <b>first Tuesday</b> of each month;</li><li>• No more than five new applications will be accepted each month;</li><li>• 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);</li><li>• Staff will provide a sign to be posted on the property (\$25 fee).</li></ul>
<p><u>Before the Board of Appeals (BOA) Meeting:</u></p> <ul style="list-style-type: none"><li>• Any revision to the application is due at least <b>three weeks</b> prior to the BOA meeting, to allow time for proper revision by staff and legal advertisement;</li><li>• The staff report, including the recommendation, will be posted on the City website one week prior to the BOA meeting;</li><li>• Staff will publish a legal ad in the newspaper;</li><li>□ Place sign(s) on site at least <b>fifteen days</b> prior to BOA meeting;<ul style="list-style-type: none"><li>○ Send a date-stamped picture of the sign once in place to the lead planner</li></ul></li><li>□ Send written notice to property owners within 500' at least <b>fifteen days</b> prior to the BOA meeting. P&amp;Z will provide the contact info and a sample letter.</li></ul>
<p><u>Board of Appeals Meeting:</u></p> <ul style="list-style-type: none"><li>• Staff will briefly introduce your request and present their recommendation.</li><li>• 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.</li></ul>

- 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.9 for meeting schedule

**Regular variance**

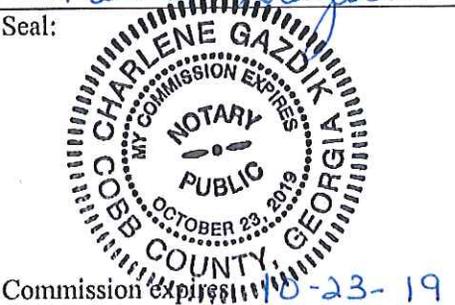
Responsible Party	Week (approx.)	Activity & Timeframe
Applicant	-2	Pre-application meeting: Between two weeks and two months prior to filing deadline
<b>Applicant</b>	<b>0</b>	<b>Filing: Before 4:00pm, 1st Tuesday of the month</b>
City	+1	Initial review and Initiation Letter: One week after the filing deadline
Applicant	+3	Revised application, if necessary: At least 21 days prior to BOA
Applicant & City	+2/+3	Advertising, signs and letters: At least fifteen days prior to BOA
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)

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 notarized:

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: David Levitan	Sworn and subscribed before me this
Address: 535 Forest Hills Drive,	4 <sup>th</sup> day of October 20 16
City, State, Zip Code: Sandy Springs, Ga 30342	Notary public:
Email address:	Charlene Gazdik
Phone number: 770-845-5773	Seal:
Owner's signature:	
	Commission expires: 10-23-19

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
Company name:	_____ day of _____ 20__
Address:	Notary public:
City, State, Zip Code:	Seal:
Email address:	Commission expires:
Phone number:	
Applicant's signature:	

## **EXHIBIT "A"**

### **Legal Description**

All that tract or parcel of land lying and being in Land Lot 67 of the 17th District Fulton County, Georgia, being Lot 40, Forest Hills, as per Plat thereof recorded in Plat Book 55, Page 56, Fulton County, Georgia, records, which Plat is incorporated herein and made a part hereof by reference for a more detailed description; and being known as 535 Forest Hills Drive, according to the present system of numbering property in the City of Sandy Springs, Fulton County, Georgia.



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 _____ day of _____ 20 _____
Notary public:
Seal:
Commission expires:

**ADDITIONAL REQUIREMENTS**

<b>Letter of Intent</b>
Required for all cases
Address the following in detail, on a separate sheet:
<ol style="list-style-type: none"> <li>1. Requested variance(s)</li> <li>2. Project narrative including: <ul style="list-style-type: none"> <li>• Factual details about the proposed development: <ol style="list-style-type: none"> <li>i. Number and size of buildings, square footage of gross floor area of nonresidential uses; type and number of residential units;</li> <li>ii. Number of employees and customers, hours of operation, number of classrooms, etc.</li> </ol> </li> <li>• Factual details about the site: shape, topography, slope, vegetation, soils and other physical characteristics of the property.</li> </ul> </li> <li>2. Mitigation and restoration strategy: phasing and timeline, construction methodology, equipment used, calculations, etc.</li> <li>3. Alternative design explored: <ul style="list-style-type: none"> <li>• Provide the details of alternative design(s) that could reduce the need for a variance;</li> <li>• Explain why the alternatives were not selected;</li> <li>• If no alternative was explored, provide an explanation.</li> </ul> </li> </ol>

<b>Variance Analysis (Sec. 109-225(b)(3)&amp;(5))</b>
Required for all cases
Explain in detail, on a separate sheet, and for <u>each</u> variance requested how:
<ol style="list-style-type: none"> <li>a. The property's shape, topography or other physical conditions prevent land development unless a buffer variance is granted;</li> <li>b. Unusual circumstances, when strict adherence to the minimal buffer requirements, would create and extreme hardship.</li> </ol>
Notes:
<ul style="list-style-type: none"> <li>• Variances will not be considered when actions of a property owner 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 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 location of all streams on the property, including along property boundaries;</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 construction water quality impacts of the proposed variance; and</li> <li>f. Whether issuance of the variance is at least as protective of natural resource 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 feet of the river)
Contact Sandra Dewitt, City Arborist: (770) 206-1569 or sdewitt@sandyspringsga.gov

<b>Stormwater Management Plan</b>
Required for development of 5,000 sq. ft. or more of new impervious surface or land disturbed (typically)
Contact Gilbert Quinones, Chief Engineer: (770) 206-1567 or gquinones@sandyspringsga.gov

<b>Georgia Environmental Protection Division Approval</b>
Required for variance petitions to the 25' stream buffer
<input type="checkbox"/> Variance application <input type="checkbox"/> Approval letter from EPD

<b>Survey and Plan (Sec. 28.5.2)</b>	
Required for all 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:	
Basic Information	<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, landscape strips;
<input type="checkbox"/> Location of the requested variance(s) with dimensions;	
Roads	<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;

Improvements	<input type="checkbox"/> Existing buildings with square footages and heights (stories), driveways, fences, and any other structures or improvements on the property;																						
	<input type="checkbox"/> Location of proposed buildings with total square footage;																						
	<input type="checkbox"/> 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:																						
	<input type="checkbox"/> Total area of site (acres and sq ft)																						
	<input type="checkbox"/> Building footprints (sq ft and %)																						
	<input type="checkbox"/> Parking provided (number of spaces and %)																						
	<input type="checkbox"/> Total impervious surface (sq ft and %)																						
	<input type="checkbox"/> Landscaping (sq ft and %)																						
<input type="checkbox"/> Undisturbed area, excluding landscaping (sq ft and %)																							
<input type="checkbox"/> Floodplain (acres or sq ft and %)																							
<input type="checkbox"/> Stream Buffer Encroachment Chart, example:																							
<table border="1"> <thead> <tr> <th>Buffer/Impervious Setback</th> <th>Existing</th> <th>Proposed</th> <th>Difference</th> </tr> </thead> <tbody> <tr> <td>State buffer: 0'-25'</td> <td>22 sq ft</td> <td>35 sq ft</td> <td>+13 sq ft +59%</td> </tr> <tr> <td>City buffer only: 25'-50'</td> <td>100 sq ft</td> <td>80 sq ft</td> <td>-20 sq ft -20%</td> </tr> <tr> <td>City setback: 50'-75'</td> <td>2 sq ft</td> <td>10 sq ft</td> <td>+8 sq ft +400%</td> </tr> <tr> <td>Total</td> <td>134 sq ft</td> <td>125 sq ft</td> <td>-9 sq ft -6.7%</td> </tr> </tbody> </table>				Buffer/Impervious Setback	Existing	Proposed	Difference	State buffer: 0'-25'	22 sq ft	35 sq ft	+13 sq ft +59%	City buffer only: 25'-50'	100 sq ft	80 sq ft	-20 sq ft -20%	City setback: 50'-75'	2 sq ft	10 sq ft	+8 sq ft +400%	Total	134 sq ft	125 sq ft	-9 sq ft -6.7%
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<b>Mitigation Plan (Sec. 109-225(b))</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 mitigation plan must include, at a minimum, the following:	
E&SC	<input type="checkbox"/> Area to be disturbed <input type="checkbox"/> Location and width of construction entrance <input type="checkbox"/> Location and type of E&SC and pollution control measure (temporary and permanent)
Planting	<input type="checkbox"/> 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)



## STREAM BUFFER VARIANCE APPLICATION

**Application checklist:**

Page No.	Item	Completed/ Included in Submittal
1	Project Information Sheet	<input checked="" type="checkbox"/>
2-3	Detailed Process and Instructions	N/A
4-5	Authorization Forms	<input checked="" type="checkbox"/>
	Additional requirements:	
6	Letter of Intent	<input checked="" type="checkbox"/>
6	Variance Analysis	<input checked="" type="checkbox"/>
7	Chattahoochee River Corridor Certificate	<input type="checkbox"/> or N/A <input checked="" type="checkbox"/>
7	Stormwater Management Plan	<input checked="" type="checkbox"/> or N/A <input type="checkbox"/>
7	Georgia Environmental Protection Division Approval	<input type="checkbox"/> or N/A <input type="checkbox"/>
7-8	Survey, Site Plan and Legal Description	<input checked="" type="checkbox"/>
8	Mitigation Plan	<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 type="checkbox"/>
Site plan: one (1) copy on 11"x17" and two (2) full-scale copies	<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: APM

FEE 250 + 25 sign

275.00