



# **STREAM BUFFER VARIANCE APPLICATION PACKET**

This package contains all the forms and instructions necessary to apply for a stream buffer variance from the City of Chamblee's Unified Development Ordinance (UDO).

1. Stream Buffer Variance Applicant Checklist
2. Stream Buffer Variance Application
3. Owner Permission Affidavit
4. Disclosure of Campaign Contributions & Gifts

See Section 310-19 of the UDO for a full description of all requirements for filling a stream buffer variance application. As required also attach the following to your application:

1. **A pre-application form signed and dated by the Development Director** stating that a pre-application meeting took place pursuant to section 120-10.
2. **A legal description of the tract(s)** that are the subject of the application.
3. An **application fee** established by the City.
4. Other materials reasonably required by the city necessary to the analysis of the application.

As stated in Section 280-5(b)(1).

"No application shall be deemed accepted and filed until all required forms have been completed and all required materials have been submitted, including fees. The date an application is complete and hence accepted and filed shall be noted on the application form by the city manager or his/her designee, and any subsequent deadlines tied to date of application shall begin to run as of said date; and

Applicant will be notified by city manager or his/her designee as to the next available regularly scheduled mayor and city council hearing at which said application may be heard."

Please review the attached forms and contact the Development Department to schedule an appointment to begin the process.



## Stream Buffer Variance Application Submittal Checklist

*This list represents the minimum requirements to be submitted for review of a Stream Buffer Variance Application.*

### 1. GENERAL INFORMATION

- a. Pre-Application form signed and dated by Development Department Staff
- b. Application form
- c. Application fee paid
- d. Legal Description (including Parcel Identification and Address) for each property involved.
- e. Property Owner Authorization form (if applicant is not owner)
- f. Campaign Disclosure Form
- g. Responses to review criteria
- h. Proposed mitigation for stream buffer intrusion, if required

### 2. EXISTING SITE CONDITIONS: PLAT OR SITE PLAN

Must be to-scale and at a minimum indicate:

- a. Parcel boundary
- b. Existing building footprints, drives, and parking areas
- c. Location of streams, wetlands, floodplain boundaries, other natural features, determined by field survey

Additional information relevant to the variance request may also include:

- a. Topographic map at a minimum 1"=100' scale, including information on:
- b. Man-made and natural features
- c. Utilities
- d. Streams and stream buffers (City and State)
- e. Easements and right-of-way
- f. Features to be retained, moved, or altered
- g. Shape and dimensions of the existing lot to be built upon
- h. Location of existing trees and/or landscaped areas
- i. Threshold Elevation of existing structures

### 3. PROPOSED SITE IMPROVEMENTS

A site plan at a minimum 1"=100' scale, including information relevant to the variance request such as:

- a. Building footprints
- b. Limits of land disturbance, both inside and outside the stream buffer areas
- c. Impervious cover, both inside and outside the stream buffer areas
- d. Exact length and area (sq. ft.) of buffer being impacted by land disturbance and impervious surface
- e. Open Space and proposed landscaping
- f. Yards and Setbacks
- g. Parking and drives
- h. Sidewalks and streetscape
- i. Stormwater management plan and structures proposed
- j. Retaining walls
- k. At least one alternative plan that does not require intrusion into the stream buffer, or explanation of why such a site plan is not possible.

NOTE: Variances will only be considered after a public hearing and findings that the subject property's shape, topography or other physical conditions that were existing prior to July 18, 2006 prevent land development unless a buffer variance is granted or in unusual circumstances when strict adherence to the minimum buffer requirements would create an extreme hardship. The burden of proof of these circumstances lies with the applicant.



## STREAM BUFFER VARIANCE APPLICATION

*This page must be completed by the Applicant.*

### APPLICANT

\_\_\_\_\_  
Name

\_\_\_\_\_  
Company

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City, State

\_\_\_\_\_  
Zip Code

\_\_\_\_\_  
Primary Phone #

\_\_\_\_\_  
Alternate Phone #

\_\_\_\_\_  
E-mail

### PROJECT SUMMARY

Name of the Project: \_\_\_\_\_

Project Street Address: \_\_\_\_\_

Total # of Properties: \_\_\_\_\_ Total Project Acreage \_\_\_\_\_ Total # of Buildings \_\_\_\_\_

Detailed Project Description (*Include Proposed Use(s) and Square Footage of Floor Area for each use*):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Variations requested from UDO Sections: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Pre-application Form signed and dated by the Development Director attached to this form for this project.



**PROPERTY INFORMATION**

*The Applicant shall complete one page for each property.*

Property # \_\_\_\_\_ of \_\_\_\_\_

\_\_\_\_\_  
Property Address

Chamblee, GA \_\_\_\_\_  
City Zip Code

\_\_\_\_\_  
Parcel ID

\_\_\_\_\_  
Use(s)

\_\_\_\_\_  
Zoning District

\_\_\_\_\_  
Character Area (Future Development Map)

\_\_\_\_\_  
Subdivision Name

\_\_\_\_\_  
Lot #

\_\_\_\_\_  
Block #

OR

Indicate here that an exhibit identifying the property location is attached.

**PROPERTY OWNER AUTHORIZATION**

\_\_\_\_\_  
Owner Name

\_\_\_\_\_  
Owner Signature

If the applicant is not the owner, submit a signed/notarized Owner Permission Affidavit form.



**WRITTEN ANALYSIS FOR A STREAM BUFFER APPLICATION**

The Mayor and City Council shall authorize variances to the City of Chamblee Stream Buffer standards found in Chapter 310, Article 2 of the UDO only upon consideration of the following factors. Please provide an explanation below for each factor as it applies to your property. Attach additional pages as needed.

1. The shape, size, topography, slope, soils, vegetation, and other physical characteristics of the property;

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2. The locations of all streams on the property, including along property boundaries;

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3. The location and extent of the proposed buffer or setback intrusion;

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4. Whether alternative designs are possible which require less intrusion or no intrusion;

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Written Analysis for Stream Buffer Variance Application, Page 2

5. The long-term and construction water-quality impacts of the proposed variance; and

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6. Whether issuance of the variance is at least as protective of natural resources and the environment.

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I hereby certify that all information provided herein and in the accompanying Application is true and correct.

\_\_\_\_\_ Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_  
Applicant Signature

**OFFICIAL USE:** Fee: \$ \_\_\_\_\_  Cash  Check # \_\_\_\_\_  CC - Visa/ MC Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_  
*I hereby certify that this application is complete and hence has been accepted and filed as of the following date of certification.*  
\_\_\_\_\_ Official Application Submittal Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_  
Signature \_ City Manager or \_ his/her Designee (print name) \_\_\_\_\_

*If Applicable, the Applicant has been notified that this application is to be reviewed at the next available **Architectural Design Review Board meeting** scheduled for:*  
Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ at Time: \_\_\_\_\_ PM / AM at the following location: \_\_\_\_\_.

*The Applicant has been notified that this application is to be heard at the next available **Mayor and City Council hearing** scheduled for:*  
Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ at Time: \_\_\_\_\_ PM / AM at the following location: \_\_\_\_\_.



## Disclosure of Campaign Contributions & Gifts

Application filed on \_\_\_\_\_, 20\_\_ for action by the City of Chamblee City Council for zoning action requiring a public hearing on property described as follows:

\_\_\_\_\_

The undersigned below, making application for a zoning action, has complied with O.C.G.A. Section 36-67A-1, et. seq. Conflict of Interest in Zoning Actions, and has submitted or attached the required information on this form.

All individuals, business entities, or other organizations<sup>i</sup> having a property or other interest in said property subject of this application are as follows (attach additional sheets if necessary):

\_\_\_\_\_

Have you as applicant, agent for applicant, or anyone associated with this application or property, within the two (2) years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to an elected official of the City of Chamblee?       YES       NO

If YES, please complete the following section (attach additional sheets if necessary):

Name and Official Position of Government Official	Dollar amount & description of each contribution	Date of Contribution

I do hereby certify the information provided herein is both complete and accurate to the best of my knowledge.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Type or Print Name and Title

\_\_\_\_\_  
Signature of Applicant's Representative

\_\_\_\_\_  
Type or Print Name and Title

This instrument was signed before me on this date \_\_\_\_\_

County \_\_\_\_\_ Georgia Notary Signature: \_\_\_\_\_

*Affix seal/stamp as close to signature as possible*

<sup>i</sup> Business entity may be a corporation, partnership, limited partnership, firm, enterprise, franchise, association, trade organization, or trust while other organization means non-profit organization, labor union, lobbyist or other industry or casual representative, church, foundation, club, charitable organization, or educational organization



## Owner Permission Affidavit

Subject Property Street Address: \_\_\_\_\_

Subject Property Tax ID number: 18 - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Owner:

Name (Person, Firm, Corporation, or Agency): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Property Owner's Agent (If applicable)

Name (Person, Firm, Corporation, or Agency): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

I am applying for, or I hereby give authority to the applicant to file an applicant for: \_\_\_\_\_

\_\_\_\_\_

Owner/Agent (if applicable) Signature: \_\_\_\_\_

\_\_\_\_\_

Print name of signer(s)

This instrument was signed before me on this date \_\_\_\_\_

County \_\_\_\_\_ Georgia Notary Signature: \_\_\_\_\_

*Affix seal/stamp as close to signature as possible*