



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(c)(5).

"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;

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

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

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

Written Analysis for Stream Buffer Variance Application, Page 2

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

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

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

Please read the law and complete the Campaign Disclosure Statement on the following page if you are requesting a Variance, Amendment, or Development of Community Impact.

GA Citation/Title

GA Code 36-67A-3, Disclosure of Campaign Contributions

*38069 Code, 36-67A-3

CODE OF GEORGIA TITLE 36. LOCAL GOVERNMENT PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS CHAPTER 67A. CONFLICT OF INTEREST IN ZONING ACTIONS (Current through 2016 General Assembly)

36-67A-3 Disclosure of campaign contributions.

- a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
 - 1) The name and official position of the local government official to whom the campaign contribution was made; and
 - 2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.
- c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority respective local government showing:
 - 1) The name and official position of the local government official to whom the campaign contribution was made; and
 - 2) The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government of any of its agencies on the rezoning application.

(Code 1981, 36-67A-3, enacted by Ga. L. 1986, p. 1269, 1; Ga. L. 1991, p. 1365, 1; Ga. L. 1993, p. 91, 36.)

Official Code of Georgia Annotated Copyright 1982 – 2016 State of Georgia.



Campaign Contributions Disclosure Form

Have you as applicant, agent for applicant, property owner, or person associated with the application for property, located at _____, 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

Applicant/ Owner	Name:
	Address:
	Signature:
	Date:

If the answer above is YES, then please complete the following section:

Date	Government Official	Official Position	Description	Amount



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 application for: _____

Owner/Agent signature

Owner/Agent printed name

This instrument was signed before me on this date _____

County _____ Georgia Notary Signature: _____

Affix seal/stamp as close to signature as possible