

**MINIMUM CONTENT FOR SUBMITTAL  
OF  
APPLICATION FOR STREAMBANK VARIANCE  
(AS REQUIRED BY CITY CODE OF ORDINANCE)**

**DEPARTMENT OF WATERSHED MANAGEMENT  
BUREAU OF WATERSHED PROTECTION  
OFFICE OF SITE DEVELOPMENT AND POLICY**

**An application for a buffer streambank variance request cannot be accepted without all of the following materials:**

- (1) A site plan that includes:
  - Locations of all state waters, intermittent streams, perennial streams, jurisdictional wetlands, floodplain boundaries and other natural features, as determined by a field survey.
  - The shape, size, topography, slope soils, vegetation and other physical characteristics of the property.
  - The locations of all structures, impervious surfaces, and the boundaries of the area of soil disturbance, both inside and outside of the buffer. The exact area of the buffer to be impacted shall be accurately and clearly indicated.
- (2) A description of the project, with details of the buffer disturbance, and justification for why the disturbance is necessary.
- (3) Documentation, including financial analysis, of unusual hardship should the buffer be maintained.
- (4) An explanation of why the proposed development is not possible without encroachment into the buffer.
- (5) A calculation of the total area and length of buffer disturbance.
- (6) A plan for stormwater and erosion control. (Conceptual)
- (7) Proposed mitigation, if any, for the buffer disturbance.
- (8) When crossing an intermittent or perennial stream, a hydrologic study prepared, signed, and sealed by an engineer, registered to practice in the State of Georgia, shall be provided and shall specify the methods by which the construction techniques utilized to meet the requirements set forth in section 74-233(1) will avoid flooding of upstream/downstream properties.

The commissioner or the technical panel may require an analysis that includes alternative plans which demonstrate that no other economically feasible alternatives exist and that the impact which will occur as a result of the proposed exemption or streambank variance is minimized to the extent necessary to remove the economic hardship. All alternative site plans must attempt to meet the same development goals as the original site plan while preventing buffer intrusion.

The technical panel or the commissioner may require that other information reasonably considered necessary to evaluate an application be supplied. An applicant has 30 days from the date of request to supply the information requested to the office of the commissioner. In the event that the technical panel or the commissioner requests in writing that the applicant supply additional information, the time for processing of an application shall be extended for an additional 15 days from the date of receipt of such information in the office of the commissioner. If additional information has been requested by the technical panel, the commissioner shall forward such information within three days of its receipt.

**Advertisement, posting and mailing of notice of decision.**  
**(AS REQUIRED BY CITY CODE OF ORDINANCE)**

Within five days after a final decision on an application for streambank variance, the commissioner shall cause a notice of the decision to be:

- (1) Published in the legal organ of the City of Atlanta
- (2) Posted on the property as set forth herein;
  - (a) A sign not less than six-square feet with the words "Notice of Decision on Riparian Buffer Streambank Variance" in letters not less than four-inches high in a conspicuous place on the effected property so that the sign can be easily viewed from the public street on which the property fronts. In addition, the sign shall contain all information contained in the other notices required by this section. Said sign shall be posted within five days after a decision and shall not be removed for 25 days.
- (3) Mailed to the property owners immediately adjacent to the property for which the streambank variance is requested.
- (4) Sent to the president of the NPU in which the property requesting the application is located.
  - (b) The notices required by this section shall state: The decision on the issuance the streambank variance; that public review the record is available at the office of the commissioner; shall state that any appeal of the decision must be made within 30 days of the date of the decision.
  - (c) That the public works commissioner shall develop a monthly report of all streambank variance applications received, and the decision made on all streambank variance applications, shall be mailed monthly to all NPU chairpersons citywide.