



SANDY SPRINGS

GEORGIA

P&Z STAFF REPORT

Board of Appeals Meeting, December 7, 2022

Case: **V22-0035 – 2480 Spalding Drive**
Staff Contact: LaQuita Williams (lwilliams@sandyspringsga.gov)
Report Date: November 14, 2022

REQUEST

Request for a variance from Division 9.2. State Waters Buffer to grade into the Undisturbed Natural Vegetative Buffer and 25' Impervious Surface Setback.

APPLICANT

Property Owners: Rodney and Camille Williams	Petitioner: Ron Gudger	Representative: Ron Gudger
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RECOMMENDATIONS

Department of Community Development

Staff recommends **Denial** of **Variance(s)** V22-0035.

MATERIALS SUBMITTED AND REVIEWED

Materials:

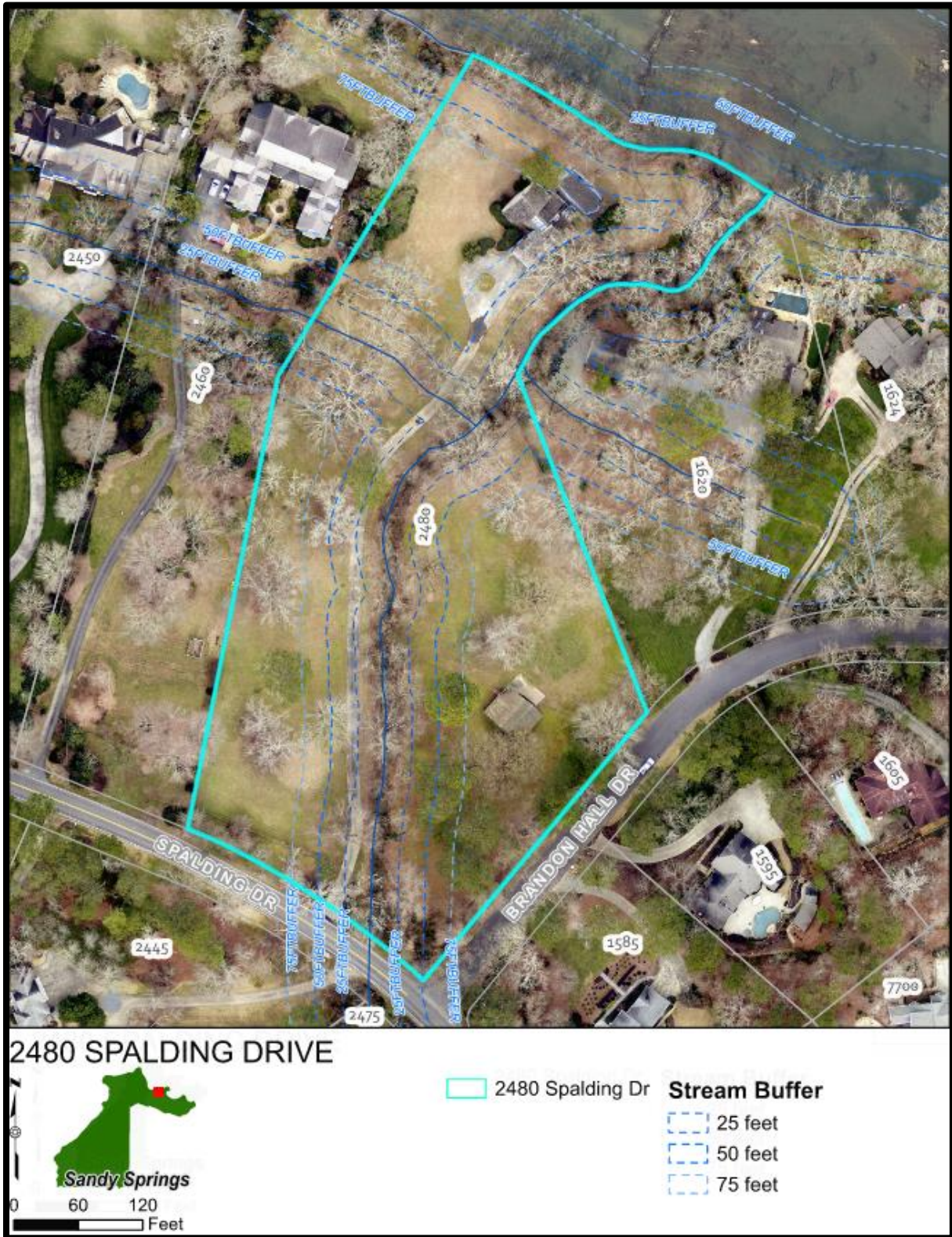
1. V22-0035 Application received November 3, 2022.

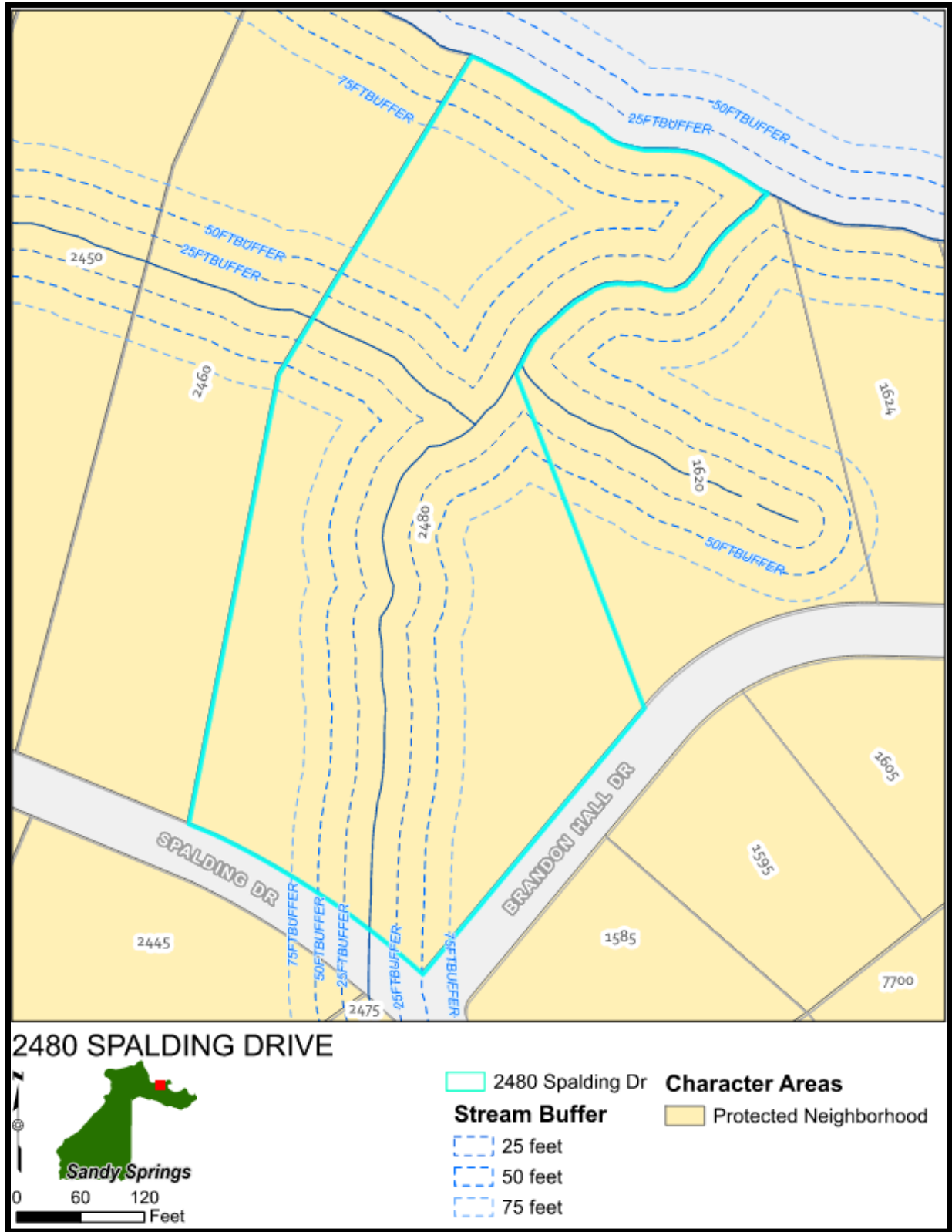
Plans:

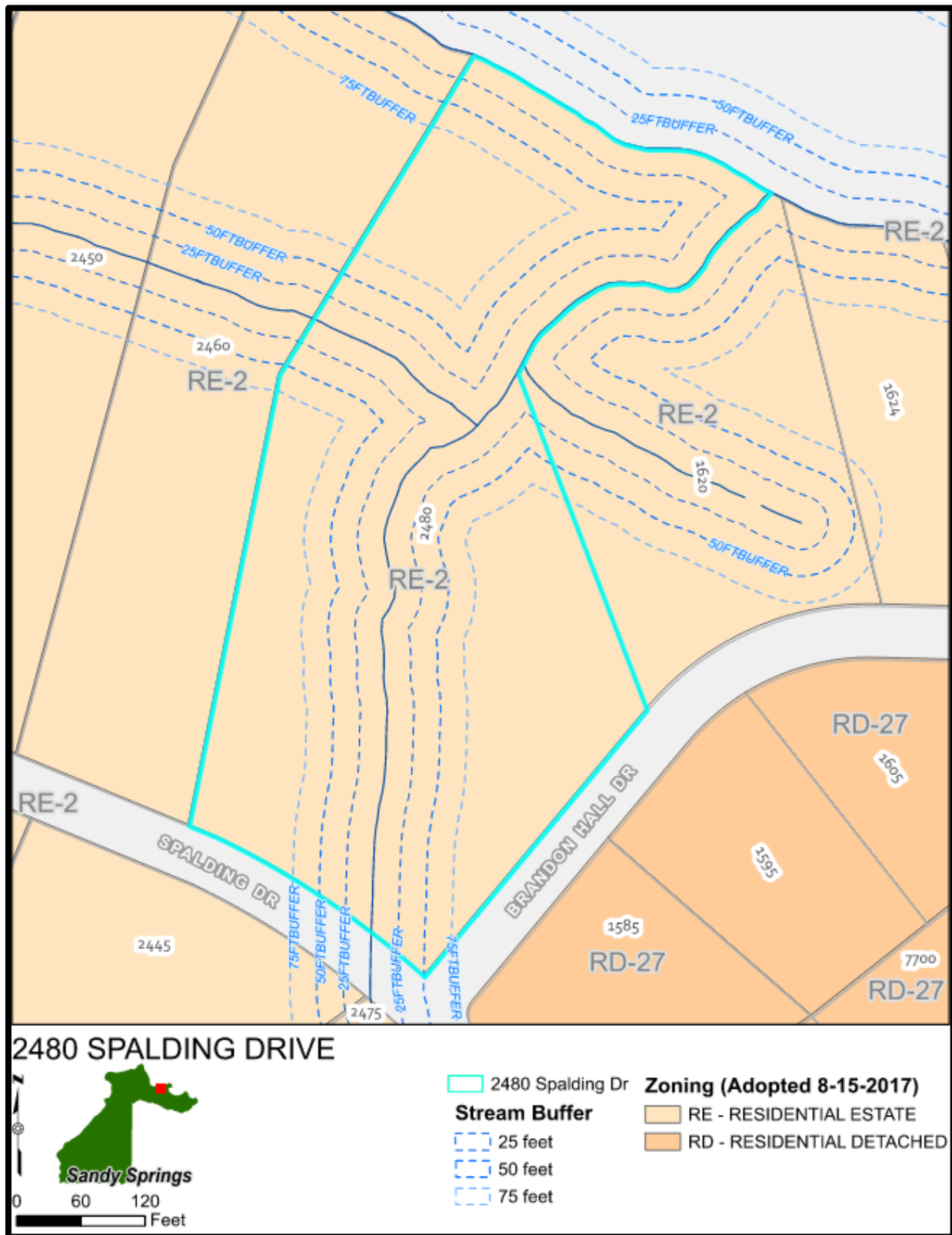
1. "Proposed Variance" prepared by Site Works Surveys & Planning dated September 22, 2022.

PROPERTY INFORMATION	
Location:	2480 Spalding Drive (Parcel # 06 0358 LL0790)
Council District:	1 – John Paulson
Neighborhood:	Rivergate Neighborhood
Road frontage:	Approximately 260 feet along Spalding Drive and approximately 326 along Brandon Hall Drive
Lot Depth	761 feet and greater
Acreage:	5.26 acres
Current Zoning	RE-2 (Residential estate – 2 acres minimum)
Existing Land Use:	Residential (vacant)
Previous Zoning Cases:	None
Character Area:	Protected Neighborhood

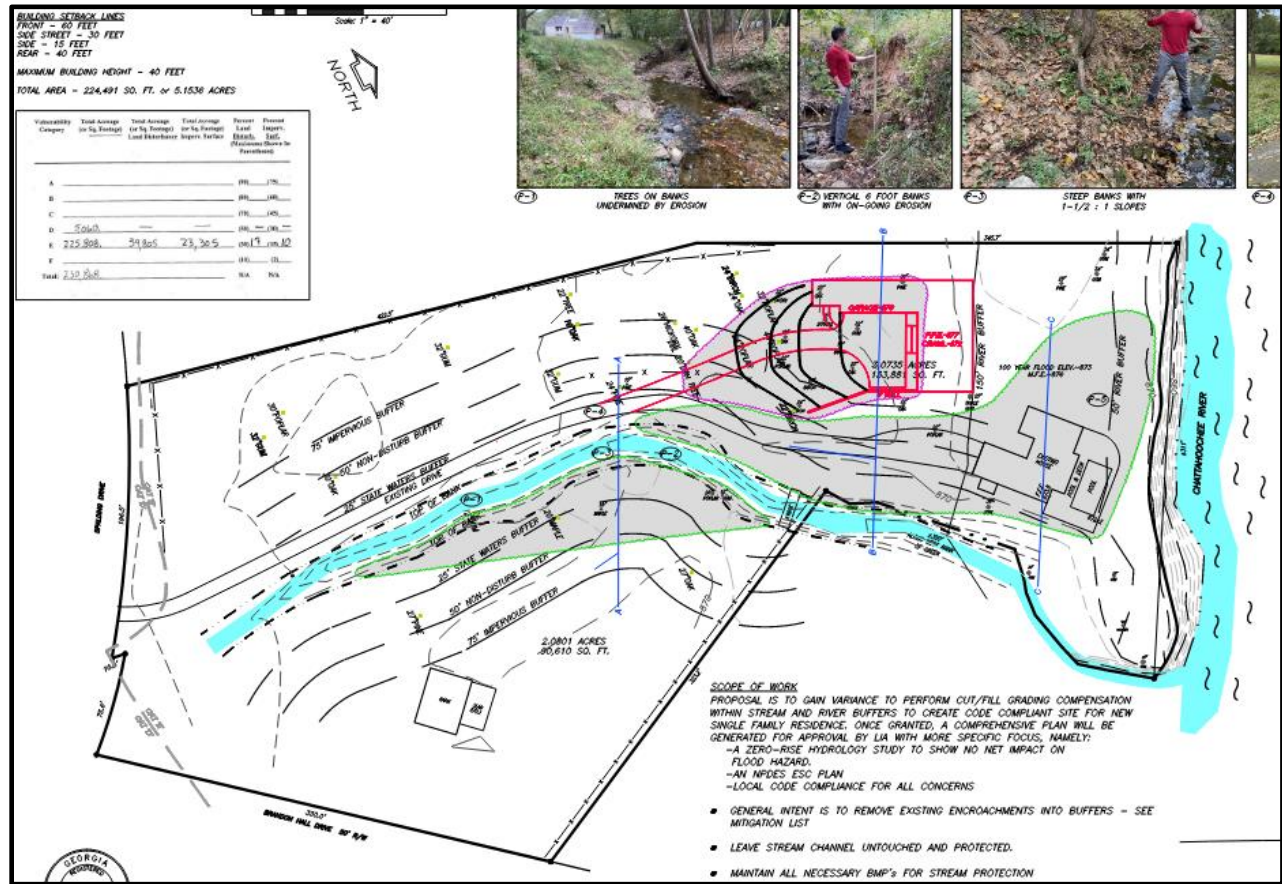
EXISTING ZONING AND LAND USES OF PROPERTY IN THE VICINITY			
Location relative to subject property	Zoning	Address(es)	Land area (acres) (approximate)
North	Chattahoochee River	-	-
East	RE-2/ Residential Estate	1620 Brandon Hall Drive	2.00 Acres
East	RD-27/ Residential Detached	1595 Brandon Hall Drive	1.00 Acres
Southeast	RD-27/ Residential Detached	1585 Brandon Hall Drive	1.00 Acres
South	RE-2/ Residential Estate	2445 Spalding Drive	2.50 Acres
West	RE-2/ Residential Estate	2460 Spalding Drive	15.77 Acres
PROPOSED DEVELOPMENT			
-	RE-2/ Residential Estate	2480 Spalding Drive	5.26 Acres





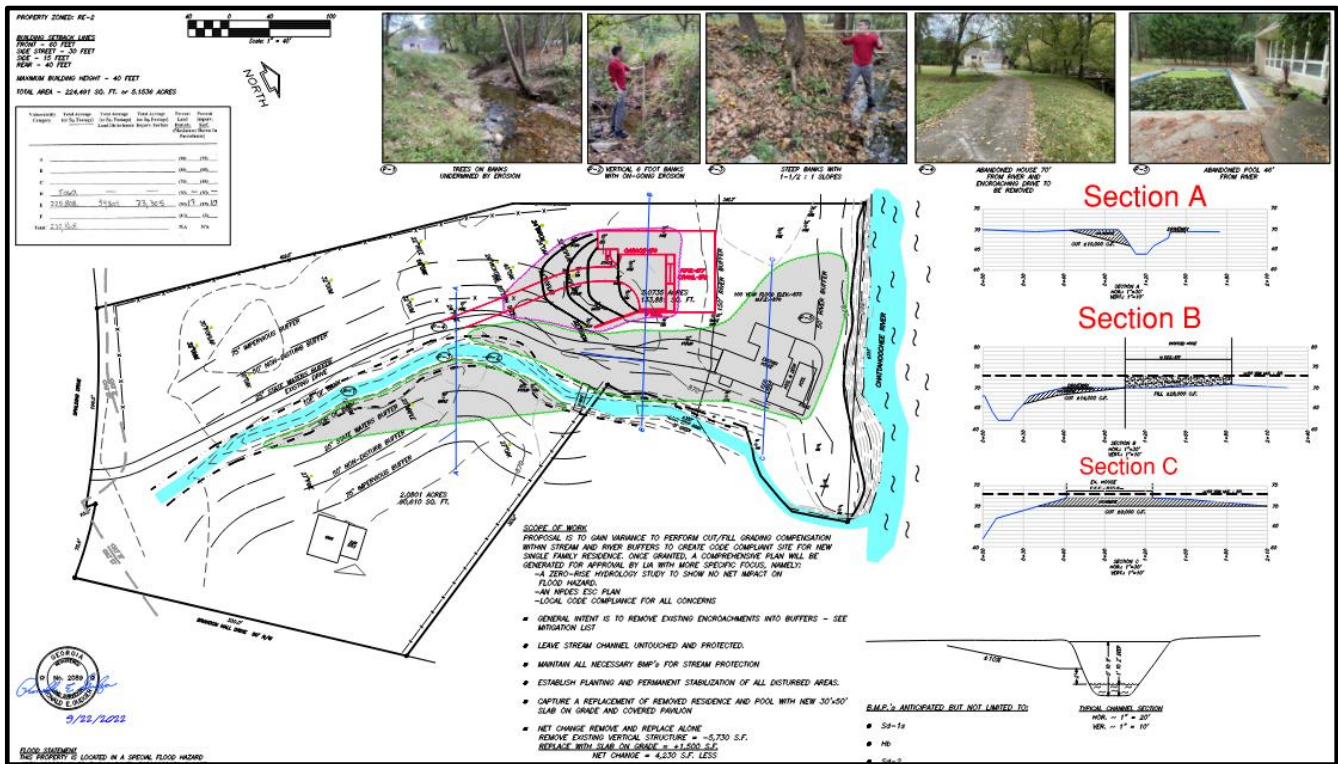


SITE PLAN (received November 3, 2022)



The teal color represents the stream and Chattahoochee River. The gray color represents the proposed cut/fill (grading), and the red outline represents the proposed home and driveway. The three vertical dark blue lines represents the cut/fill (grading) sections.

PROPOSED SITE PLAN/FINAL CONDITIONS (received November 3, 2022)



To the right of the site plan, are the cross sections of the cut/fill lines. The applicant is proposing to cut and fill to raise an area of the property above the floodplain to build a new home out of the river's buffer.

Section A shows the driveway which the applicant is proposing to cut away approximately 10,000 cubic feet to provide for additional flood capacity.

Section B shows a section close to the existing driveway which the applicant is proposing to cut away approximately 14,000 cubic feet and fill with approximately 28,000 cubic feet for the proposed home.

Finally in Section C, the applicant is proposing to cut approximately 9,000 cubic feet in an area where the existing home is to provide for additional flood capacity.

EXISTING DEVELOPMENT

The 5.26- acre subject property zoned RE-2 (Residential Estate- 2 acres minimum) has a development with a two-story single-family home, a two-car front facing garage front facing garage, and a pool behind. According to Fulton County records, the house was built in 1976 and below shows the record of sales.

Sales									
Sale Date	Sale Price	Instrument	Deed Book	Deed Page	Qualification	Sales Validity	Grantee	Grantor	Recording
5/24/2022	\$3,500,000	LW	65740	0137	Qualified	Valid Sale	WILLIAMS RODNEY S & CAMILLE R	SCOTT RITA P	65740 0137
6/16/2005	\$0	WD	40278	00656	Unqualified	Sale < = 1000	WILLIAMS RODNEY S & CAMILLE R	SCOTT JOHN S & RITA P	40278 00656
4/15/2003	\$0	WD	34864	00424	Unqualified	Related Individuals or Corporation	SCOTT JOHN S & RITA P	SCOTT JOHN S	34864 00424
4/15/2003	\$1,575,000	WD	34864	00399	Qualified	Valid Sale	SCOTT JOHN S	HOUSE DONALD L & MAY F	34864 00399
4/10/1985	\$700,000		09461	00380	Unqualified	Unvalidated/Deed Stamps			09461 00380

This lot abuts the Chattahoochee River to the north and is subject to the Metropolitan River Protection Act (MRPA). The existing house sits approximately 75 feet from the bank of the Chattahoochee River within the River Corridor's 150' buffer, the future floodplain, the Federal Emergency Management Agent (FEMA) flood hazard zone, and the northern portion of the parcel is within the future floodway. There is also a stream, that bisects the property; with associated stream buffers, that runs south to north into the Chattahoochee River. In the southwestern portion of the parcel, is a barn, approximately 430 feet away from the house, and 70 feet away from the side property line at Brandon Hall Drive. The parcel is relatively flat over most of the land area with elevation changes of two to four feet. Along the bank of the Chattahoochee River at the north property line, the elevation drops ten (10) feet over 30 feet towards the edge of river. Along the stream that bisects the parcel, there is a four (4) foot elevation change from the edge of the stream to the top of the bank on either side of the stream. This dip in elevation along the stream has a measured transect of 25 feet wide and runs along the entire length of the parcel.

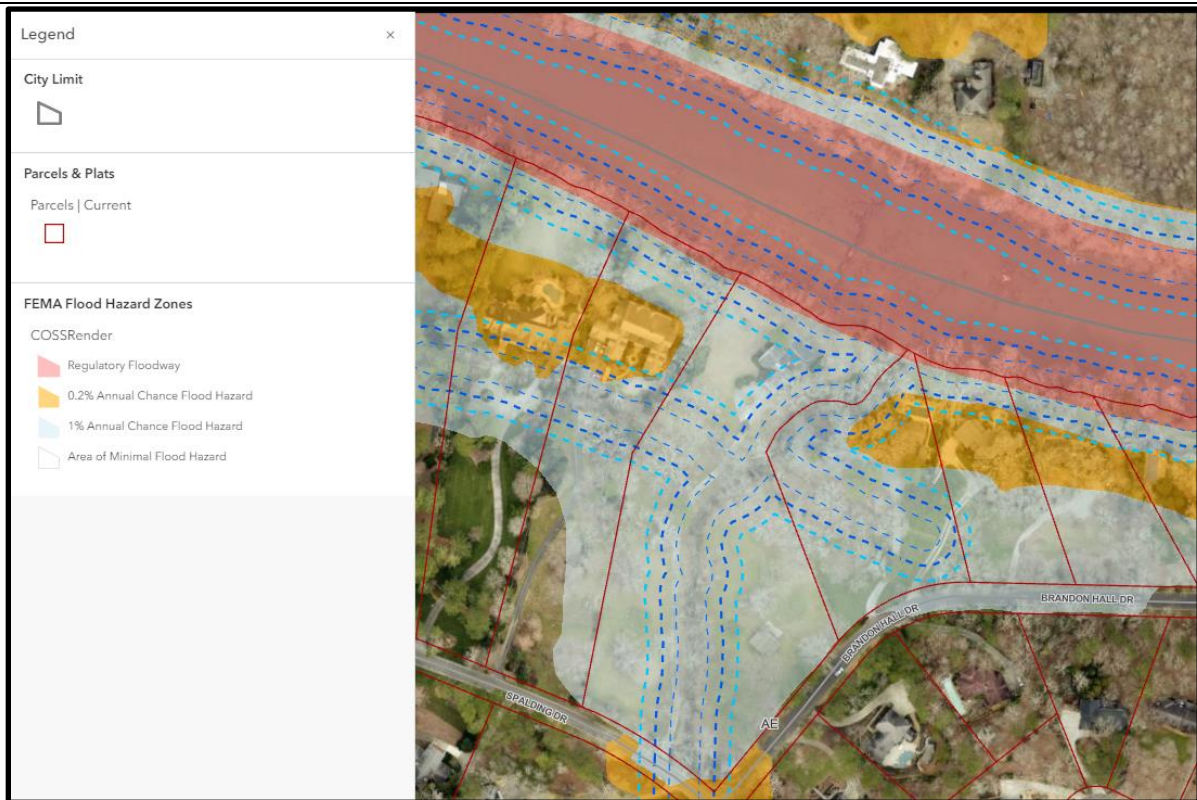
View of existing home (*bottom*)



Topographic Map



The applicant is seeking a request for a variance from Division 9.2. State Waters Buffer to grade into the Undisturbed Natural Vegetative Buffer and 25' Impervious Surface Setback.



Aerial Image demonstrates a 1% chance of annual flooding, in the light blue shade.
In this zone, construction is allowed with additional FEMA stipulations.

PROPOSED DEVELOPMENT

The applicant is seeking a variance to cut/ fill (grading of earth) within the stream buffers. The applicant proposes that the grading, totaling over an acre of land disturbance, is necessary to build a new home above the floodplain. The applicant is also proposing to demolish the existing home. On the site plan below, the applicant has highlighted three sections, A, B, C, that demonstrates the cross sections where the cut/fill will happen. In section A, the proposal includes cutting approximately 10,000 cubic feet near the driveway. In section B, the proposal includes cutting approximately 14,000 cubic feet and filling approximately 28,000 cubic feet. Finally, in section C, the proposal includes cutting approximately 9,000 cubic feet under the existing house. The applicant is attempting to provide for additional flood capacity to build a new home.

Per the Development Code Section 9.2.2. *Applicability* – A variance from the requirements of the Sandy Springs portion of any state waters buffer or additional impervious surface setback (see Sec. 9.2.4) is not required for:

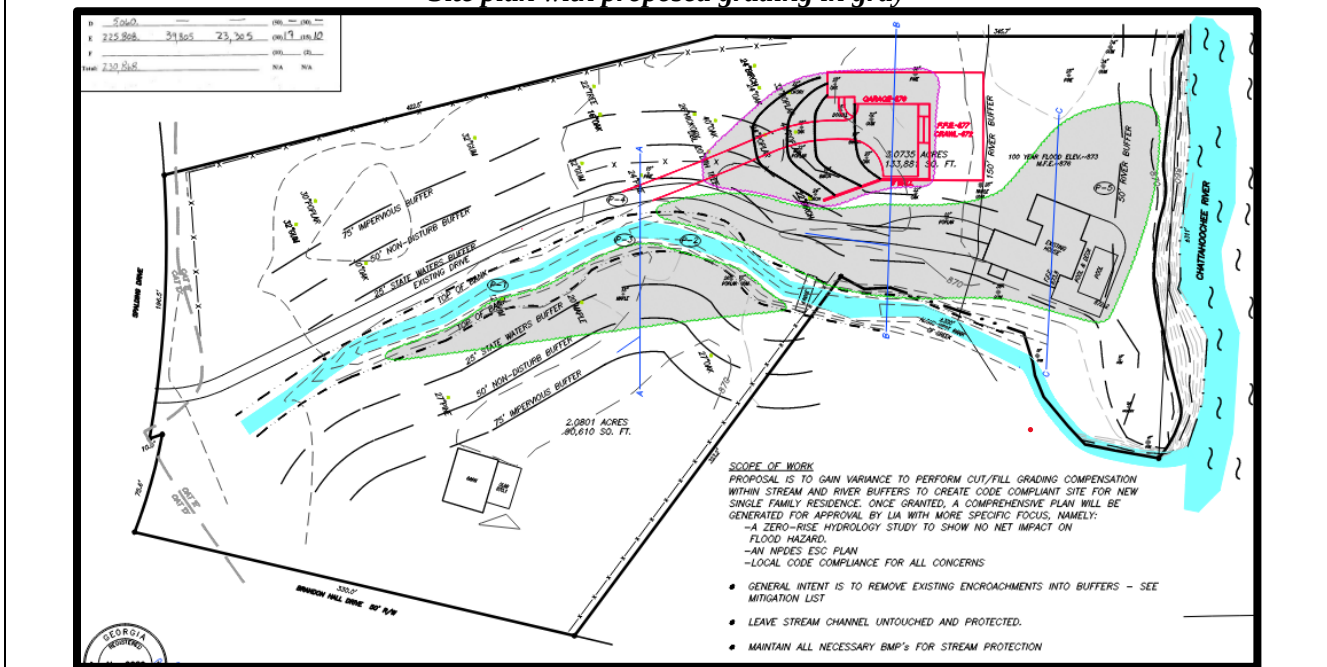
- Repair or replacement in kind of any legally approved principal structure located in the buffer that existed prior to December 12, 2005, provided that the footprint of the pre-2005 structure is not exceeded, and engineering analysis indicates that no rise in flood elevation will occur. All required permits are still necessary prior to construction.

Per the Development Code Section 9.2.4. *Land Development Requirements* – All land development activity subject to this Division must meet the following requirements:

- An undisturbed natural vegetative buffer is maintained for 50 feet, measured horizontally, on all banks of the state waters as measured from the point of wrested vegetation.
- Land development activities in the impervious surface setback may be approved by the Director if they maintain or decrease the existing stormwater runoff rates.

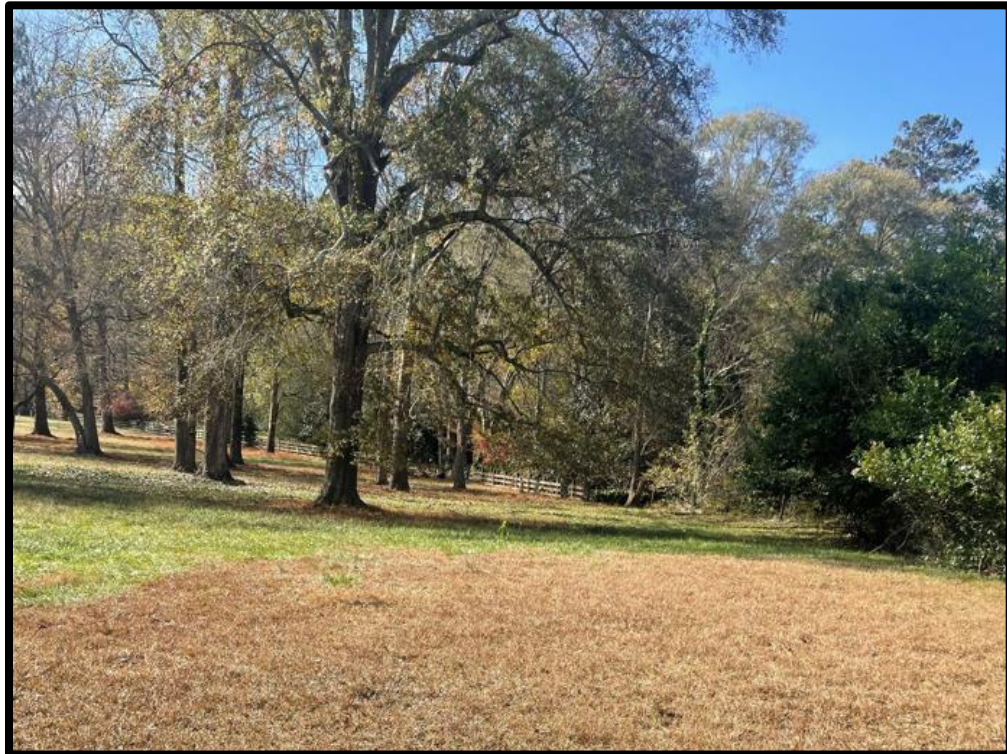
The applicant is seeking to cut and fill in the undisturbed natural vegetative buffer, state waters buffer and impervious surface setback. The City of Sandy Springs does not have the authority to allow for land disturbance in the 25' State Waters Buffer.

Site plan with proposed grading in gray





View of proposed cut and fill in section “A” facing East towards the creek (*top*)
View of proposed cut and fill in Section “B” facing West towards proposed home (*bottom*)





View of proposed cut and fill facing the Chattahoochee River (*top*)
View of existing home (*bottom*)



V22-0035 VARIANCE CONSIDERATIONS

Per Sec. 9.2.4.B.3. and Sec. 9.2.4.B.4. of the Development Code, variances may be considered for land development activity the following list factors will be considered for providing guidance when making decisions about issuing variances:

1. Variances will only be granted upon showing that:

- a. The property's shape, topography or other physical conditions existing on December 12, 2005 prevent land development unless a buffer or setback Variance is granted;**

Findings: According to Fulton County records, this property was developed in 1976, 29 years before December 2005, when the current stream buffers were put in place. Per the Development Code, a variance is not required to repair, replace or improve any structure in Sandy Springs portion of any state waters buffer or additional impervious surface setback.

- b. Unusual circumstances when strict adherence to the minimal buffer and setback requirements would create an extreme hardship.**

Findings: This property has several challenges including river and stream buffers that make strict adherence to the minimal buffer and setback requirements difficult; for the home to be relocated. The stream bisects the lot from the south towards the Chattahoochee River causing the stream buffers to follow on both sides of the stream's bank.

Variances will not be considered when actions of any property owner of a given property after December 12, 2005 have created conditions of a hardship on that property.

Findings: The actions of the property owner did not create the physical conditions of this property. The size, shape, topography, and the hydrology on the subject property existed prior to December 12, 2005. The property was developed in 1976.

- a. The Variance request would provide the minimum relief necessary to make possible the reasonable use of the property;**

Findings: The variance request would not provide the minimum relief necessary to make possible the reasonable use of the property.

The following factors will be considered in determining whether to issue a variance:

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

Findings: This parcel is fairly flat over most of the land with slight elevation changes of two to four feet within the parcel. Close to the Chattahoochee River, the elevation drops ten feet over 30 feet towards the edge of the river. Along the stream, there is a four-foot elevation change on both sides.

- b. The locations of all state waters wetlands, floodplain boundaries and other natural features on the property, including along property boundaries, as determined by field survey;**

Findings: The property is adjacent to the Chattahoochee River and therefore is subject to the Metropolitan River Protection Act (MRPA). It also has a creek that flows into the Chattahoochee River and bisects the parcel north to south. The parcel is also within the flood hazard zone.

- c. The location and extent of the proposed buffer or setback intrusion;**

Findings: By grading into the buffers, erosion will occur, and sediment will travel and impact the Chattahoochee River.

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

Findings: Alternative designs were not presented to Staff.

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

Findings: This can not be determined by Staff as a thorough review of the necessary external documents i.e. FEMA Conditional Letter of Map Revision (CLOMR) and the Georgia EPD Buffer Variance have been submitted

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

Findings: Staff believes the applicant's proposal may not necessarily protect natural resources and the environment. The applicant does propose to utilize best management practices for stormwater runoff during permit process.

COMMENTS FROM OTHER PARTIES**Sandy Springs Public Works:**

No comment provided.

Sandy Springs City Engineer:

THIS SITE REQUIRES THE FOLLOWING APPROVALS EXTERNAL TO SANDY SPRINGS: 1. FEMA Conditional Letter of Map Revision (CLOMR). 2. Georgia EPD Buffer Variance. City Engineer recommends the above approvals be obtained prior to consideration for Buffer Variance by City of Sandy Springs.

Sandy Springs Chief Environmental Compliance Officer:

No comment provided.

Sandy Springs Arborist:

The application does not show the site meeting the minimum canopy requirement. The site would be required to adhere to the minimum canopy requirement of 35%. Impacts to Protected Trees and Landmark Trees would occur with the proposed site plan; therefore, mitigation plantings and recompense would be required. Please be aware that Division 9.3 of the Sandy Springs Development Code details the tree conservation requirements associated with developing the site. If the variance is approved, review Section 1E, state water buffers restoration standards, in the Sandy Springs Technical Manual.

Sandy Springs Sustainability Manager:

Application is incomplete, review cannot be completed

Sandy Springs Building Official:

No comment provided.

Sandy Springs Fire Marshal:

No comment provided.

Sandy Springs Land Development Manager:

Concurs with City Engineer's comment

Sandy Springs Transportation Planner:

No comment provided.

Correspondence Received:

N/A

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATIONS
Following review, and based on the findings, Staff recommends Denial of Variance V22-0035 . Request for a variance from Division 9.2. State Waters Buffer to grade into the Undisturbed Natural Vegetative Buffer and 25' Impervious Surface Setback.

PROJECT INFORMATION SHEET

PROPERTY	Address(es): 2480 SPALDING DRIVE	
	Parcel Tax ID(s): 06 0358 LL 0790	
	Total acreage: 5.1536	Council District:
	Current zoning: RE-2	Current use: SF RESIDENTIAL
	Character Area: PROTECTED NEIGHBORHOOD	

APPLICATION	Detailed request (include Code Section No.):	
	CUT/FILL IN FLOOD PLAIN	
	MITIGATE DISTURBANCE	
	PROVIDE ZERO-RISE HYDRO CALC -	
	REMOVE EXISTING HOUSE	
	REMOVE PORTION OF ENCRANCHING DRIVE	
Petitioner:	RON GUDGER	
Petitioner's address:	[REDACTED]	
Phone:	[REDACTED]	Email: [REDACTED]

OWNER	Property owner:	RODNEY S. WILLIAMS & CAMILLE R. WILLIAMS	
	Owner's address:	[REDACTED]	
	Phone:	[REDACTED]	[REDACTED]
	Signature (authorizing initiation of the process):	(SEE FORM .COM)	
	If the property is under contract, provide a copy of the contract	NA	

- TO BE FILLED OUT BY P&Z STAFF -

Pre-Application Meeting date:	Anticipated Application date:
Anticipated BOA date:	
ADDITIONAL INFORMATION NEEDED:	

EXHIBIT A

All that tract or parcel of land lying and being In Land Lot 358 of the 6th District of Fulton County, Georgia, being more particularly described as follows:

BEGINNING at an iron pin set at the intersection of the northeastern side of Spalding Drive and the northwestern side of Brandon Hall Drive; running thence northwesterly along the northeastern side of Spalding Drive 75.6 feet to the west bank of a creek; running thence southwesterly along the west bank of the creek 10 feet, more or less to a point; continuing thence northwesterly along the northeasterly side of Spalding Drive 196.5 feet to an iron pin set; running thence North 12 degrees 08 minutes East 422.5 feet to an iron pin set; running thence North 26 degrees 15 minutes East 345.7 feet, more or less, to an iron pin on the southwestern bank of the Chattahoochee River; running thence southeasterly along the southwestern bank of said river, 311 feet, more or less, to an iron pin found; running thence southwesterly along the west bank of the aforesaid creek and following the meanderings thereof 300.0 feet, more or less, to an iron pin set; running thence South 27 degrees 11 minutes East 323.2 feet to and iron pin set on the northwestern side of Brandon Hall Drive; running thence southeasterly along the northwestern side or Brandon Hall Drive 330.0 feet to the iron pin set at the Point of Beginning; and tract containing 5.3 acres, more or less, all as shown on plat of survey prepared for William Reynolds by Carter Land Surveying Company, dated August 24, 1983.

Parcel ID: 06 -0358- LL-079-0

Limited Warranty Deed

Variance analysis #2480 Spalding Drive

Variance from current stream buffer restrictions would allow 5.3 acre tract to be relieved of current buffer encroachment violations and mitigate with compliant BMP's and conditions. At the moment the property is 99% under 100 year flood hazard elevation and is not buildable at all. Variance and current proposal would also allow for creation of a building pad to in fact allow for a new home to be built compliant to all regulations. Existing single family structure is abandoned and in disrepair. Permanent abandonment will leave property unbuildable, and functionally obsolete.

Ron Gudger, LS, CFM, GSWCCAI

AUTHORIZATION FORM - PART I

A- The property owner must fill out the following section and have it notarized. If a property has multiple owners, each owner must separately fill out a copy of the Authorization Form.

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: ROONEY WILLIAMS

Address: [REDACTED]

City, State, Zip Code: [REDACTED]

Email address: [REDACTED]

Phone number: [REDACTED]

Owner's signature: RW

RW

Sworn and subscribed before me this

27 th day of September 2022

Notary public:

Kelli E. Michie

Seal:



Commission expires:

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:

☒ He/she is the executor or Attorney-in-Fact under a Power-of-Attorney for the owner (*attach a copy of the contract*); or

☐ He/she has an option to purchase the subject property (*attach a copy of the contract*); or

☐ He/she has an estate of years which permits the Applicant to apply (*attach a copy of the lease*)

Applicant's name: RON GUDGER

Company name: SITEWORKS

Address: [REDACTED]

City, State, Zip Code: [REDACTED]

Email address: RONGUDGER@GMAIL.COM

Phone number: [REDACTED]

Applicant's signature: [Signature]

Sworn and subscribed before me this

 th day of 20

Notary public:

Seal:

Commission expires:

AUTHORIZATION FORM - PART I

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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: ROONEY WILLIAMS

Address: [REDACTED]

City, State, Zip Code: [REDACTED]

Email address: [REDACTED]

Phone number: [REDACTED]

Owner's signature: [Signature]

Sworn and subscribed before me this

27th day of September 2022

Notary public:

Kellie E. Michie

Seal:



Commission expires:

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:

☒ He/she is the executor or Attorney-in-Fact under a Power-of-Attorney for the owner (*attach a copy of the contract*); or

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Applicant's name: RON GUDGER

Company name: SITEWORKS

Address: [REDACTED]

City, State, Zip Code: [REDACTED]

Email address: [REDACTED]

Phone number: [REDACTED]

Applicant's signature: [Signature]

Sworn and subscribed before me this

 th day of 20

Notary public:

Seal:

Commission expires:



Mr. Michael Berry
Erosion and Sedimentation Control Unit
Georgia Environmental protection Division
2 Martin Luther King Jr. Dr. SW, suite 1462
Atlanta, Ga. 30334

8/4/2022

This letter is to inform the Ga. EPD that the City is aware the applicant is seeking a variance to conduct land disturbing activities in the State 25' Undisturbed Buffer. I have visited the site and determined state waters requiring a buffer do exist on the property. This project is described as 2480 Spalding Dr. Sandy Springs Ga. 30350.

Please let me know if any more information is needed from the LIA.

Thank You

James Sanders, Chief Environmental Compliance Officer

City of Sandy Springs, Ga.

1 Galambos Way

Sandy Springs, Ga. 30328

770-687-5153

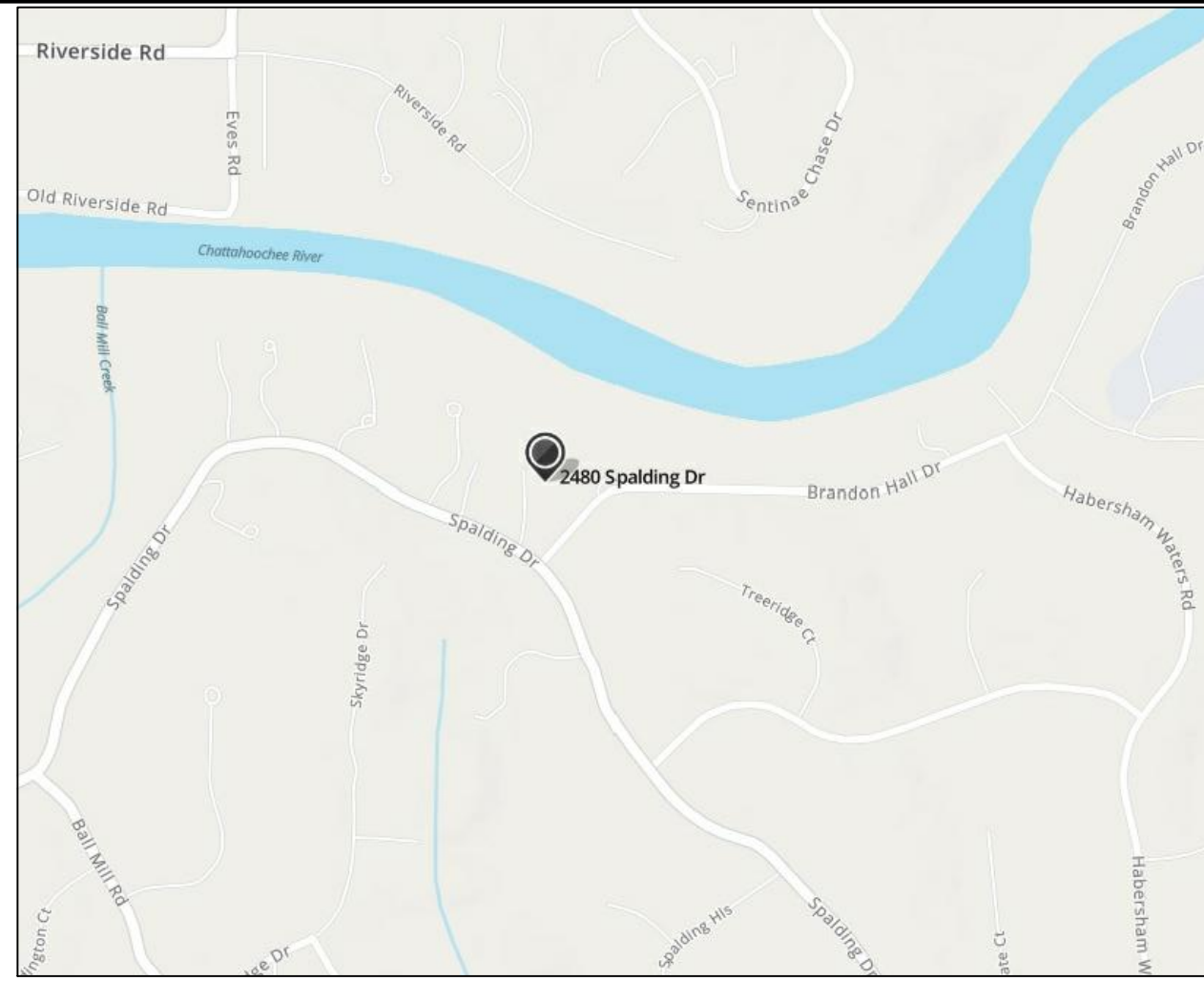
1 Galambos Way, Sandy Springs, Georgia 30328 • 770-730-5600 • SandySpringsGA.gov

SCOPE OF WORK

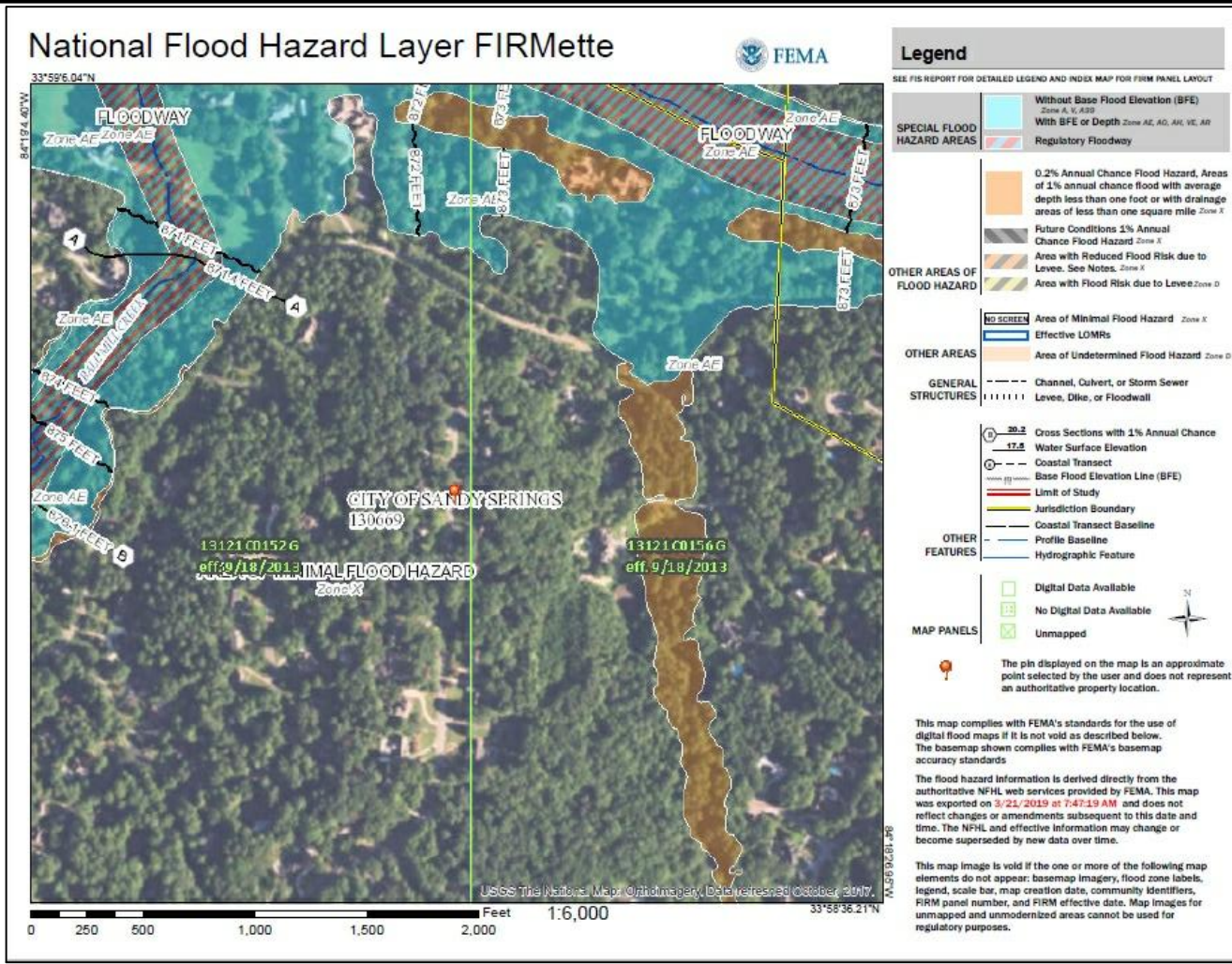
- PERFORM CUT AND FILL BALANCE WITH APPROVED "ZERO RISE" FLOOD COMPENSATION. PREPARE SINGLE BUILDING PAD AND REVISED ACCESS TO SINGLE RELOCATED SINGLE FAMILY RESIDENCE.
- HARDSHIP – SITE IS 5.1536 ACRES WITH 100% COVERAGE OF 100 I.R.F. EXISTING STRUCTURE IS 50 PLUS YEARS OLD AND BEYOND SUSTAINABLE REPAIR, VIOLATES THE 150 FOOT RIVER BUFFER SETBACK AND WITH F.F.E. ONLY 10 INCHES ABOVE THE 100 YEAR I.R.F. NO REBUILD CAN BE PERFORMED WITHOUT CREATION OF A FULLY CODE COMPLIANT BUILDING PAD.
- HIGHLIGHTS – LIA HAS BEEN INCLUDED IN DETAILS OF THIS PROPOSAL AND RENDERS ACKNOWLEDGEMENT SHOWN AREA OF WORK IS _____ ACRES OF OVERALL 5.1536 ACRES. AREA OF WORK IS LARGELY GRASSED AND VERY LITTLE TREE REMOVAL IS NECESSARY. PROPOSAL INCLUDES REMOVAL/MITIGATION OF _____ SQUARE FEET OF CURRENT STREAM BUFFER ENCROACHMENTS. RESTORATION OF DISTURBED AREAS WILL INCLUDE A LANDSCAPE PLAN OF COMPLIMENTARY BMP'S AND PLANTINGS.

PROPOSED VARIANCE
#2480 SPALDING DRIVE
SANDY SPRINGS, GA 30350

L.L. 358, DISTRICT 6
CITY OF SANDY SPRINGS
FULTON COUNTY, GEORGIA
TAX I.D. #06 0358 LL0790



LOCATION MAP



F.I.R.M. PANEL

FLOOD STATEMENT
THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD HAZARD AREA ACCORDING TO F.I.R.M. PANEL #13121C0156 G LAST REVISED ON SEP. 18, 2013.

AFFILIATES
DESIGN PROFESSIONALS
SITE PLAN – SITE WORKS SURVEYS & PLANNING
BUILDER –
ARCHITECT –
POOL –
STRUCTURAL –
LANDSCAPE ARCHITECT –

SPECIAL LOCAL ORDINANCES
STREAM BUFFER [YES] ☒
FLOOD PLAIN [YES] ☒

SEWER
PUBLIC [X] SEPTIC []

PROPERTY INFO
PROPERTY ZONED: RE--2

BUILDING SETBACK LINES
FRONT – 60 FEET
SIDE STREET – 30 FEET
SIDE – 15 FEET
REAR – 40 FEET

TOTAL AREA – 224,491 SQ. FT. OR 5.1536 ACRES

MAXIMUM LOT COVERAGE ALLOWED – 20%

PROPOSED DISTURBED AREA – 52,550 S.F. OR 1.21 ACRES

INDEX

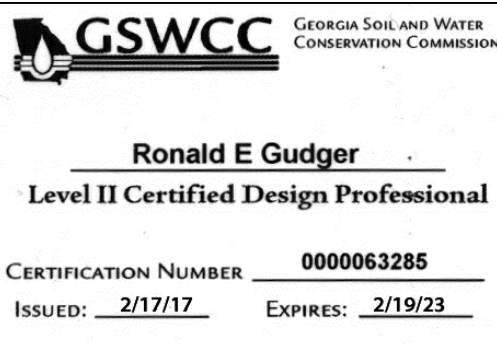
SHEET 1 – COVER – RELATIVE INFORMATION
SHEET 2 – SITE PLAN
SHEET 3 – FINAL CONDITIONS

I, Ronald E. Gudger CERTIFY
UNDER PENALTY OF LAW THAT THIS PLAN WAS
PREPARED AFTER A SITE VISIT TO THE
LOCATIONS DESCRIBED HEREIN BY MYSELF OR
MY AUTHORIZED AGENT, UNDER MY DIRECT
SUPERVISION.



9/22/2022

LEVEL 2 CONTACT
RONALD E. GUDGER
PHONE: 404-731-8696
EMAIL: rongudger@gmail.com



PETITION No. 2003RC-0004 NFC	
EXISTING ZONING	AG-1 (AGRICULTURAL)
EXISTING USE	SINGLE FAMILY RESIDENCE
PROPOSED USE	ADDITION
LOCATION	2480 SPALDING DRIVE PARCEL SIZE: 5.50 ACRES L.L. 358, DISTRICT 6 COMMISSION DISTRICT 4
OWNER	JOHN SCOTT
DEVELOPER	JOHN SCOTT
REPRESENTATIVE	JOHN SCOTT
APPLICANTS INTENT: Seek approval to build an addition to an existing single family residence on property zoned AG-1 (Agricultural) that lies within the Chattahoochee River Corridor.	
Atlanta Regional Commission Finding CONSISTENT (With the Chattahoochee River Corridor Plan)	
Department of Environment and Community Development Recommendation APPROVAL 6403 WRAP-UP	

Vulnerability Category	Total Acreage (or Sq. Footage)	Total Acreage (or Sq. Footage) Land Disturbance	Total Acreage (or Sq. Footage) Imperv. Surface	Percent Disturb.	Percent Imperv. Surf. (Maximums Shown In Parentheses)
A				(90)	(75)
B				(80)	(60)
C				(70)	(45)
D	5060.			(50)	(30)
E	225,808.	39,805	23,305	(30)	(19) (15) (10)
F				(10)	(2)
Total:	230,868.			N/A	N/A

SURVEYED REG
CALCULATED REG, RAM
DRAWN REG, RAM
DWG. NAME AND SECTIONS SPALDING 2480
DATE SEP. 22, 2022

SITE WORKS SURVEYS & PLANNING
4780 ASHFORD DUNWOODY ROAD
SUITE 540-208
ATLANTA, GEORGIA 30328
PHONE: 770-396-8011
e-mail: gudgersurveying@bellsouth.net

RONALD E. GUDGER, LS
404-731-8696

PROPOSED VARIANCE
#2480 SPALDING DRIVE
SANDY SPRINGS, GA 30350
L.L. 358, DISTRICT 6
CITY OF SANDY SPRINGS
FULTON COUNTY, GEORGIA
TAX I.D. #06 0358 LL0790

OWNER
RODNEY S. WILLIAMS &
CAMILLE R. WILLIAMS
2480 SPALDING DRIVE
SANDY SPRINGS, GA 30350
TAX I.D. #06 0358 LL0790

NO. DATE REVISION

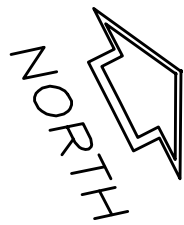
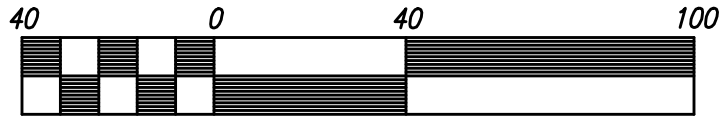
PROPERTY ZONED: RE-2

BUILDING SETBACK LINES
FRONT - 60 FEET
SIDE STREET - 30 FEET
SIDE - 15 FEET
REAR - 40 FEET

MAXIMUM BUILDING HEIGHT - 40 FEET

TOTAL AREA - 224,491 SQ. FT. or 5.1536 ACRES

Vulnerability Category	Total Acreage (or Sq. Footage)	Total Acreage (or Sq. Footage) Land Disturbance	Total Acreage (or Sq. Footage) Imperv. Surface	Percent Land Disturb.	Percent Imperv. Surf.
A				(90)	(75)
B				(80)	(60)
C				(70)	(45)
D	5060			(50)	(30)
E	225,808	39,805	23,305	(30)	19 (15) 10
F				(10)	(2)
Total:	730,868			N/A	N/A



P-1 TREES ON BANKS UNDERMINED BY EROSION



P-2 VERTICAL 6 FOOT BANKS WITH ON-GOING EROSION



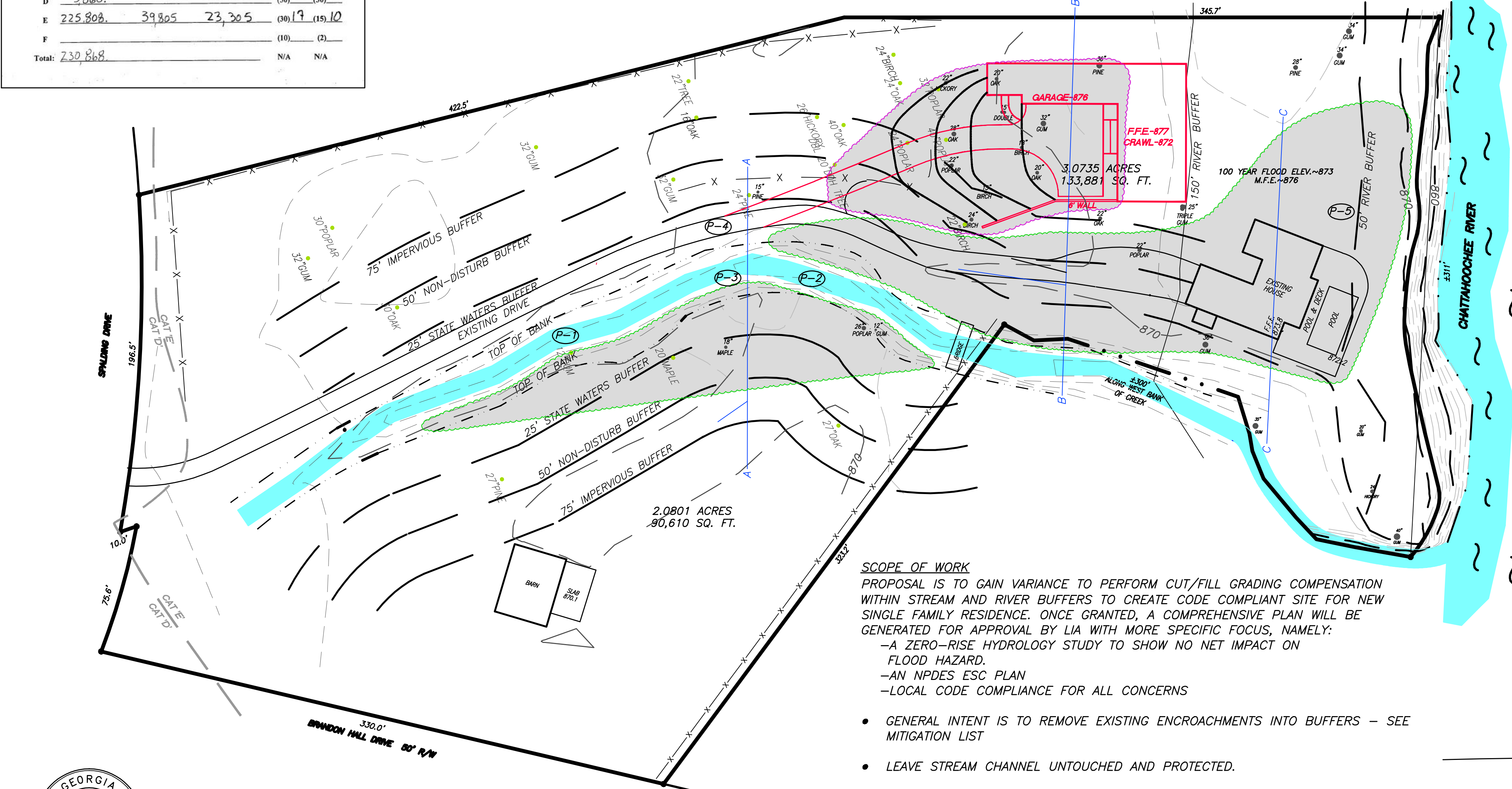
P-3 STEEP BANKS WITH 1-1/2 : 1 SLOPES



P-4 ABANDONED HOUSE 70' FROM RIVER AND ENCROACHING DRIVE TO BE REMOVED



P-5 ABANDONED POOL 46' FROM RIVER



SCOPE OF WORK

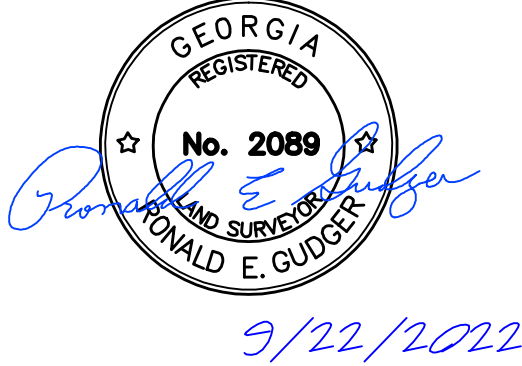
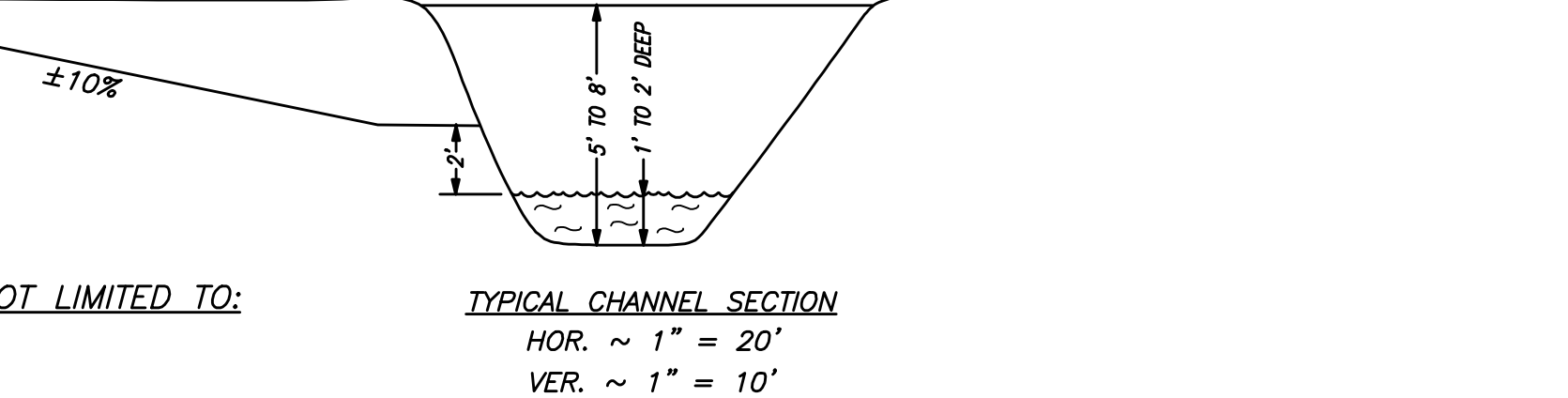
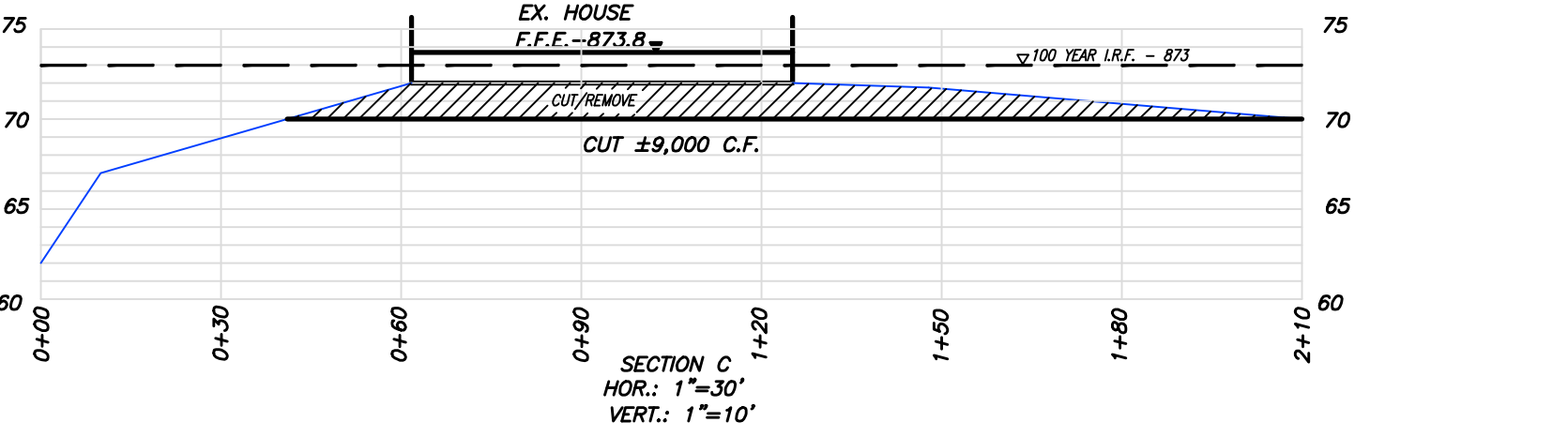
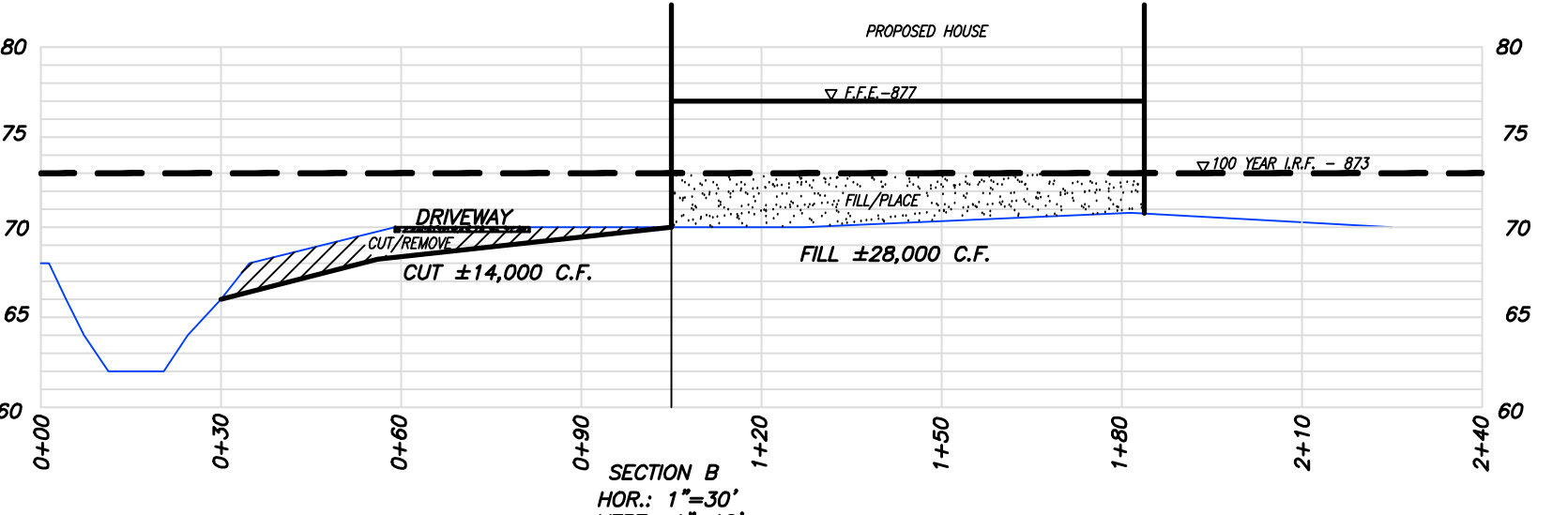
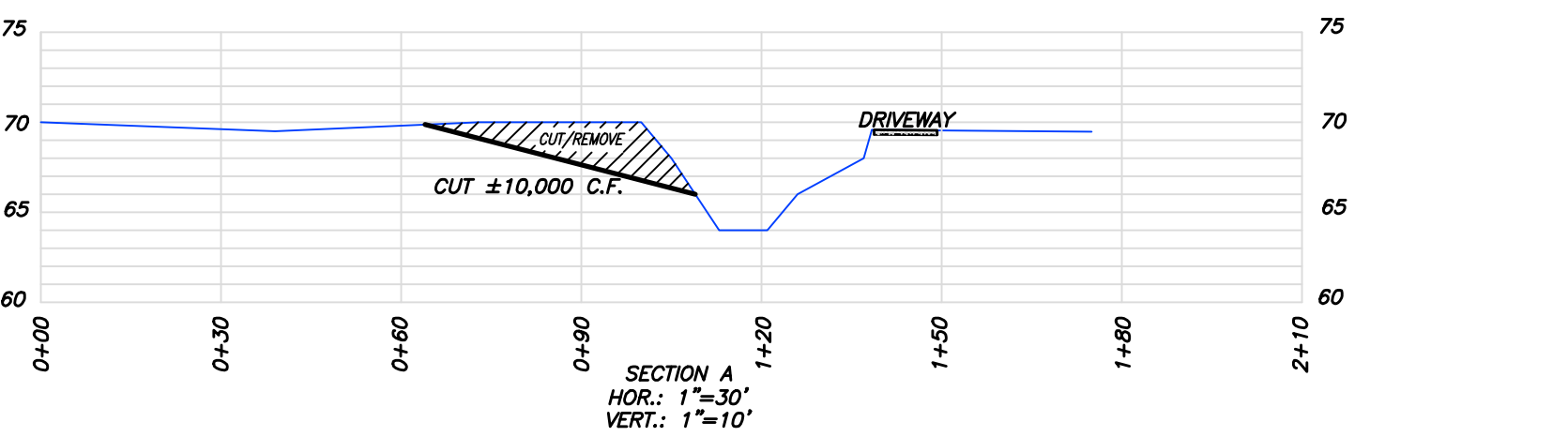
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- A ZERO-RISE HYDROLOGY STUDY TO SHOW NO NET IMPACT ON FLOOD HAZARD.
- AN NPDES ESC PLAN
- LOCAL CODE COMPLIANCE FOR ALL CONCERNS

- GENERAL INTENT IS TO REMOVE EXISTING ENCROACHMENTS INTO BUFFERS - SEE MITIGATION LIST
- LEAVE STREAM CHANNEL UNTOUCHED AND PROTECTED.
- MAINTAIN ALL NECESSARY BMP's FOR STREAM PROTECTION
- ESTABLISH PLANTING AND PERMANENT STABILIZATION OF ALL DISTURBED AREAS.
- CAPTURE A REPLACEMENT OF REMOVED RESIDENCE AND POOL WITH NEW 30'x50' SLAB ON GRADE AND COVERED PAVILION
- NET CHANGE REMOVE AND REPLACE ALONE
REMOVE EXISTING VERTICAL STRUCTURE = -5,730 S.F.
REPLACE WITH SLAB ON GRADE = +1,500 S.F.
NET CHANGE = 4,230 S.F. LESS

B.M.P.'s ANTICIPATED BUT NOT LIMITED TO:

- Sd-1s
- Hb
- Sd-2



FLOOD STATEMENT
THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD HAZARD AREA ACCORDING TO F.I.R.M. PANEL #13121C0156 G LAST REVISED ON SEP. 18, 2013.

SURVEYED REG
CALCULATED REG, RAM
DRAWN REG, RAM
DWG. NAME AND SECTIONS
DATE SEP. 22, 2022

RONALD E. GUDGER, LS
404-731-8696
SITELINE SURVEYS & PLANNING
4780 ASHFORD DUNWOODY ROAD
SUITE 540-208
ATLANTA, GEORGIA 30328
PHONE: 770-396-8011
e-mail: gudgersurveying@bellsouth.net

CUT/FILL COMPENSATION
#2480 SPALDING DRIVE
SANDY SPRINGS, GA 30350
L.L. 358, DISTRICT 6
CITY OF SANDY SPRINGS
FULTON COUNTY, GEORGIA
TAX I.D. #06 0358 LL0790

OWNER
RODNEY S. WILLIAMS &
CAMILLE R. WILLIAMS
2480 SPALDING DRIVE
SANDY SPRINGS, GA 30350
TAX I.D. #06 0358 LL0790

NO. DATE REVISION

SANDY SPRINGS
NOTICE OF VARIANCES

Petition Number: V22-0035

Petitioner: Ron Gudger

Property Location: 2480 Spalding Drive
Parcel # 06 0358 LL0790

Current Zoning: RE-2

Request: Request for a variance from Division 9.2.
State Waters Buffers to grade into the 25'
Undisturbed Buffer and 25' Impervious
Surface Setback for the construction
of a home.

Public Hearings: Board of Appeals
December 7, 2022 at 6:00 p.m.

Location: Sandy Springs City Hall
1 Galambos Way
Sandy Springs, GA 30328
770-730-5600

Virtual Options: Zoom Webinar at <http://spr.gs/boameeting>
for instructions on how to provide public
comment during Public Hearing, please visit
<http://spr.gs/publiccomment>.



Mr. Michael Berry
Erosion and Sedimentation Control Unit
Georgia Environmental protection Division
2 Martin Luther King Jr. Dr. SW, suite 1462
Atlanta, Ga. 30334

8/4/2022

This letter is to inform the Ga. EPD that the City is aware the applicant is seeking a variance to conduct land disturbing activities in the State 25' Undisturbed Buffer. I have visited the site and determined state waters requiring a buffer do exist on the property. This project is described as 2480 Spalding Dr. Sandy Springs Ga. 30350.

Please let me know if any more information is needed from the LIA.

Thank You

James Sanders, Chief Environmental Compliance Officer

City of Sandy Springs, Ga.

1 Galambos Way

Sandy Springs, Ga. 30328

770-687-5153

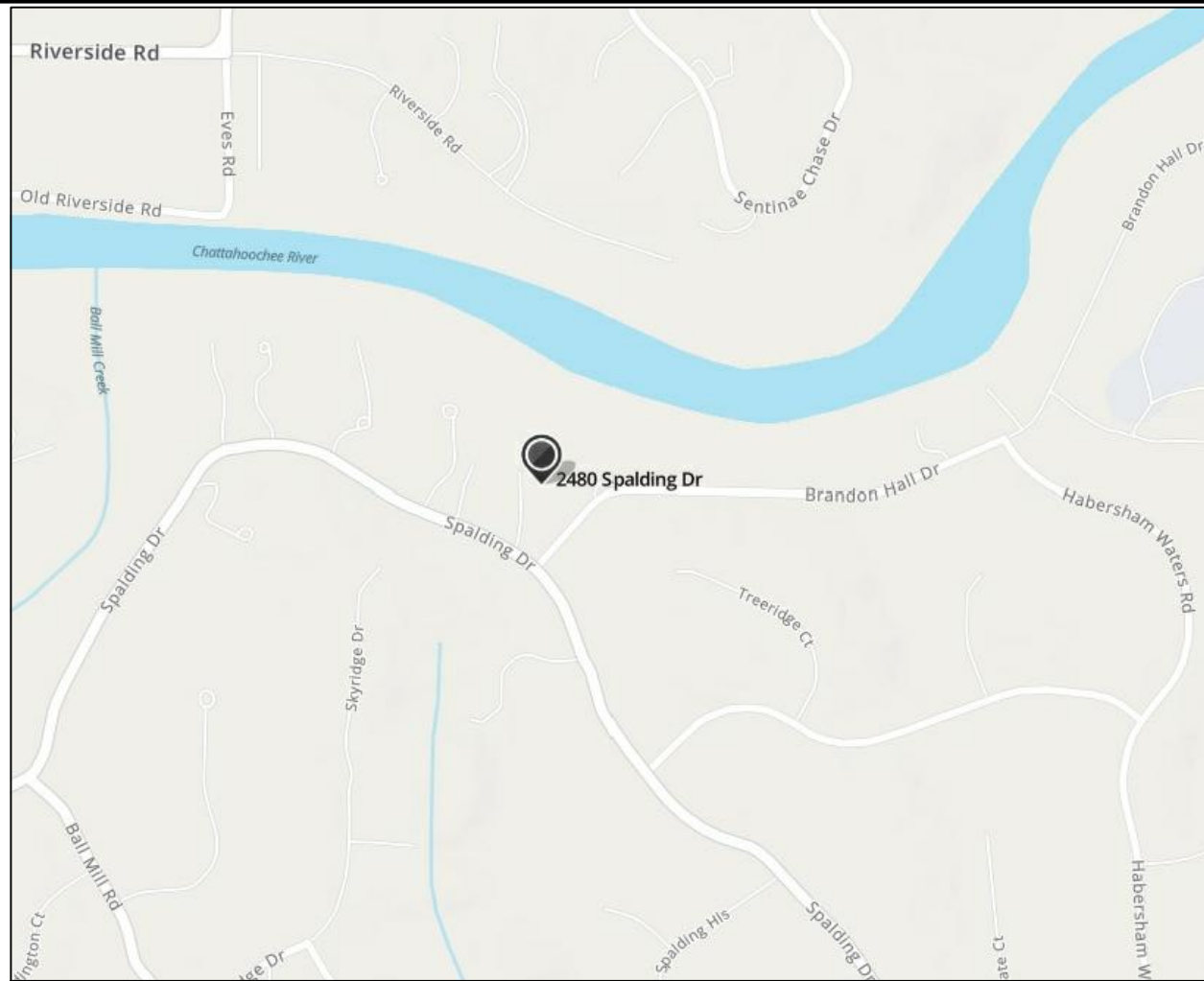
1 Galambos Way, Sandy Springs, Georgia 30328 • 770-730-5600 • SandySpringsGA.gov

SCOPE OF WORK

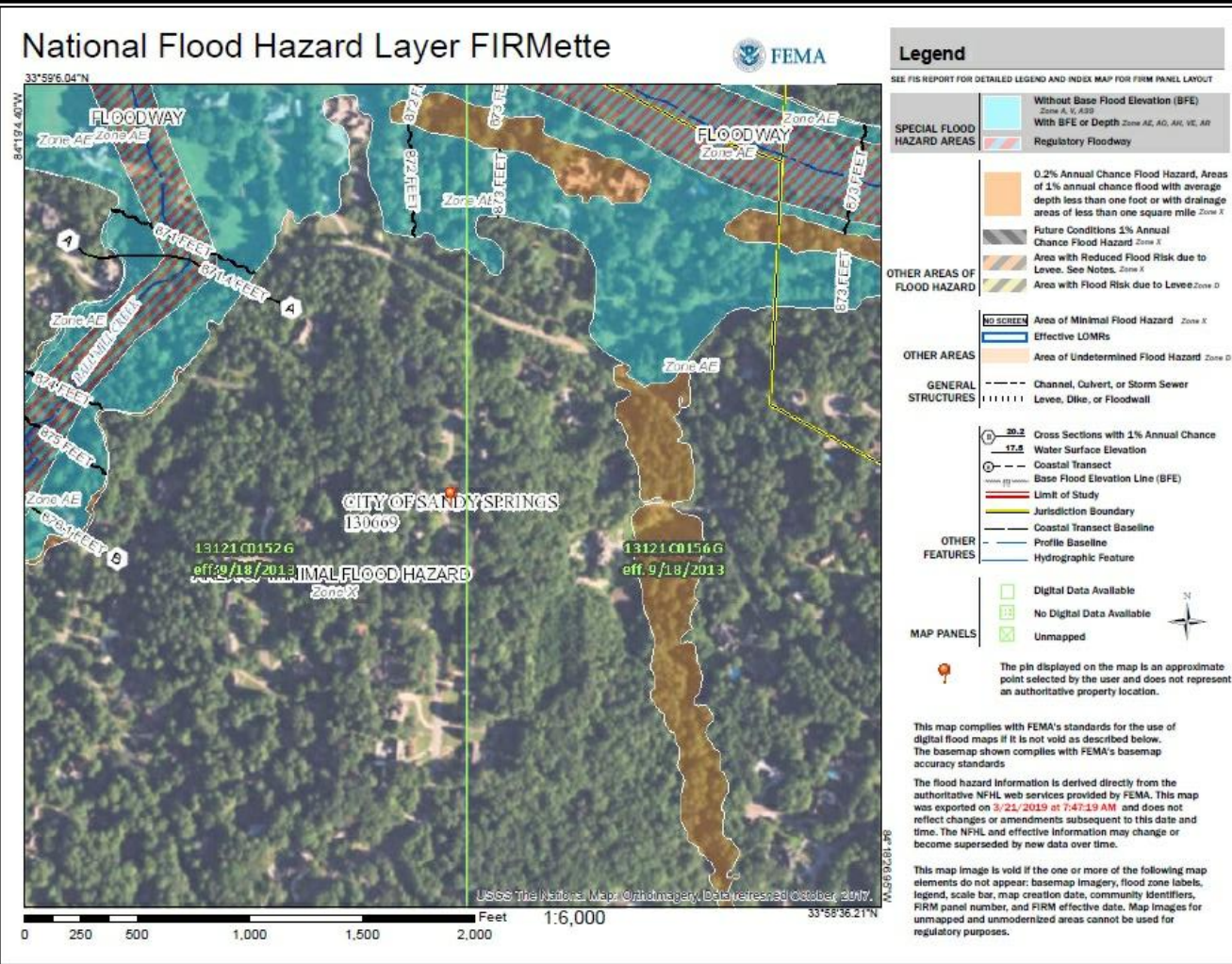
- PERFORM CUT AND FILL BALANCE WITH APPROVED "ZERO RISE" FLOOD COMPENSATION. PREPARE SINGLE BUILDING PAD AND REVISED ACCESS TO SINGLE RELOCATED SINGLE FAMILY RESIDENCE.
- HARDSHIP – SITE IS 5.1536 ACRES WITH 100% COVERAGE OF 100 I.R.F. EXISTING STRUCTURE IS 50 PLUS YEARS OLD AND BEYOND SUSTAINABLE REPAIR, VIOLATES THE 150 FOOT RIVER BUFFER SETBACK AND WITH F.F.E. ONLY 10 INCHES ABOVE THE 100 YEAR I.R.F. NO REBUILD CAN BE PERFORMED WITHOUT CREATION OF A FULLY CODE COMPLIANT BUILDING PAD.
- HIGHLIGHTS – LIA HAS BEEN INCLUDED IN DETAILS OF THIS PROPOSAL AND RENDERS ACKNOWLEDGEMENT SHOWN AREA OF WORK IS _____ ACRES OF OVERALL 5.1536 ACRES. AREA OF WORK IS LARGELY GRASSED AND VERY LITTLE TREE REMOVAL IS NECESSARY. PROPOSAL INCLUDES REMOVAL/MITIGATION OF _____ SQUARE FEET OF CURRENT STREAM BUFFER ENCROACHMENTS. RESTORATION OF DISTURBED AREAS WILL INCLUDE A LANDSCAPE PLAN OF COMPLIMENTARY BMP'S AND PLANTINGS.

PROPOSED VARIANCE
#2480 SPALDING DRIVE
SANDY SPRINGS, GA 30350

L.L. 358, DISTRICT 6
CITY OF SANDY SPRINGS
FULTON COUNTY, GEORGIA
TAX I.D. #06 0358 LL0790



LOCATION MAP



F.I.R.M. PANEL

FLOOD STATEMENT
THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD HAZARD AREA ACCORDING TO F.I.R.M. PANEL #13121C0156 G LAST REVISED ON SEP. 18, 2013.

AFFILIATES
DESIGN PROFESSIONALS
SITE PLAN – SITE WORKS SURVEYS & PLANNING
BUILDER –
ARCHITECT –
POOL –
STRUCTURAL –
LANDSCAPE ARCHITECT –

SPECIAL LOCAL ORDINANCES
STREAM BUFFER [YES] ☒
FLOOD PLAIN [YES] ☒

SEWER
PUBLIC [X] SEPTIC []

PROPERTY INFO
PROPERTY ZONED: RE-2

BUILDING SETBACK LINES
FRONT – 60 FEET
SIDE STREET – 30 FEET
SIDE – 15 FEET
REAR – 40 FEET

TOTAL AREA – 226,522 SQ. FT. OR 5.2002 ACRES

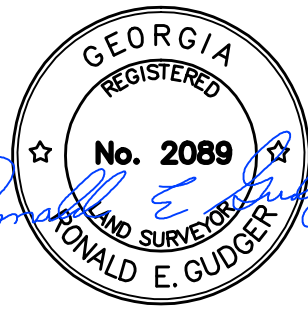
MAXIMUM LOT COVERAGE ALLOWED – 20%

PROPOSED DISTURBED AREA – 53,800 S.F.
OR 1.23 ACRES

INDEX

SHEET 1 – COVER – RELATIVE INFORMATION
SHEET 2 – SITE PLAN

I, Ronald E. Gudger CERTIFY
UNDER PENALTY OF LAW THAT THIS PLAN WAS
PREPARED AFTER A SITE VISIT TO THE
LOCATIONS DESCRIBED HEREIN BY MYSELF OR
MY AUTHORIZED AGENT, UNDER MY DIRECT
SUPERVISION.



12/16/2022

LEVEL 2 CONTACT
RONALD E. GUDGER
PHONE: 404-731-8696
EMAIL: rongudger@gmail.com



Ronald E Gudger
Level II Certified Design Professional

CERTIFICATION NUMBER 0000063285
ISSUED: 2/17/17 EXPIRES: 2/19/23

PETITION No. 2003RC-0004 NFC	
EXISTING ZONING	AG-1 (AGRICULTURAL)
EXISTING USE	SINGLE FAMILY RESIDENCE
PROPOSED USE	ADDITION
LOCATION	2480 SPALDING DRIVE PARCEL SIZE: 5.50 ACRES L.L. 358, DISTRICT 6 COMMISSION DISTRICT 4
OWNER	JOHN SCOTT
DEVELOPER	JOHN SCOTT
REPRESENTATIVE	JOHN SCOTT
APPLICANTS INTENT Seek approval to build an addition to an existing single family residence on property zoned AG-1 (Agricultural) that lies within the Chattahoochee River Corridor.	
Atlanta Regional Commission Finding	
CONSISTENT (With the Chattahoochee River Corridor Plan)	
Department of Environment and Community Development Recommendation	
APPROVAL 10-4-03 WRAP-UP	
DIVISION 2003RC-0004 NFC Petition/BOC Meeting 6/2/03	

Vulnerability Category	Total Acreage (or Sq. Footage)	Total Acreage (or Sq. Footage) Land Disturbance ALLOWED	Total Acreage (or Sq. Footage) Imperv. Surface ALLOWED	Percent Land Disturb. (Maximums Shown In Parentheses)	Percent Imperv. Surf. (Maximums Shown In Parentheses)	PROPOSED SQ. FT. LAND DISTURBANCE	PROPOSED SQ. FT. IMPERVIOUS
A				(90)	(75)		
B				(80)	(60)		
C				(70)	(45)		
D	5,000			(50)	(30)		
E		66,457	32,924	(30)	(15)	53,800	13,931
F				(10)	(2)	= 24.3%	= 6.28%
Total:				N/A	N/A		

ENTRIES IN CHART ASSOCIATED WITH 6/04/03 APPROVAL WERE PROPOSALS SPECIFIC TO THAT CONCEPT AND NO LONGER PERTAIN. UPDATED CHART REFLECTS CURRENT ALLOWABLE AND PROPOSED.

SURVEYED REG
CALCULATED REG, RAM
DRAWN REG, RAM
DWG. NAME AND SECTIONS
DATE SEP. 22, 2022

SITE WORKS SURVEYS & PLANNING
4780 ASHFORD DUNWOODY ROAD
SUITE 540-208
ATLANTA, GEORGIA 30328
PHONE: 770-396-8011
e-mail: gudgersurveying@bellsouth.net

RONALD E. GUDGER, LS
404-731-8696

PROPOSED VARIANCE
#2480 SPALDING DRIVE
SANDY SPRINGS, GA 30350
L.L. 358, DISTRICT 6
CITY OF SANDY SPRINGS
FULTON COUNTY, GEORGIA
TAX I.D. #06 0358 LL0790

OWNER
RODNEY S. WILLIAMS &
CAMILLE R. WILLIAMS
2480 SPALDING DRIVE
SANDY SPRINGS, GA 30350
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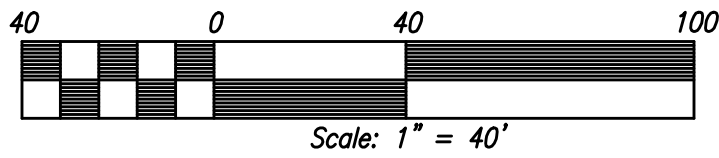
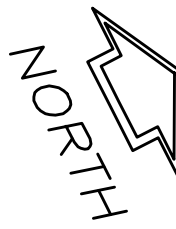
1.	12/16/22	REVISED FOOTPRINT AND DESIGN
NO.	DATE	REVISION

PROPERTY ZONED: RE-2

BUILDING SETBACK LINES
FRONT - 60 FEET
SIDE STREET - 30 FEET
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MAXIMUM BUILDING HEIGHT - 40 FEET

TOTAL AREA - 226,522 SQ. FT. or 5.2002 ACRES



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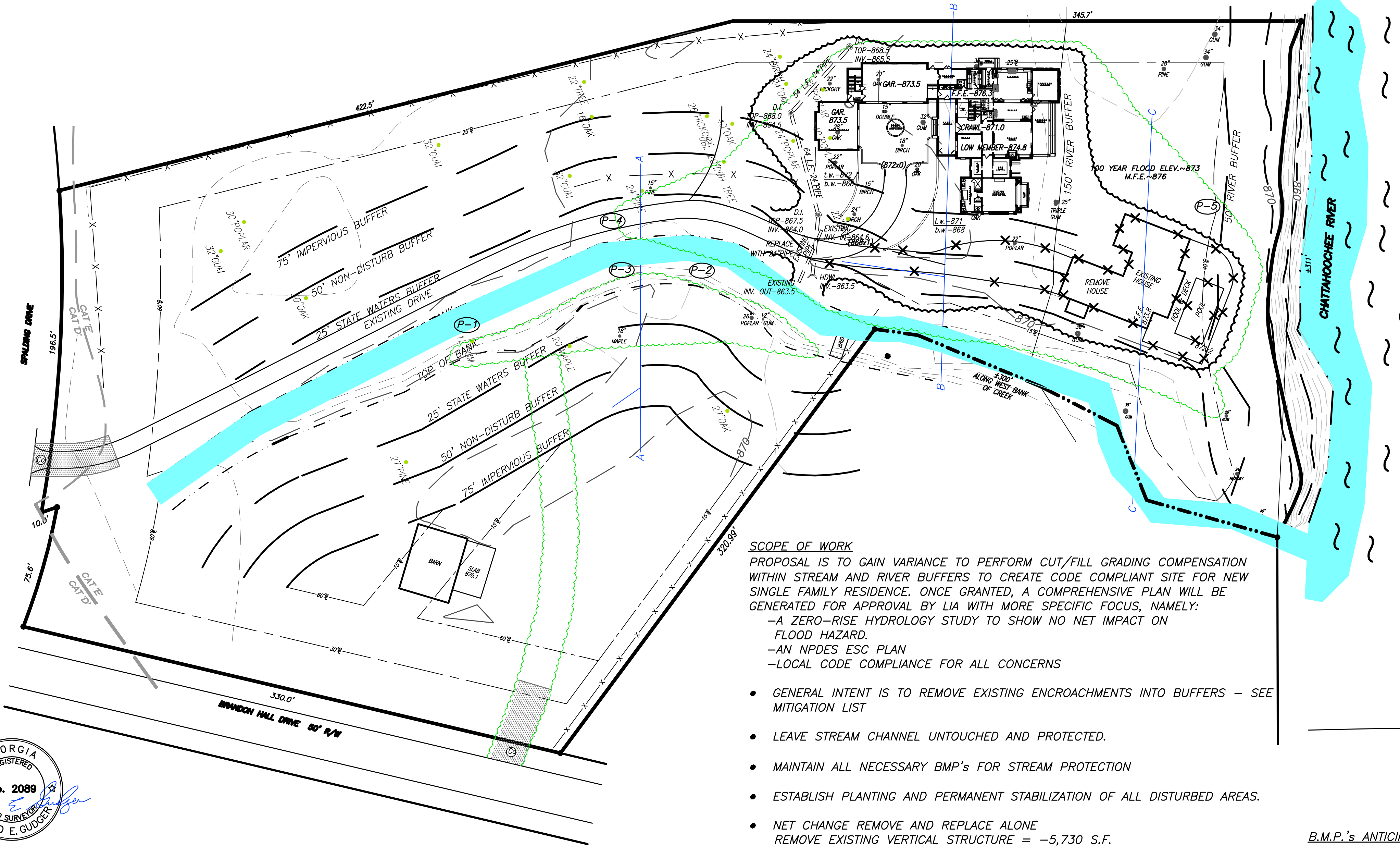
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FROM RIVER

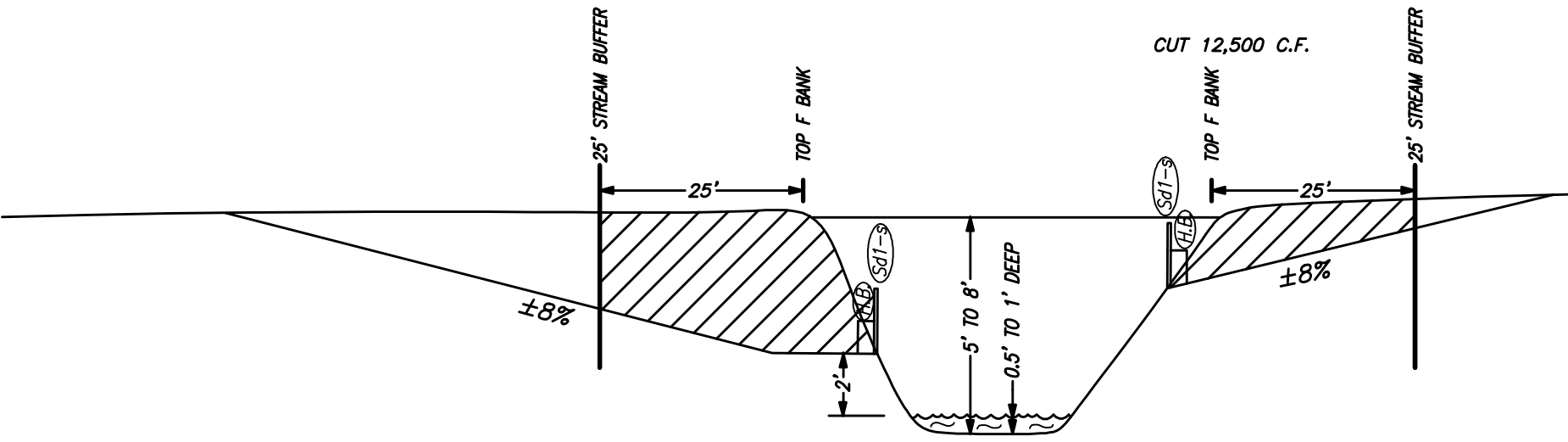
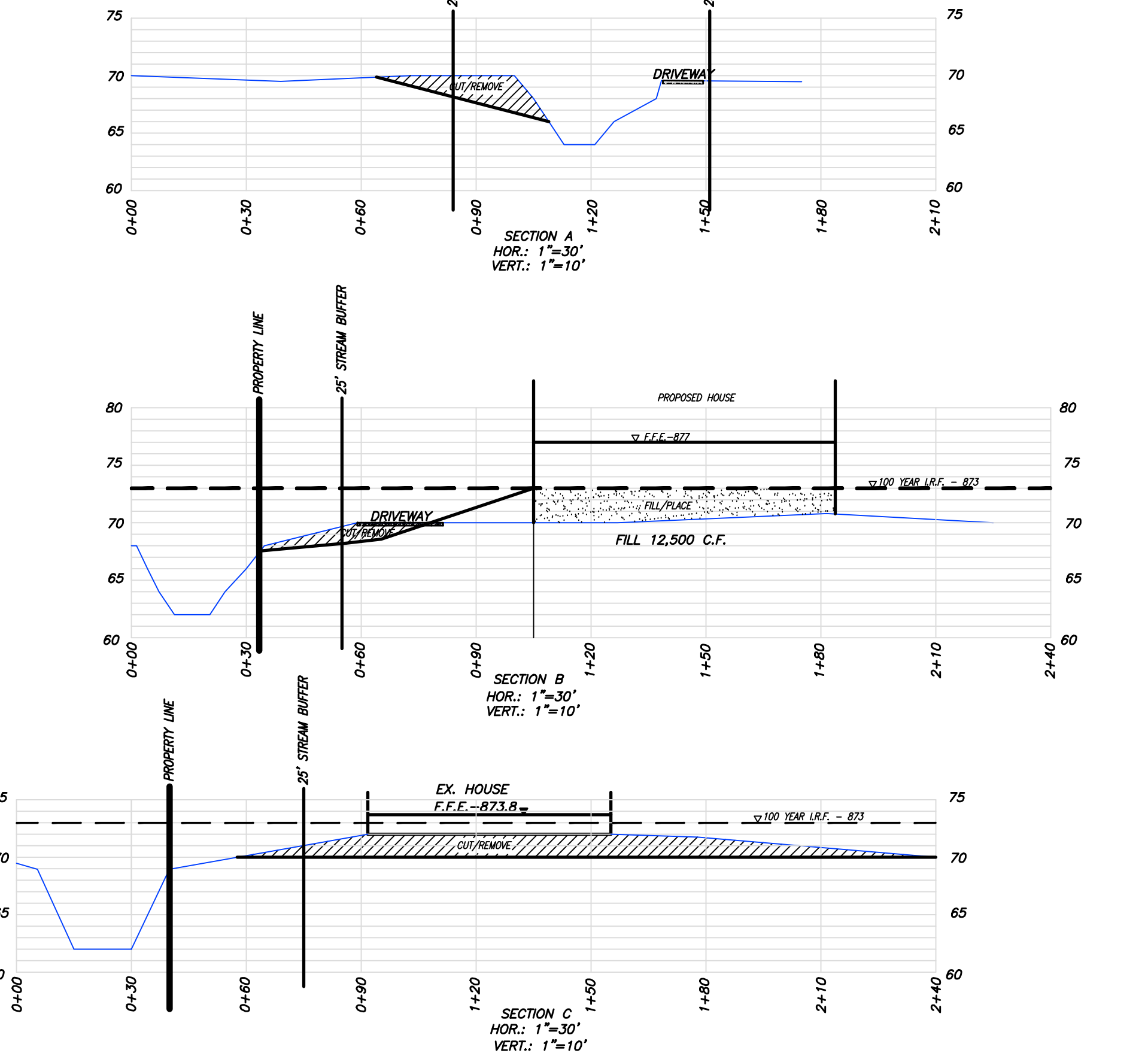


SCOPE OF WORK

PROPOSAL IS TO GAIN VARIANCE TO PERFORM CUT/FILL GRADING COMPENSATION WITHIN STREAM AND RIVER BUFFERS TO CREATE CODE COMPLIANT SITE FOR NEW SINGLE FAMILY RESIDENCE. ONCE GRANTED, A COMPREHENSIVE PLAN WILL BE GENERATED FOR APPROVAL BY LIA WITH MORE SPECIFIC FOCUS, NAMELY:

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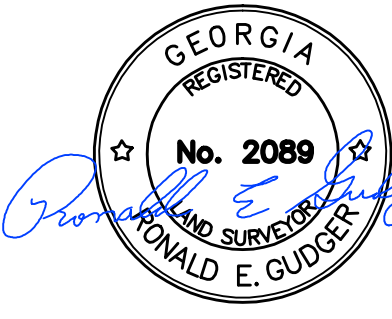
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NET CHANGE = 4,230 S.F. LESS



B.M.P.'s ANTICIPATED BUT NOT LIMITED TO:

- Sd-1s
- Hb
- Sd-2

TYPICAL CHANNEL SECTION
HOR. ~ 1" = 20'
VER. ~ 1" = 10'



12/26/2022

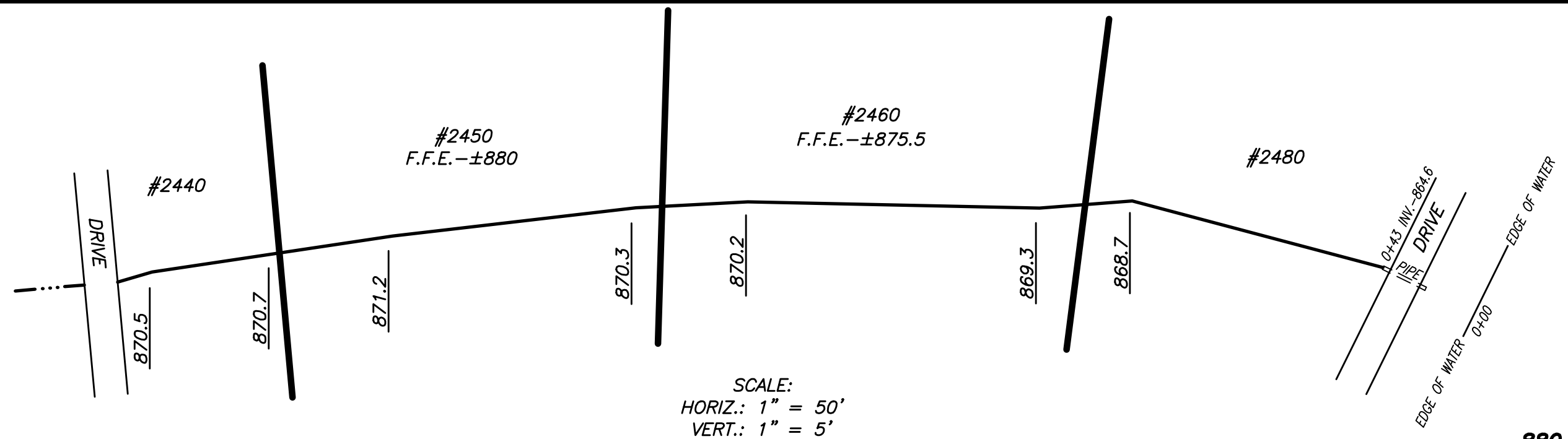
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SURVEYED	REG	RONALD E. GUDGER, LS
CALCULATED	REG, RAM	404-731-8696
DRAWN	REG, RAM	SITE WORKS SURVEYS & PLANNING
DWG. NAME AND SECTIONS	SPALDING 2480	4780 ASHFORD DUNWOODY ROAD
DATE	SEP. 22, 2022	SUITE 540-208
		ATLANTA, GEORGIA 30328
		PHONE: 770-396-8011
		e-mail: gudgersurveying@bellsouth.net

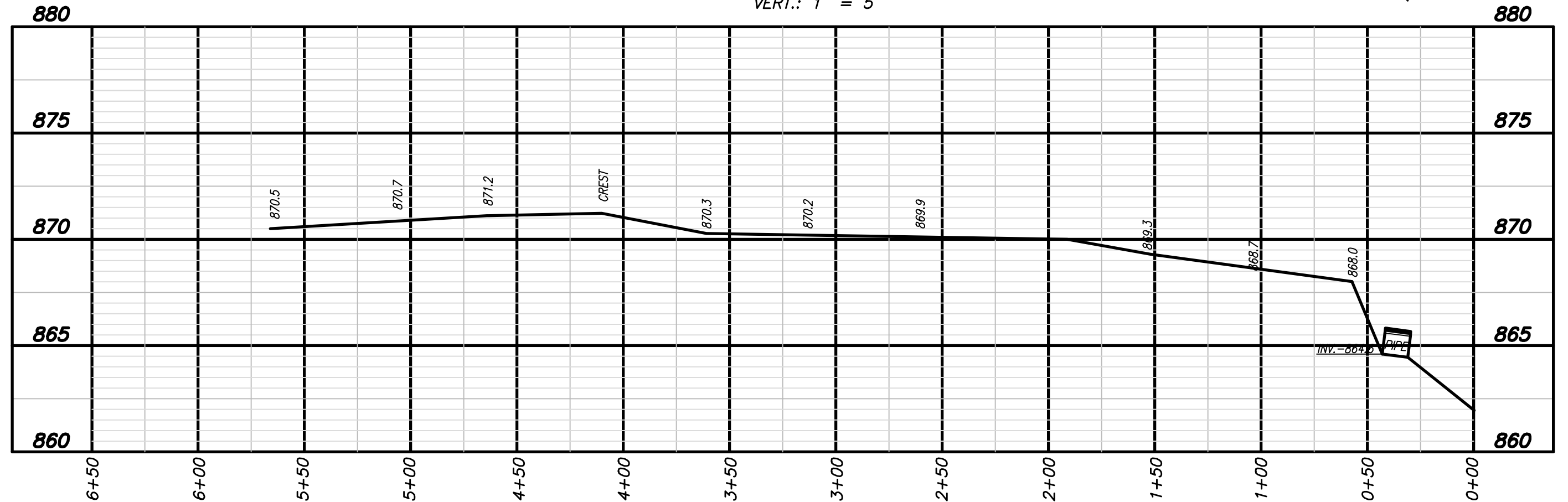
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RODNEY S. WILLIAMS &
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2480 SPALDING DRIVE
SANDY SPRINGS, GA 30350
TAX I.D. #06 0358 LL0790

1.	12/16/22	REVISED FOOTPRINT AND DESIGN
NO.	DATE	REVISION



SCALE:
HORIZ.: 1" = 50'
VERT.: 1" = 5'



SURVEYED REG
CALCULATED REG, RAM
DRAWN REG, RAM
DWG. NAME SPALDING 2480
AND SECTIONS
DATE DEC. 15, 2022

SITE WORKS
SURVEYS & PLANNING
RONALD E. GUDGER, LS
404-731-8696
4780 ASHFORD DUNWOODY ROAD
SUITE 540-208
ATLANTA, GEORGIA 30328
PHONE: 770-396-6011
e-mail: gudgersurveying@bellsouth.net

TAX I.D. #06 0358 LL0790

PROPOSED VARIANCE
#2480 SPALDING DRIVE
SANDY SPRINGS, GA 30350
L.L. 358, DISTRICT 6
CITY OF SANDY SPRINGS
FULTON COUNTY, GEORGIA

THIS DRAWING ADDRESSES

12 257006230297

12 257006230

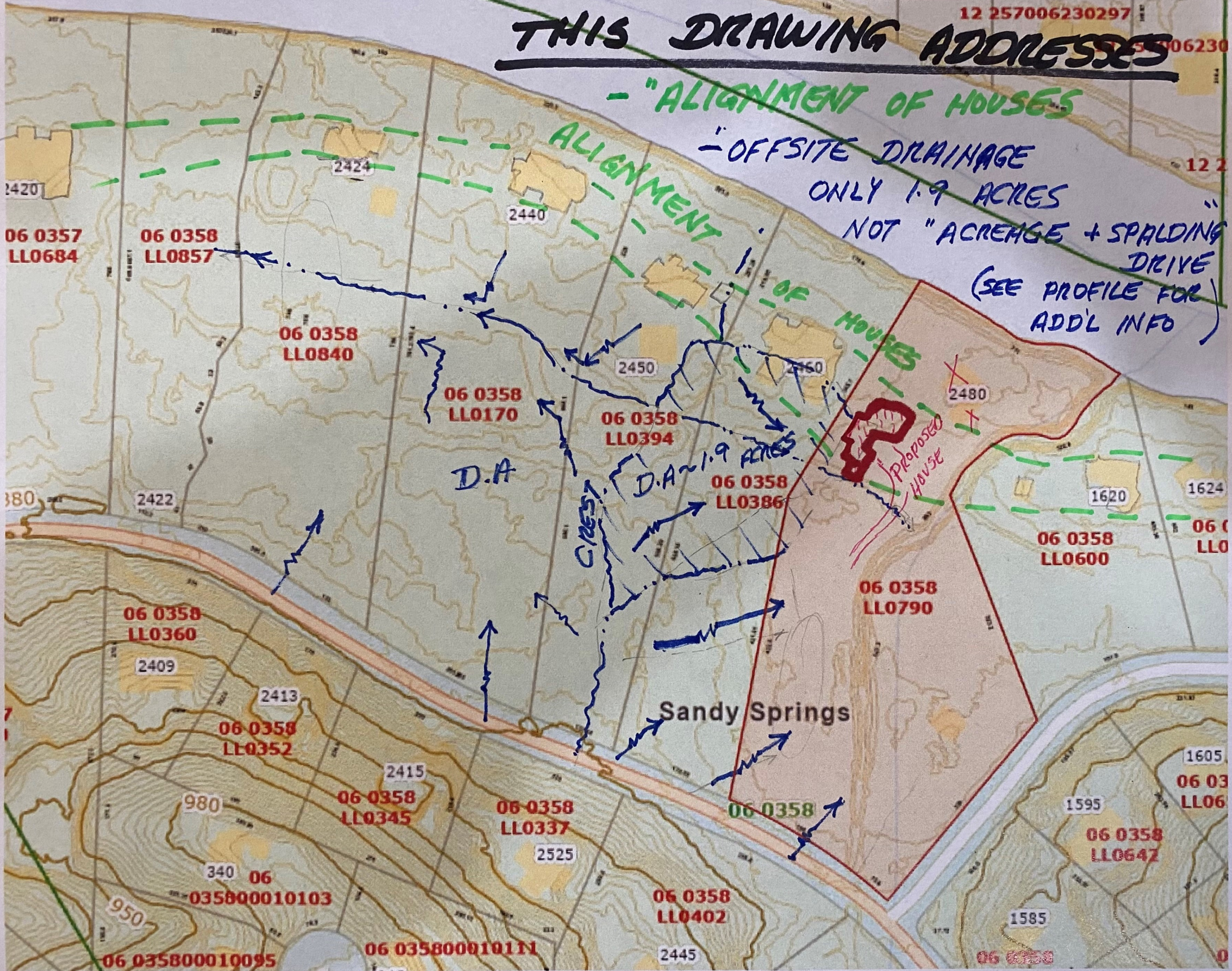
- "ALIGNMENT OF HOUSES

- "OFFSITE DRAINAGE

ONLY 1.9 ACRES

NOT "ACREAGE + SPALDING DRIVE

(SEE PROFILE FOR ADD'L INFO)



Board of Appeals

January 4, 2023



SANDY SPRINGS™
GEORGIA

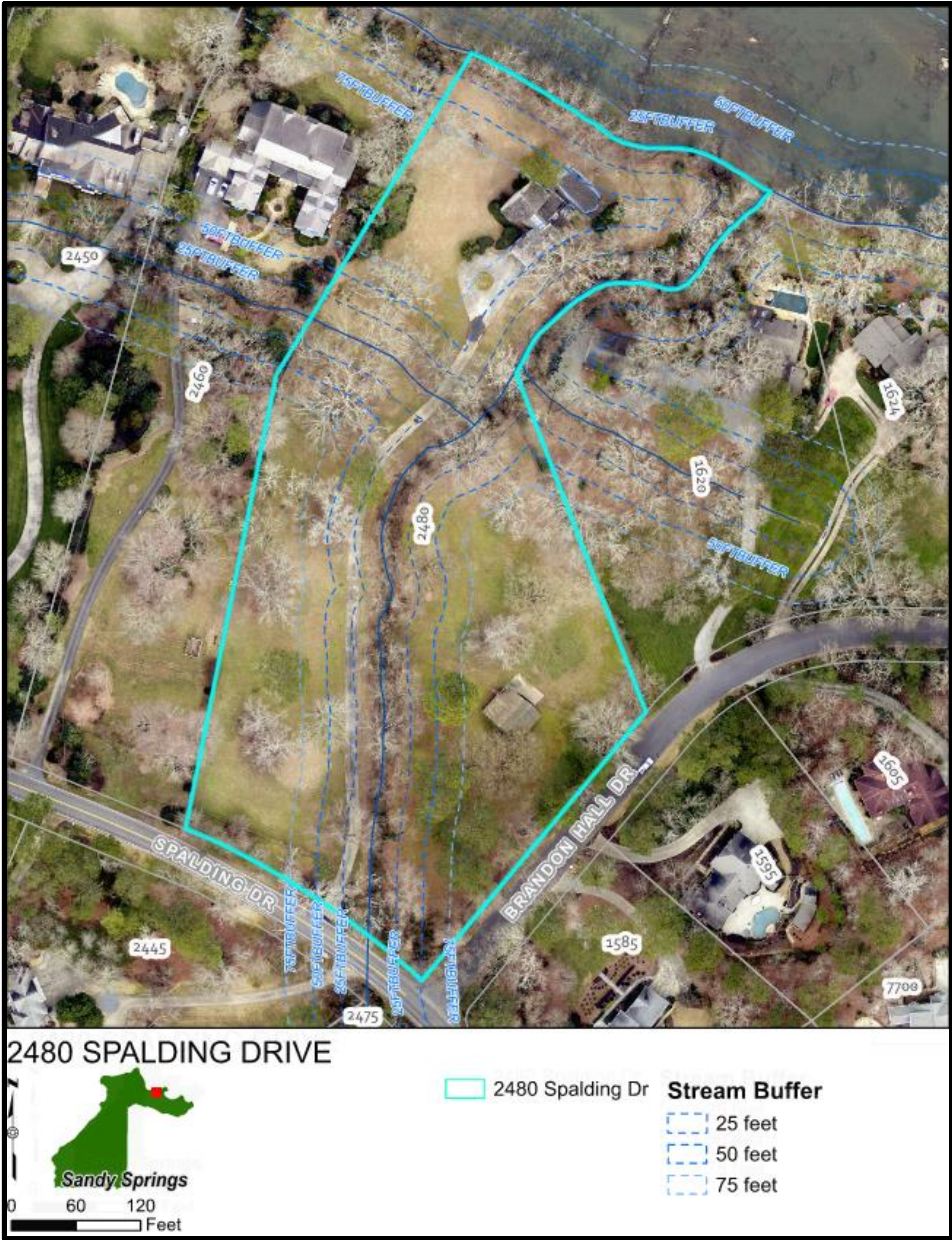
V22-0035
2480 Spalding Drive

STAFF RECOMMENDATION:
Denial

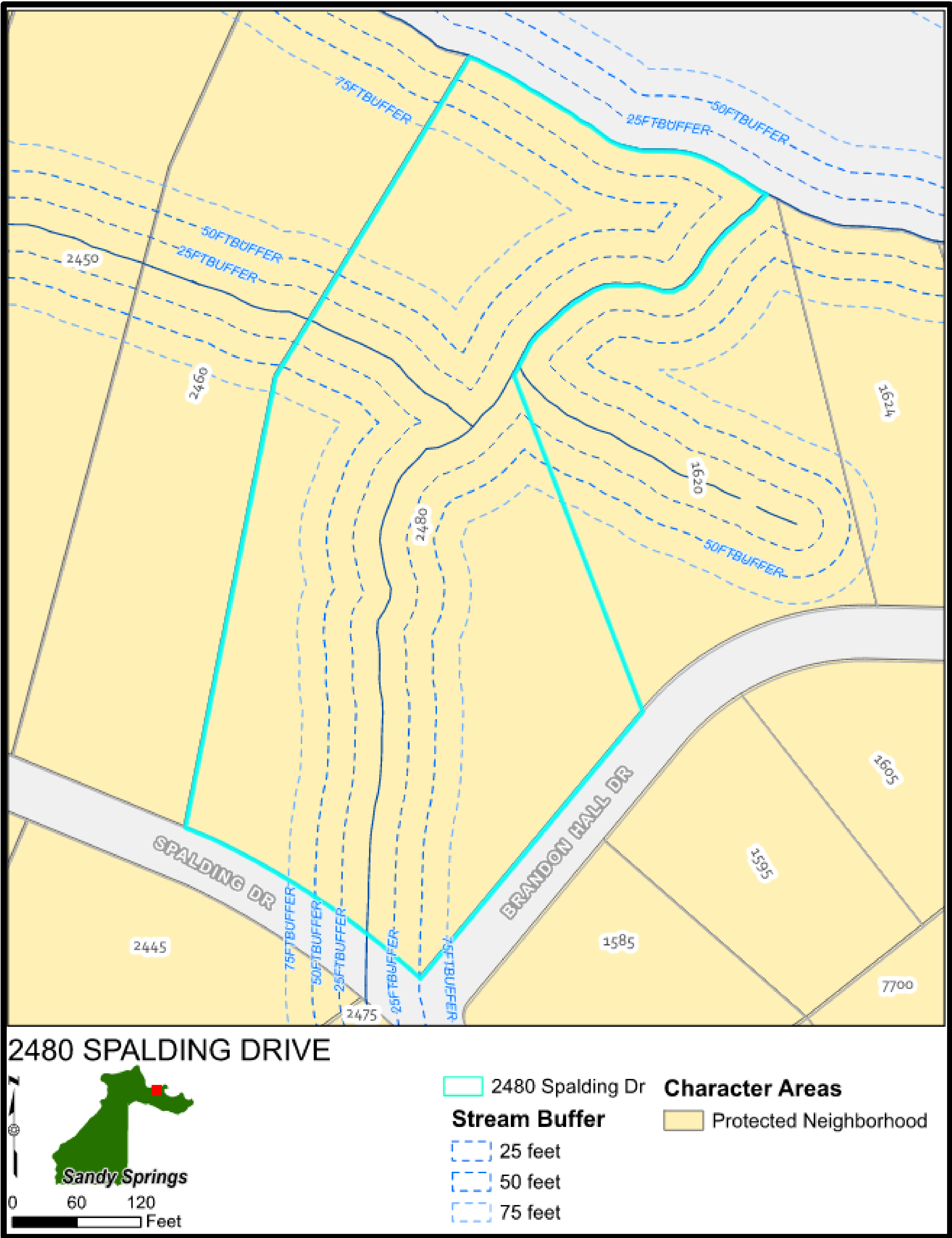
Request

Request for a variance from Division 9.2. State Waters Buffer to grade into the Undisturbed Natural Vegetative Buffer and 25' Impervious Surface Setback.

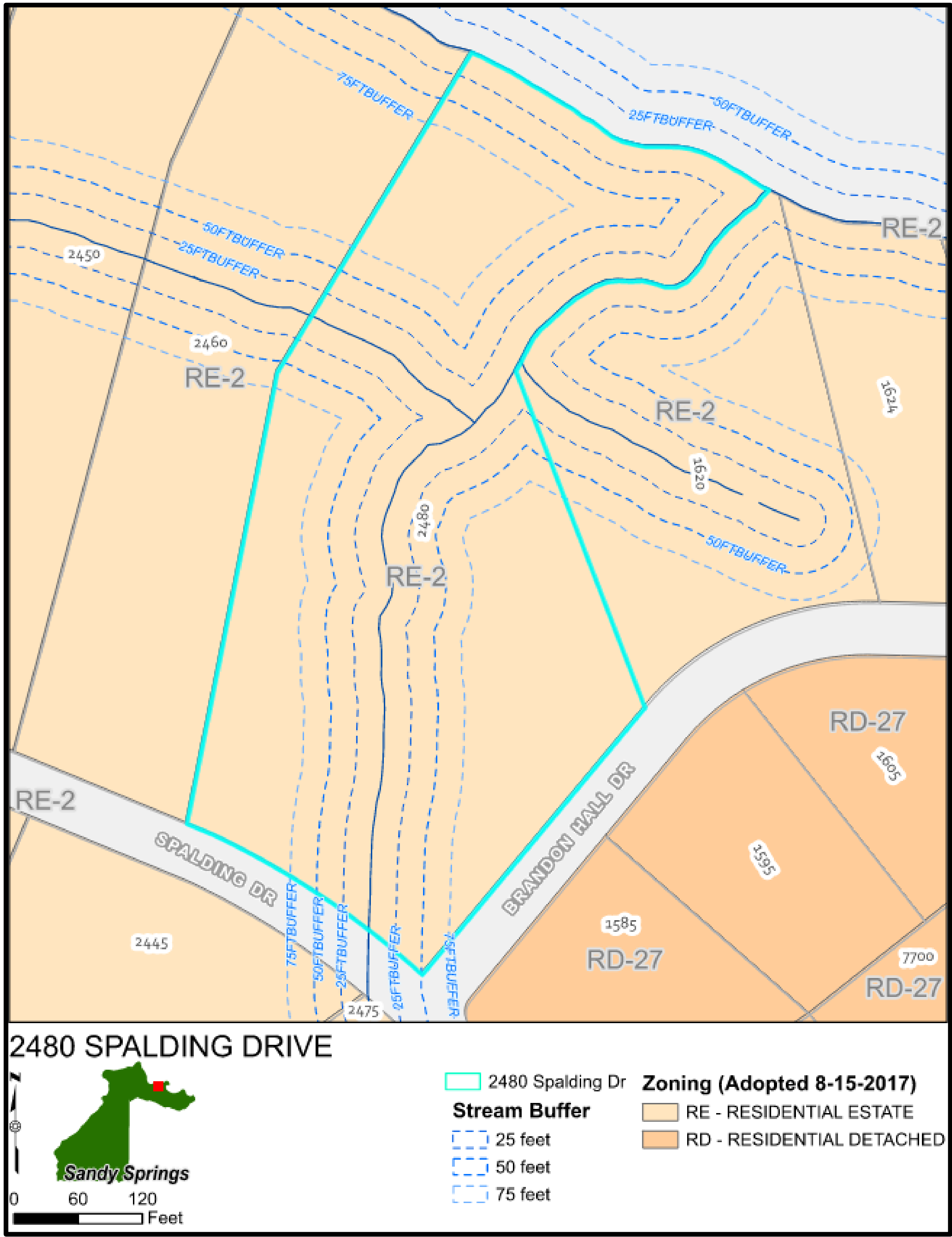
Aerial Image



Character Area Map



Zoning Map



Existing Conditions

- The 5.26- acre subject property zoned RE-2 (Residential Estate- two-acre minimum) is developed with a two-story single-family home, with a two-car front facing garage and a pool behind the house.
- This lot abuts the Chattahoochee River to the north and is subject to the Metropolitan River Protection Act (MRPA).
- The existing house sits approximately 75 feet from the banks of the Chattahoochee River well within the River Corridor's 150' buffer. There is also a stream, with associated stream buffers, that runs south to north into the Chattahoochee River that bisects the property.
- The entire parcel is in the future floodplain and is within the Federal Emergency Management Agent (FEMA) flood hazard zone. The northern portion of the parcel is within the future floodway.

Existing Conditions

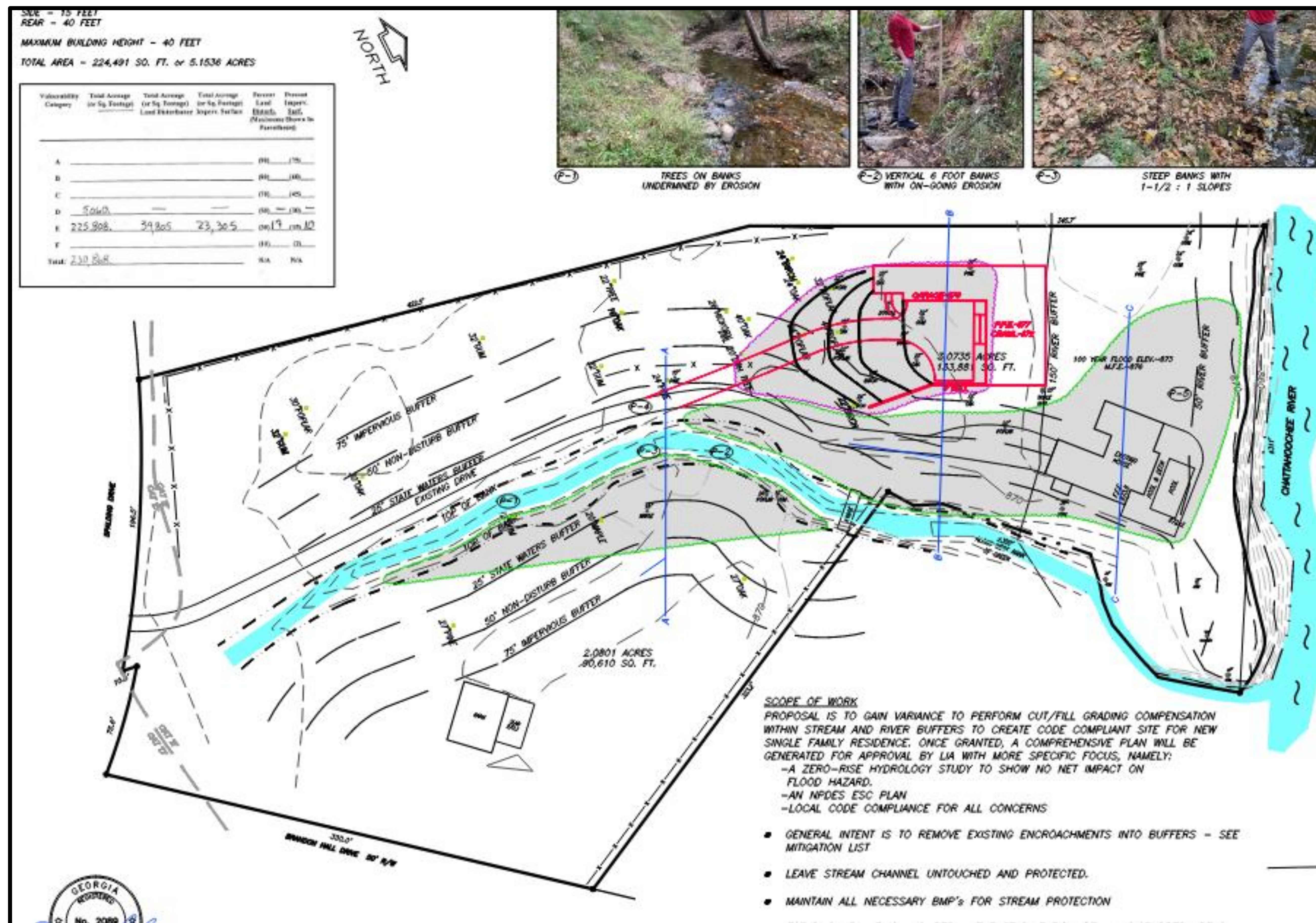


View of existing home

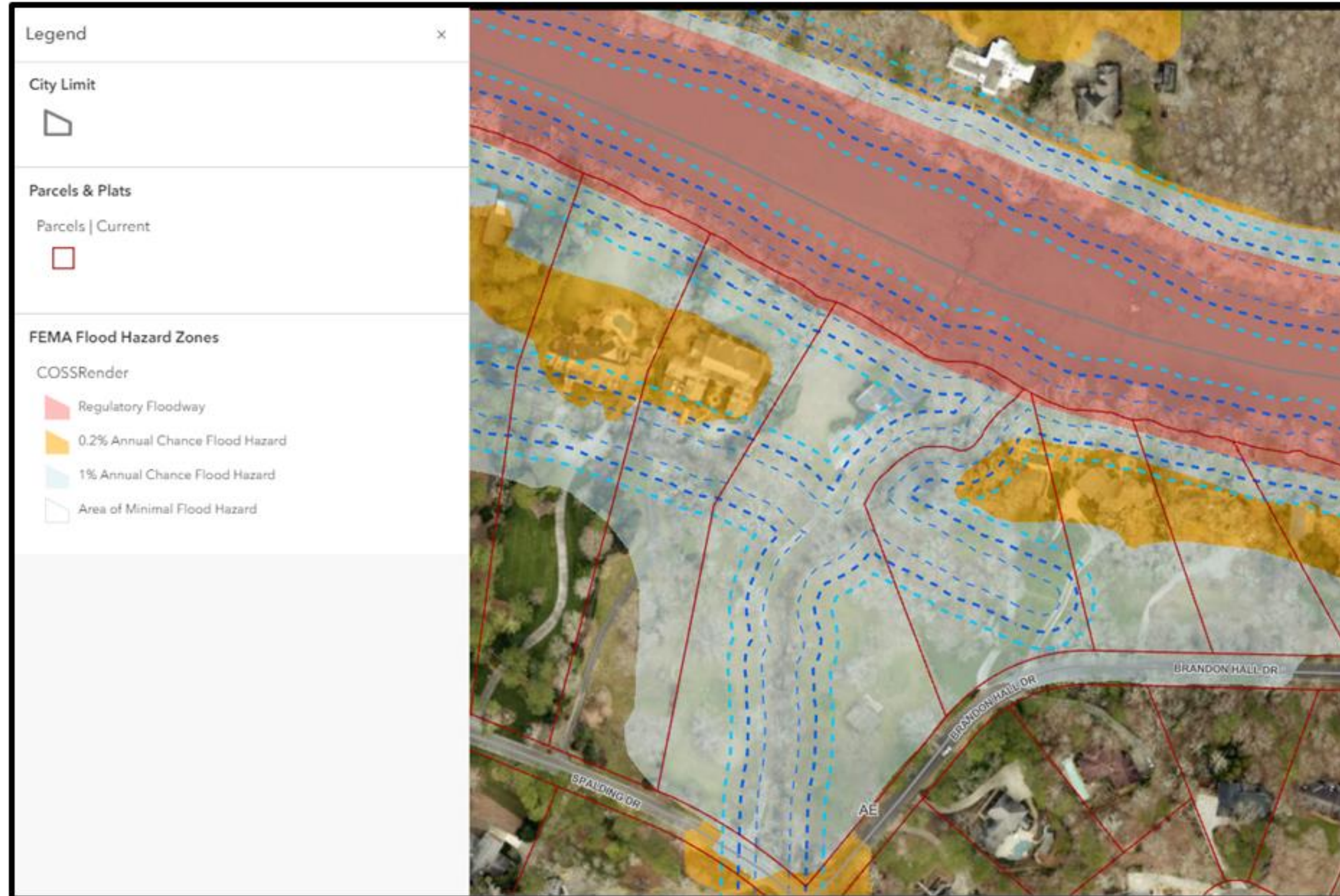


View of proposed cut and fill facing the Chattahoochee River

Site Plan



Flood Hazard Map



Aerial Image of parcel showing the 1% annual chance flood hazard zone in the light blue shade.

Proposed Development

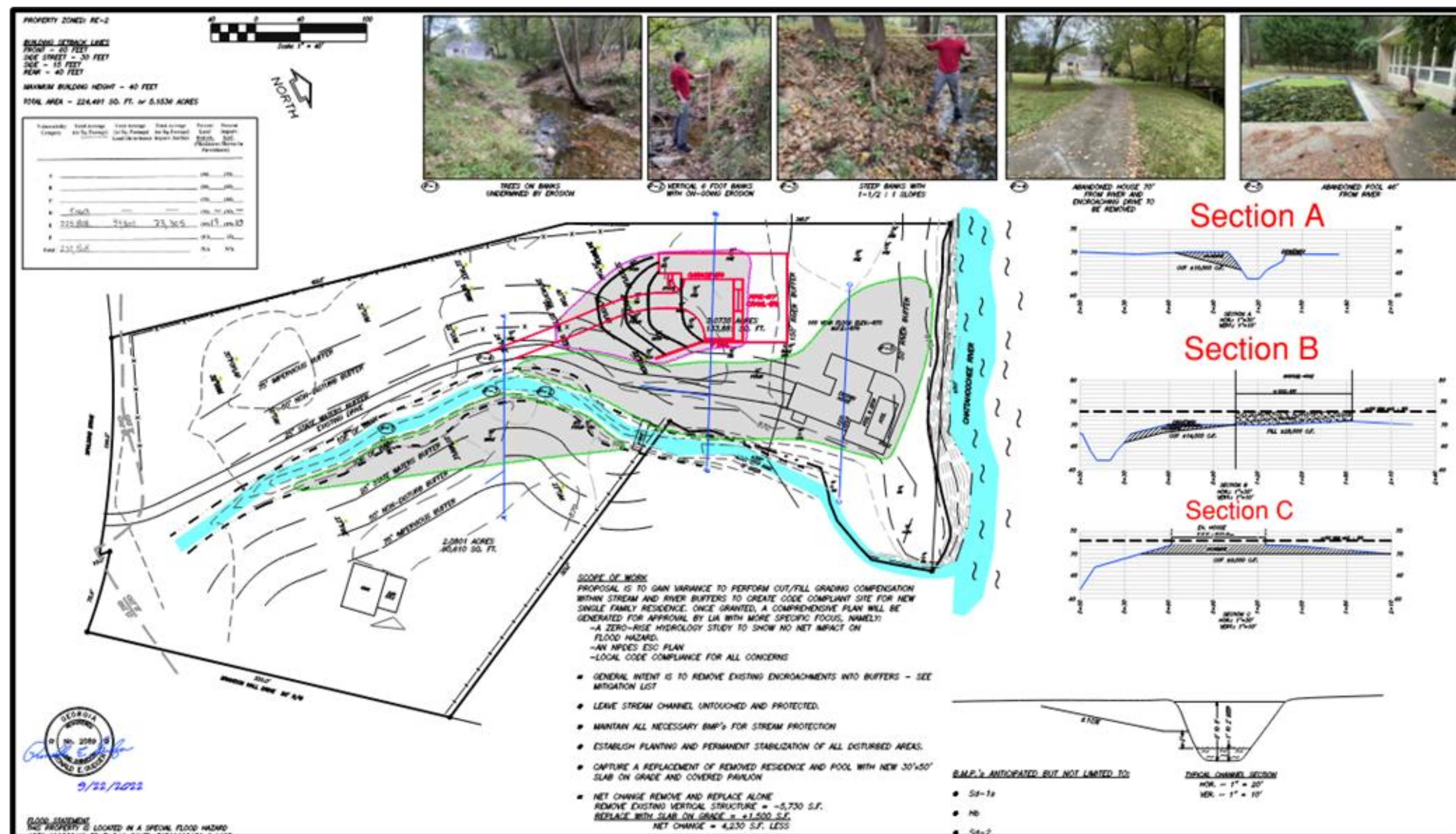
- The applicant is seeking a variance to cut/ fill (grading of earth) within the stream buffers. The applicant's proposed grading, totaling over an acre of land disturbance, is necessary to build a new home at least three feet above the floodplain. The applicant is also proposing to demolish the existing home.
- The applicant is attempting to provide for additional floodplain capacity in order to build a new home out of the 50' river buffer.
- The applicant is encroaching in the 50-foot undisturbed vegetative buffer and the 150-foot impervious surface setback on the Chattahoochee and its impoundments.
- Per the Development Code Section 9.2.2. Applicability – A variance from the requirements of the Sandy Springs portion of any state waters buffer or additional impervious surface setback (see Sec. 9.2.4) is not required for:
 - a. Repair or replacement in kind of any legally approved principal structure located in the buffer that existed prior to December 12, 2005, provided that the footprint of the pre-2005 structure is not exceeded, and engineering analysis indicates that no rise in flood elevation will occur. All required permits are still necessary prior to construction.
- Per the Development Code Section 9.2.4. Land Development Requirements – All land development activity subject to this Division must meet the following requirements:
 - a. An undisturbed natural vegetative buffer is maintained for 50 feet, measured horizontally, on all banks of the state waters as measured from the point of wrested vegetation.
 - b. Land development activities in the impervious surface setback may be approved by the Director if they maintain or decrease the existing stormwater runoff rates.

Proposed Site Plan

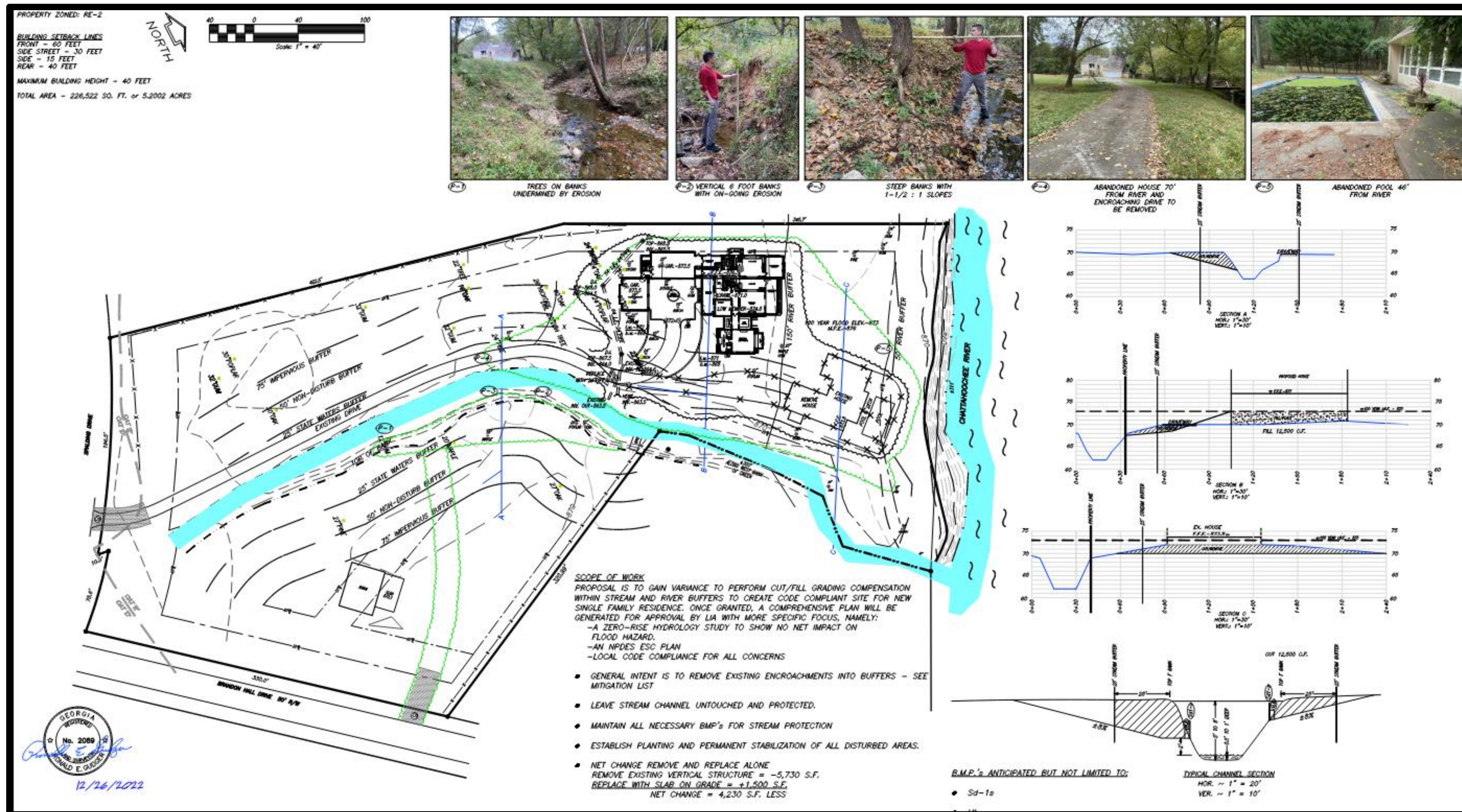
Section A includes cutting approximately 10,000 cubic feet near the driveway.

Section B includes cutting approximately 14,000 cubic feet and filling approximately 28,000 cubic feet.

Section C, the proposal includes cutting approximately 9,000 cubic feet under the existing house



New Site Plan – Deferral



V22-0026 Variance Considerations

- **The property's shape, topography or other physical conditions existing on December 12, 2005, prevent land development unless a Stream Buffer Variance is granted;**
 - According to Fulton County records, this property was developed in 1976, 29 years before December 2005. Per the development code, a variance is not required to repair, replace and improve any structure in Sandy Springs portion of any state waters buffer or additional impervious surface setback.
- **Unusual circumstances when strict adherence to the minimal buffer and setback requirements would create an extreme hardship**
 - This property has challenges with stream buffers and floodplain that make the strict adherence to the minimal buffer and setback requirements difficult for the home to be relocated. The creek bisects the lot from the south towards the Chattahoochee River causing the stream buffers to follow on both sides of the stream's bank.

Recommendation

Staff recommends **Denial** of V22-0035