City of Sugar Hill
Planning Staff Report
VAR 16-005

DATE: June 27, 2016; ***Updated 2016-07-21***
TO: Mayor and City Council
FROM: Planning Director KA
SUBJECT: Stream Buffer Variance, VAR 16-005

RECOMMENDED ACTION

Approval with the condition on-site mitigation is accomplished in accordance with the procedures set up in the Gwinnett County Storm Water Design Manual.

ISSUE

The City of Sugar Hill received an application dated April 28, 2016 from Geoffrey Berrios requesting relief from the Stream Buffer Protection Ordinance to construct a 10' X 14' storage shed, retaining walls, pavers, stone stairs, and fire pit at his home located at 227 Woods Creek Drive. ***On 7/20/2016, the applicant submitted a revised site plan to reduce encroachments.***

DISCUSSION

- ***Revised site plan shows no encroachment into the State's 25' undisturbed stream buffer.***
- ***Vicinity was previously disturbed for sewer main install when subdivision was developed.***
- ***Pavers qualify as impervious surface as defined in the ordinance but do allow some infiltration of water.***
- ***Proposed improvements are customary residential accessory uses.***
- ***Additional landscaping and mitigation measures taken by the homeowner are an improvement over disturbances in prior years.***

BACKGROUND

Applicant / Owner:	Geoffrey Berrios
Existing Zoning:	Medium Density Single-Family Residential (RS-100) Subdivision
Request:	To construct a 10' X 14' Storage Shed.
Purpose:	Accessory Use
Property Size:	± 0.27 Acres
Location:	227 Woods Creek Drive, Tax Parcel #7-254-190
Public Notice:	Sign Posted on 5/26/16. Ad in Gwinnett Daily Post on 5/26/16.

FINDINGS OF FACT

The property in question is the site of a single-family home in the Roberts Landing subdivision, zoned Medium Density Single-Family Residential (RS-100).

The lot in question includes a creek, which is protected by the State's 25' undisturbed buffer, City's 50' undisturbed buffer, and City's 75' impervious setback. The applicant proposes to encroach upon the City's stream buffers to construct a 10' X 14' Storage Building, retaining walls, pavers, stone stairs, and fire pit.

VARIANCE CRITERIA (Stream Buffer Protection Ordinance, Section 4.2.4):

- The shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;
  The stream bank is heavily wooded and drops off steeply from the bank shoulder.

- The locations of all streams on the property, including along property boundaries as determined from field inspection;
  The stream bank lies within the boundaries of the parcel in question.

- The location and extent of the proposed buffer or setback intrusion;
  The shed and pavers will include 486 square feet within the 25' city undisturbed buffers. In addition, the stairs will be approximately 100 square feet within the 25' city buffer and 25' non-impervious buffer. The retaining walls will encroach upon approximately 120 linear feet of non-impervious and city buffers. The existing house was built outside of the buffer; therefore, the property is usable without the variance.

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

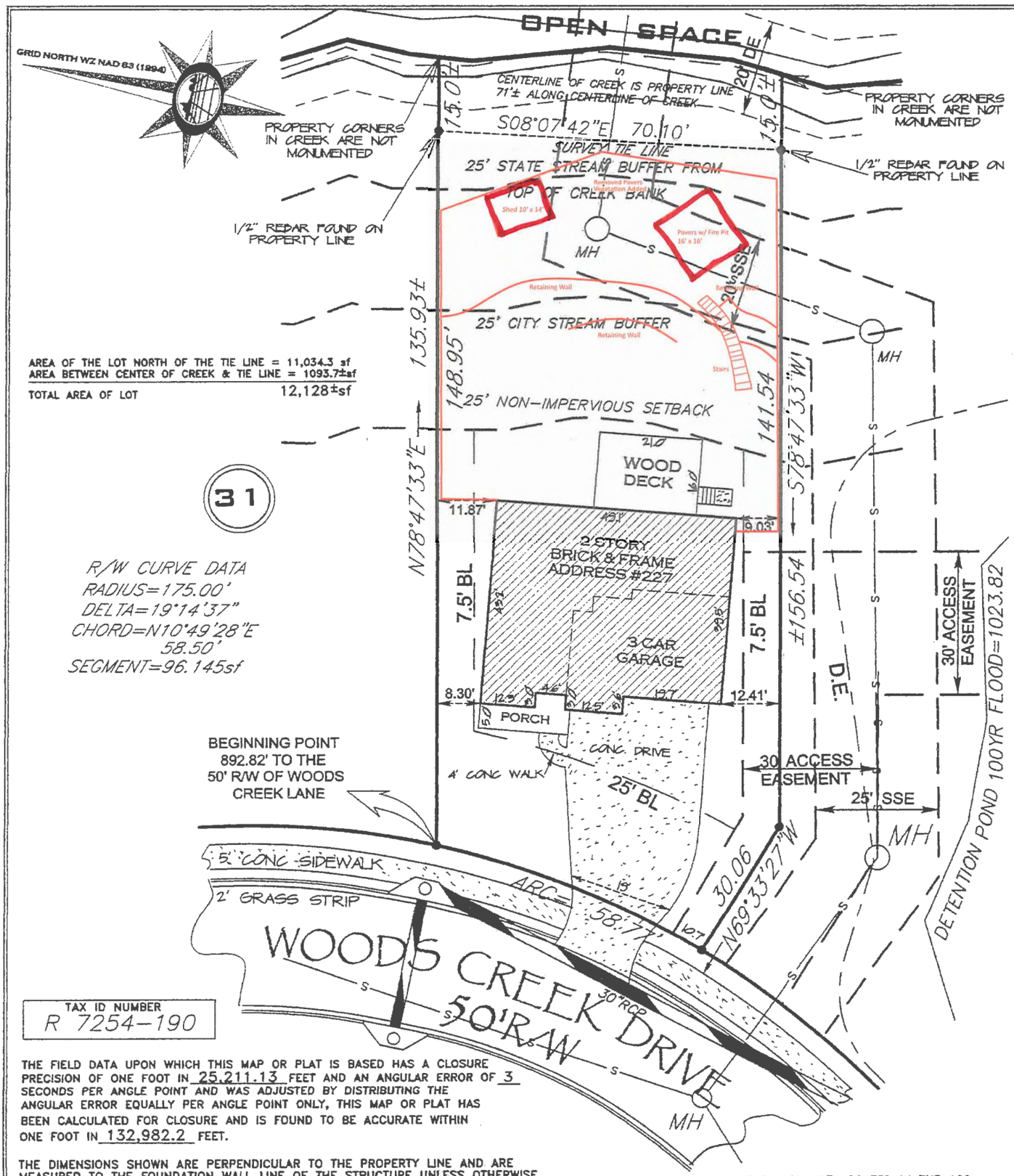
- The long-term and construction water-quality impacts of the proposed variance;
  The applicant did not provide such a study, but disruption of the stream buffer could potentially impact water quality by reducing the groundwater recharge area.

- Whether issuance of the variance is at least as protective of natural resources and the environment;
  Issuance of the variance with additional mitigation could provide equivalent ground water recharge and pollutant filtration provided the proper mitigation measures are taken to add riparian vegetation in the area that was previously disturbed for sanitary sewer main.

- The value of mitigation activities as calculated in accordance with the Gwinnett County Storm Water Design Manual.
  Additional trees and shrubs were planted, additional mitigation may be required.

The Stream Buffer Protection Ordinance was adopted to minimize public and private losses due to erosion, siltation and water pollution, and to maintain stream water quality. Furthermore, the buffer is required for protecting, restoring and maintaining the chemical, physical and biological integrity of streams and their water resource. ***While these activities are customary residential accessory uses, care should be taken to restore the condition of the stream protection areas with proper vegetation and on-going maintenance.***

Received 7/20/2016



TAX ID NUMBER
R 7254-190

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 25,211.13 FEET AND AN ANGULAR ERROR OF 3 SECONDS PER ANGLE POINT AND WAS ADJUSTED BY DISTRIBUTING THE ANGULAR ERROR EQUALLY PER ANGLE POINT ONLY, THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 132,982.2 FEET.

THE DIMENSIONS SHOWN ARE PERPENDICULAR TO THE PROPERTY LINE AND ARE MEASURED TO THE FOUNDATION WALL LINE OF THE STRUCTURE UNLESS OTHERWISE SHOWN TO THE EAVE LINE. THE LOT SHOWN CONTAINS 12,128+ SQUARE FT.

SEE PLAT BOOK 126 PAGE 256-259 FOR THE ORIGINAL CLOSURE PRECISION OF THE SUBDIVISION PLAT ON WHICH THIS LOT IS SHOWN ALONG WITH OTHER INFORMATION NOT SHOWN ON THIS SITE PLAN.

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. 15-6-67

- ● – 1/2" DIAMETER (REBAR) A SOLID STEEL ROD FOUND AT THE PROPERTY CORNER UNLESS OTHERWISE SHOWN.
- ○ – 1/2" DIAMETER (REBAR) A SOLID STEEL ROD SET AT THE PROPERTY CORNER UNLESS OTHERWISE SHOWN.
- M.H. – SANITARY SEWER MAN HOLE
- P.P. – POWER POLE
- BTOB – BACK TO BACK OF CURB
- F.H. – FIRE HYDRANT
- C.B. – CATCH BASIN
- D.E. – DRAINAGE EASEMENT
- J.B. – JUNCTION BOX
- S.S.E. – SANITARY SEWER EASEMENT
- B.L. – BUILDING SET BACK LINE
- -+- – OVERHEAD WIRE (TELEPHONE OR POWER)
- ~~ – DIRECTION OF SURFACE DRAINAGE FLOW

GEORGIA REGISTERED No. 2269 PROFESSIONAL LAND SURVEYOR F.L. BULLARD

LEVEL II, GSWCC #4419
FOR THE FIRM OF
PLANNING AND DEVELOPMENT PC.
CERTIFICATION #LSF000604
21473 MADISON HWY.
MACHEN GA. 31064-9800
ATLANTA: (404) 314-1964

THE PROPERTY SHOWN HEREON IS NOT LOCATED IN THE 100 YEAR FLOOD HAZARD AREA AS DEFINED BY FEDERAL EMERGENCY MANAGEMENT AGENCY MAP FOR THIS AREA. COMMUNITY PANEL #13135C 0024 F DATED 09-29-06

GRAPHIC SCALE
0' 5' 10' 20' 30' 50' 80'

CLOSING SURVEY FOR
GEOFFREY & AMNERIS BERRIOS

SUBDIVISION- ROBERTS LANDING
UNIT - - LOT №- 30 BLOCK-

LOCATED IN:
LAND LOT- 254
DISTRICT- 7th
CITY- SUGAR HILL
COUNTY- GWINNETT, GEORGIA

DRAWN BY F.L.B.
CHECKED BY
REVISIONS

SCALE 1" = 20' DATE 01-28-13