



Mayor
Richard E. Roquemore

City Administrator
Michael E. Parks

City Council
Robert L. Vogel III
Taylor J. Sisk
Jamie L. Bradley
Joshua Rowan

AGENDA

Zoning Board of Appeals
September 11, 2024
6:00 pm
1 Auburn Way

Call to Order

Approval of the Minutes – August 14, 2024

Approval of the Agenda

Old Business

1. VA-24005, Blue River Development, LLC c/o LJA Engineering, Inc., requests a variance from Sec. 18.08.050.A.1, Buffer and Setback Requirements, to reduce the undisturbed natural vegetative buffer from fifty (50) feet to zero (0) feet along a stream bank.

This item was tabled at the August 14, 2024, Zoning Board of Appeals meeting.

Announcements

Adjournment



MAYOR
Rick E. Roquemore

CITY ADMINISTRATOR
Michael E. Parks

ZBOA Meeting Minutes
August 14, 2024

Meeting Called to order by Chairman Sewell

Chairman asked for an approval of the minutes for June 12, 2024- motion made, second, all approved

Chairman asked for an approval of the agenda reading the case number 1. VA-24005, application made by Blue River Development, LLC c/o LJA Engineering, Inc. to request a variance from Section 18.08.050.A (1), to reduce the minimum buffer width from 50' to 0" for an undisturbed natural vegetative buffer shall be maintained for fifty feet (50 ft) measured horizontally, on both banks (as applicable) of the stream as measured from the top of the stream bank.

Chairman turned the meeting over to Sarah McQuade, City Planner to read the Zoning Board of Appeals Meeting Procedures.

City Planner, Sarah McQuade stated the application on agenda is that of the Blue River Development requesting a stream buffer variance. City Planner had made the recommendation to the Zoning Board of Appeals to table this item because after the application deadline had passed, the applicant submitted a revised site plan and that the timing of the revision it did not allow her and her staff to review the plan and get the agenda and recommendation to the Board in a timely manner for them to review. Staff recommended tabling the item until their next meeting which will be September 11, 2024.

Due to the recommendation to table, the Staff was advised that a Public Hearing process did not have to be opened for discussion since no staff report or analysis was presented.

Chairman Sewell stated that there was a motion to table the item until the next meeting. Board Member Kelley made the motion to table until the September 11, 2024, meeting, seconded by Board Member Riley, all in favor, motion passed.

Motion to adjourn, motion made, 2nd, all in favor.



COMMUNITY DEVELOPMENT DEPARTMENT

CITY OF AUBURN
1369 FOURTH AVENUE
AUBURN, GA 30011
PHONE: 770-963-4002
www.cityofauburn-ga.org

MEMORANDUM

TO: Zoning Board of Appeals Members

FROM: Sarah McQuade, City Planner

DATE: August 8, 2024

RE: VA 24-005 – Application submitted by Blue River Development, LLC for a variance from Section 18.08.050(A)(1), to reduce the undisturbed natural vegetative buffer from fifty (50) feet to zero (0) feet along a stream (Tax Parcels AU11 066 & AU11 152).

Dear Zoning Board of Appeals Members,

The applicant is requesting a variance from Section 18.08.050(A)(1), to reduce the undisturbed natural vegetative buffer from fifty (50) feet to zero (0) feet along a portion of stream (Tax Parcels AU11 066 & AU11 152).

Staff recommends postponing (tabling) this item to a future date, as the applicant submitted an updated the site plan after the application deadline. Staff has not had sufficient time to review the revised application materials before the public hearing.

Please let me know if you have any questions.

Thank you,
Sarah

CC: Mayor and Members of City Council
Michael Parks
Jack Wilson



ADDITIONAL REQUIREMENTS FOR STREAM BUFFER VARIANCES

Site Plan Requirements:

1. Delineation of the stream buffer (state, 50-foot undisturbed and 25-foot additional setback) and the limits of all existing and proposed land development or land disturbance, both inside and outside the buffer and setback. The exact area of the buffer to be affected shall be accurately and clearly indicated in a table as follows:

Buffer area	Existing Encroachment (sq.ft.)	Proposed Encroachment (sq.ft.)
25 foot (State buffer)		
50 foot (City buffer)	0	4022
75 foot (City impervious setback)		

2. A site map that includes locations of all streams, wetlands, floodplain boundaries and other natural features, as determined by field survey;
3. A description of the shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;
4. A detailed site plan that shows the locations of all existing and proposed structures and other impervious cover, the limits of all existing and proposed land disturbance, both inside and outside the buffer and setback. The exact area of the buffer to be affected shall be accurately and clearly indicated;
5. Documentation of unusual hardship should the buffer be maintained;
6. At least one alternative plan, which does not include a buffer or setback intrusion, or an explanation of why such a site plan is not possible;
7. A calculation of the total area and length of the proposed intrusion;
8. A stormwater management site plan, if applicable; and
9. Proposed mitigation, if any, for the intrusion. If no mitigation is proposed, the request must include an explanation of why none is being proposed.



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

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;
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.

*Variances will not be considered when, following adoption of the ordinance codified in this chapter, actions of any property owner of a given property have created conditions of a hardship on that property.



VARIANCE APPLICATION

Type of Request:	<input type="checkbox"/> Zoning/Special Exception	<input type="checkbox"/> Administrative	<input type="checkbox"/> Sign	<input checked="" type="checkbox"/> Stream Buffer	<input type="checkbox"/> Other
Applicable Zoning/Sign Code Section:					
Nature of Request:	Required	Proposed	Minimum Setback Requirements	Proposed Setback Requirements	
<input type="checkbox"/> Setback					
<input type="checkbox"/> Sign					
<input type="checkbox"/> # Parking Spaces					
<input type="checkbox"/> Other					
Name of Project/Subdivision: Harmony Farms			Present Zoning: AG and CCD		
Property Address/Location: 6th Street			Tax Parcel ID: AU11 152		
Briefly describe variance request: Reduction from 50' to 0' (See attached Exhibits) Code 18.08.050.A.1					
Owner Name: Blue River Development, LLC					
Address: 3810 Windermere Pkwy, Suite 504					
Phone: 1-800-424-8802			Email: eid@blueriverdevelopment.com		
Applicant Name (if different from above): Blue River Development, LLC c/o LJA Engineering, Inc.					
Address: 299 South Main Street, Alpharetta, Georgia 30009					
Phone: 770-855-2430			Email: cdurnwald@lja.com		
<i>To the best of my knowledge, this variance application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Auburn Zoning Ordinance. I understand that failure to supply all required information (per the relevant Applicant Checklists and Requirements of the Auburn Zoning Ordinance) will result in the rejection of this application. I have read the provisions of the Georgia Code Section 36-67A-3 as required regarding Campaign Disclosures. My Signed Campaign Disclosure Statement is included.</i>					
Owner/Applicant Signature: 			Date: 6/21/24		
Sworn to and subscribed before me this 21st day of June , 20 24 .					
Notary Public: 			Date:		
Application Received by:			Case Number:		
Application Fee: <input type="checkbox"/> \$450					
ZBOA Public Hearing Date:					




CERTIFICATIONS

In the event an owner's agent or contract purchaser is filing this application, both the owner's and agent's certifications must be completed. If the owner is filing the application, only the owner's certification must be completed.

OWNER'S CERTIFICATION

The undersigned below, hereby declares that they are the owner(s) of the property, located at

Tax Parcel A111 068B
as shown in the records of Barrow or Gwinnett County, GA.


Signature
DAVID J. SCHMIT, MGR
AUBURN DEVELOPMENT LLC

7.22.2024
Date

Appeared before me personally this 22nd day of July, 2024


Signature of Notary Public

7-22-24
Date

Exp. 2-7-26





CERTIFICATIONS

In the event an owner's agent or contract purchaser is filing this application, both the owner's and agent's certifications must be completed. If the owner is filing the application, only the owner's certification must be completed.

OWNER'S CERTIFICATION

The undersigned below, hereby declares that they are the owner(s) of the property, located at

Tax Parcel AV11 152, AV11 068B
as shown in the records of Barrow or Gwinnett County, GA.


Signature

6.24.2024
Date

Appeared before me personally this 24th day of June, 2024.


Signature of Notary Public

6-24-24
Date



Applicant's Letter of Intent
Blue River Development, LLC
Harmony Farms
Stream Buffer Variance

Introduction

The subject property is located on 6th Street, Auburn, GA 30009. The subject property has been submitted as a CCD development known as Harmony Farms. The legal description has been provided for the subject property. The parcel number is AU 11 152. The topography of the parcel is sloped from the front to back with an extreme decline towards the stream buffer. The perimeter is lined with ground cover, foliage, trees, and plants. There are no encroachments within the 25' stream buffer. The stream is located along the northern property line.

Proposal

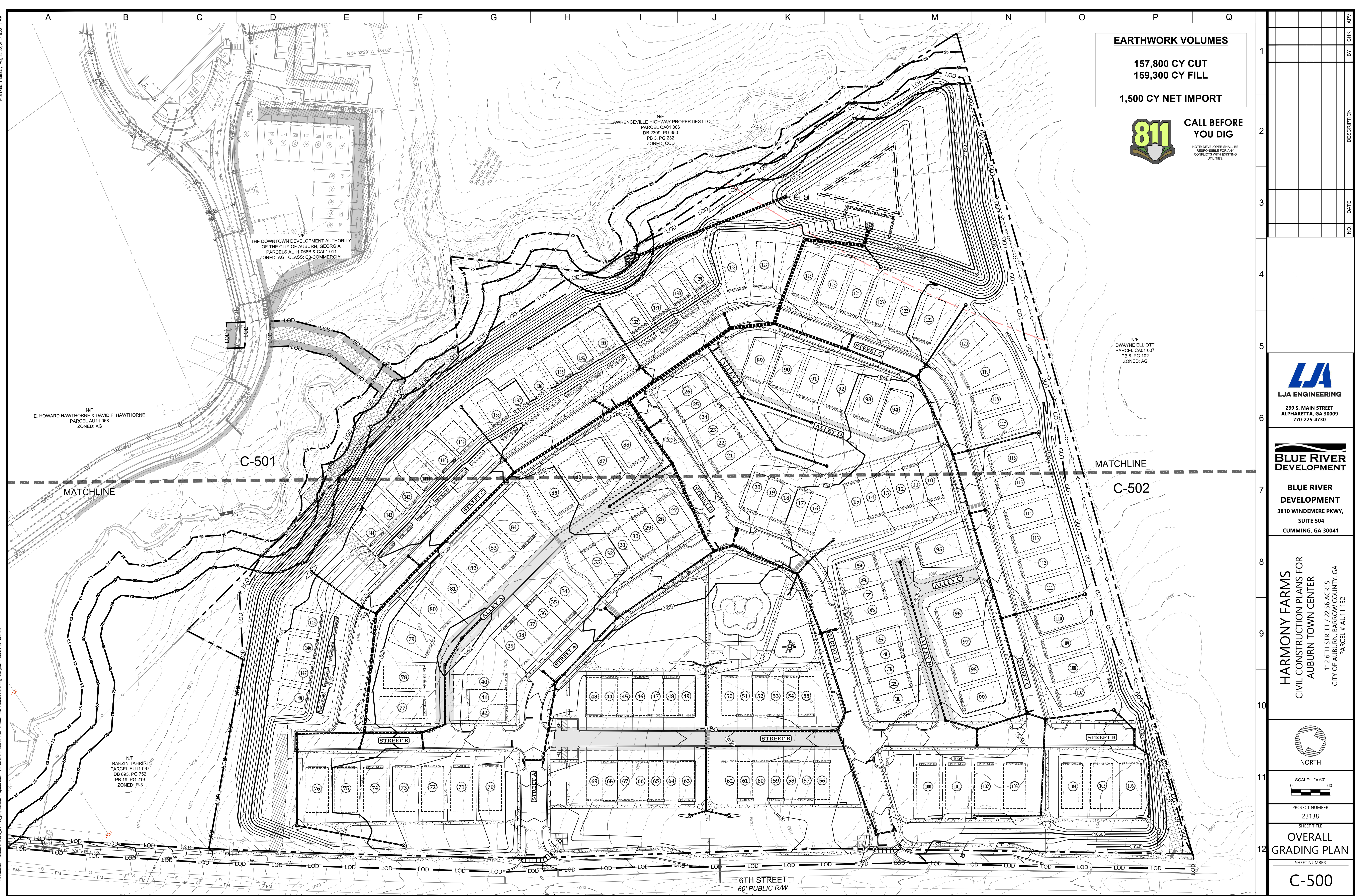
We propose limited grading in three separate areas of the 50' City Buffer and replant these areas per code to prevent erosion. These areas total 4,022 SF. The proposed additions will not encroach upon the 25' stream buffer; however, it will stabilize the topography, assist with proper drainage, and allow better usage of the space without the need to install retaining walls. The location of the proposed 25' stream buffer is outlined in the site plan. There are no water quality impacts of the proposed variance.

Alternative Plans

There are no feasible alternative plans other than the construction of retaining walls.

Conclusion

The proposed changes will not harm the stream buffer. The same protection of the water as provided by the natural features will not be disturbed or removed. Additional plants, ground cover, grass and foliage will be added to the back yard area to ensure the preservation of the stream buffer.



EARTHWORK VOLUMES
 157,800 CY CUT
 159,300 CY FILL
 1,500 CY NET IMPORT



CALL BEFORE YOU DIG
 NOTE: DEVELOPER SHALL BE RESPONSIBLE FOR ANY CONFLICTS WITH EXISTING UTILITIES.

NIF
 E. HOWARD HAWTHORNE & DAVID F. HAWTHORNE
 PARCEL AU11 068
 ZONED: AG

NIF
 THE DOWNTOWN DEVELOPMENT AUTHORITY
 OF THE CITY OF AUBURN, GEORGIA
 PARCELS AU11 068B & CA01 011
 ZONED: AG CLASS C3-COMMERCIAL

NIF
 LAWRENCEVILLE HIGHWAY PROPERTIES LLC
 PARCEL CA01 006
 DB 2309, PG 350
 PB 3, PG 232
 ZONED: CCD

NIF
 BARBARA NIF
 PARCEL CA01 008
 DB 1488, PG 588
 PB 8, PG 588

NIF
 DWAYNE ELLIOTT
 PARCEL CA01 007
 PB 8, PG 102
 ZONED: AG

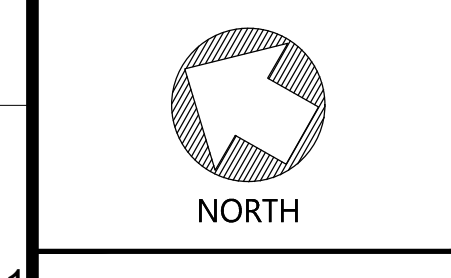
NIF
 BARZIN TAHRIRI
 PARCEL AU11 067
 DB 893, PG 752
 PB 19, PG 219
 ZONED: R-3

1	DESCRIPTION	CHK	APV
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LJA ENGINEERING
 299 S. MAIN STREET
 ALPHARETTA, GA 30009
 770-225-4730

BLUE RIVER DEVELOPMENT
 BLUE RIVER DEVELOPMENT
 3810 WIDEMERE PKWY,
 SUITE 504
 CUMMING, GA 30041

HARMONY FARMS
 CIVIL CONSTRUCTION PLANS FOR
 AUBURN TOWN CENTER
 112 6TH STREET / 22.56 ACRES
 CITY OF AUBURN, BARROW COUNTY, GA
 PARCEL # AU11 152



PROJECT NUMBER
 23138
 SHEET TITLE
OVERALL GRADING PLAN
 SHEET NUMBER
C-500

File Location: s:\projects\02_projects\blue_river_development\23138_auburn_town_center\02_design\02_con\23138_sheets
 Plot Date: Thursday, August 22, 2024 12:23:41 AM

