



Michael L. Thurmond

Chief Executive Officer

DeKalb County Zoning Board of Appeals

Department of Planning & Sustainability

178 Sams Street

Decatur, GA 30030

Wednesday, June 11, 2025

DeKalb County's Response to Appeal



N13. Case No: A-25-1247545 Parcel ID(s): 18 206 01 034

Commission District 02 Super District 06

Appeal of: Administrative Decision to grant administrative variance regarding stream buffer

Appellant(s): Todd Shoemaker

Project Name: 2522 Echo – Residential Appeal: Stream Buffer Encroachment

Location: 2522 Echo Drive NE, Atlanta, GA 30345

Appeal: Appeal of an administrative decision to deny a request for stream buffer encroachment at 2522 Echo Drive NE within the R-75 (Residential Medium Lot-75) zoning district.

Standard: Thedecisions made by public officials are presumed to be valid and just...An appeal shall be sustained only upon an expressed finding by the zoning board of appeals that the administrative official's action was based on an erroneous finding of a material fact, erroneously applied the zoning ordinance to the facts, or that the administrative official acted in an arbitrary manner. In exercising its powers, the zoning board of appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from, and to that end shall have all the powers of the administrative official from whom the appeal was taken and may issue or direct the issuance of a permit, provided all requirements imposed by any applicable laws are met. Section 27-7-5 *et seq.* Code of DeKalb County, as Revised 1988.

DeKalb County's

Position: Planning & Sustainability staff's decision to deny the administrative request was consistent with the current stream buffer regulations found in Section 14-44.1. While the proposed project offers environmental benefits, the Zoning Ordinance prohibits new disturbance within stream buffers regardless of intended impact. Therefore, staff's denial was appropriate under the letter of the code, and the Zoning Board of Appeals should affirm the decision.

BACKGROUND

The appellant, Todd Shoemaker, submitted an administrative stream buffer variance to allow the construction of a retaining wall within the 75-foot buffer to control erosion and create a level area for a future backyard and swimming pool. The subject property is a residential parcel that includes steep rear slopes leading into a stream buffer zone.

The application was denied administratively due to noncompliance with Section 14-44.1, which does not permit buffer encroachments for private yard expansion or recreational features.

BASIS FOR THE APPEAL

The appellant argues that:

- The proposed wall would mitigate active erosion and reduce long-term environmental harm.
 - Construction would be low-impact, including hand-digging and native planting.
 - The steep slope and narrow rear yard create an unfair hardship compared to neighboring properties.
 - The improvements are modest in scale and consistent with similar homes nearby.
 - A mitigation plan, including non-structural erosion controls, will be submitted if the appeal is granted.
-

STAFF RESPONSE TO THE APPEAL

Staff has carefully reviewed the appeal and the original approval decision and finds the following:

- **Code Compliance:**
The denial aligns with Section 14-44.1, which does not permit new construction within stream buffers for non-essential or private improvements, including retaining walls for pools or expanded yards.
 - **Pending Mitigation Plan:**
No stamped mitigation plan has been submitted to date. Approval of an appeal without such documentation would be premature and not supported by the current application file.
 - **Potential Site Revisions:**
Staff has been informed that a sister application or revised design may be forthcoming, possibly introducing adjustments that align more closely with permitted buffer uses. Until those materials are submitted, the current appeal lacks adequate supporting evidence.
-

CONCLUSION AND RECOMMENDATION

Staff finds that the original denial was consistent with the zoning ordinance and based on the applicant's failure to demonstrate code-compliant hardship or submit a complete mitigation strategy.

Recommendation: Affirm the staff decision and deny the appeal.

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Interim Director
Cedric Hudson

ZONING BOARD OF APPEALS APPLICATION FOR PUBLIC HEARING (VARIANCES, SPECIAL EXCEPTIONS, APPEALS OF ADMINISTRATIVE DECISIONS)

Applicant and/or
Authorized Representative: _____

Mailing Address: _____

City/State/Zip Code: _____

Email: _____

Telephone Home: _____ Business: _____

OWNER OF RECORD OF SUBJECT PROPERTY

Owner: _____

Address (Mailing): _____

Email: _____ Telephone Home: _____ Business: _____

ADDRESS/LOCATION OF SUBJECT PROPERTY

Address: _____ City: _____ State: _____ Zip: _____

District(s): _____ Land Lot(s): _____ Block: _____ Parcel: _____

Zoning Classification: _____ Commission District & Super District: _____

CHECK TYPE OF HEARING REQUESTED:

_____ VARIANCE (From Development Standards causing undue hardship upon owners of property.)

_____ SPECIAL EXCEPTIONS (To reduce or waive off-street parking or loading space requirements.)

_____ OFFICIAL APPEAL OF ADMINISTRATIVE DECISIONS.

PLEASE REVIEW THE FILING GUIDELINES ON PAGE 4. FAILURE TO FOLLOW GUIDELINES MAY RESULT IN SCHEDULING DELAYS.

Email plansustain@dekalbcountyga.gov with any questions.

DEPARTMENT OF PLANNING & SUSTAINABILITY

ZONING BOARD OF APPEALS APPLICATION

AUTHORIZATION OF THE PROPERTY OWNER

I hereby authorize the staff and members of the Zoning Board of Appeals to inspect the premises of the Subject Property.

I hereby certify that the information provided in the application is true and correct.

I hereby certify that I am the owner of the property subject to the application.

DATE: _____

Applicant
Signature:



DATE: _____

Applicant
Signature:

DEPARTMENT OF PLANNING & SUSTAINABILITY

ZONING BOARD OF APPEALS APPLICATION

AUTHORIZATION TO REPRESENT THE PROPERTY OWNER

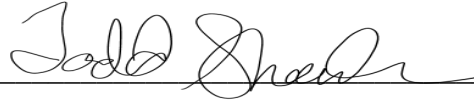
I hereby authorize the staff and members of the Zoning Board of Appeals to inspect the premises of the Subject Property.

I hereby certify that the information provided in the application is true and correct.

I hereby certify that I am the owner of the property and that I authorize the applicant/agent to apply for a hearing to the Zoning Board of Appeals for the requests as shown in this application.

DATE: _____

Applicant/Agent
Signature:



TO WHOM IT MAY CONCERN:

(I)/ (WE): _____
(Name of Owners)

being (owner/owners) of the property described below or attached hereby delegate authority to the above signed agent/applicant.

Notary Public

Owner Signature

Notary Public

Owner Signature

Notary Public

Owner Signature

Filing Guidelines for Applications to the Zoning Board of Appeals

1. Submit Application Materials:

- a. To ensure proper processing and payment, please create a profile and upload at least page 1 of your application to: <https://epermits.dekalbcountyga.gov/> (no more than 10mb permitted).
 - If you have an existing account, you may use that account and create a *new application number* by selecting the proper application type.
 - Fill out *all* Account Portal Questions
 - Put your **email address under “WEB ACCOUNT”**
 - **SAVE APPLICATION NUMBER (1246XXX)** – send to staff when you email your complete application.
- b. After portal submittal, email one (1) combined PDF document of the completed application and materials to plansustain@dekalbcountyga.gov and ljcarter@dekalbcountyga.gov along with application number.
- c. Please confirm we have received your application.
- d. For any questions, please contact plansustain@dekalbcountyga.gov

2. Order of Submitted Materials:

- a. Application Form
- b. Signatures and authorization (including permission to go on property)
- c. Letter of Intent
- d. Surveys, site plans.
- e. Other relevant materials (e.g., photographs, letters of support, citation, etc.)

3. Authorization:

- a. If property owner is different from the applicant, the form to authorize the application must be signed by the owner and stamped by a notary.
- b. If property is owned by more than one property owner, all property owners must authorize the request.

4. Letter of Intent:

- a. **Explain what you are asking for and why.**
- b. A typed statement indicating the request and clarifying justification for the proposal based on the criteria as indicated in Section 27-7.5.3 or 7.5.4 of the DeKalb County Zoning Ordinance (see attached information).
- c. Reference the section of the code you are requesting to vary and the amount of requested change, (such as to reduce the rear yard setback from forty (40) feet to twenty (20) feet to construct an addition).

5. Surveys and site plans of the Subject Property:

- a. Must be stamped by a professional engineer or surveyor, registered in the State of Georgia.
- b. All plans and surveys must include the following information:
 1. Must show all property lines with dimensions.
 2. Must show the location of all existing and proposed buildings, structures, parking and setbacks (their relationship to the property boundaries).
 3. Must show any other features related to the request such as trees, fences, topography, streams, etc.
 4. Must be to-scale
 5. Must show lot area and lot coverage (impervious materials, including paving and structures).

6. **Application Fee is \$300.** You will be able to pay by credit card on the epermitting portal. A receipt will be provided.

Writing the Letter of Intent

Please address the following criteria as appropriate:

7.5.1 Applications for variances; and criteria to be used by the zoning board of appeals in deciding applications for variances.

The zoning board of appeals shall hear and decide applications for variances from the strict application of the regulations of this chapter and chapter 21 where the strict application of any regulation enacted under said chapters would result in exceptional and undue hardship upon the owner of such property. In determining whether or not to grant a variance, the board shall apply the criteria specified in this section to the facts of each case. The board may attach reasonable conditions to any approved variance in accordance with section 7.3.9. Once imposed, conditions shall become an integral part of the approved variance and shall be enforced as such. No changes to an approved condition attached to a variance shall be authorized except by re- application to the zoning board of appeals in full compliance with the applicable provisions of this division. No relief may be granted or action taken under the terms of this division unless such relief can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of this chapter and the comprehensive plan. The zoning board of appeals shall apply the following criteria to the types of applications specified below as follows:

- A. Variances from the provisions or requirements of this chapter other than variances described in section 7.5.4 shall be authorized only upon making all of the following findings in writing:
 - 1. There is an extraordinary or exceptional physical condition(s) pertaining to the particular piece of property (such as, but not limited to, lot size, lot shape, specimen tree(s), steep slope(s), or preservation of historic characteristics of the property), which was not created by the current owner, previous owner, or applicant; by reason of a clearly demonstrable condition(s), the strict application of the requirements of this chapter would deprive the property owner of rights and privileges enjoyed by other property owners in the same zoning district, as distinguished from a special privilege or convenience sought by the property owner.
 - 2. The requested variance does not go beyond the minimum necessary to afford relief and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zoning district in which the subject property is located.
 - 3. The grant of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located.
 - 4. The literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause undue and unnecessary hardship.
 - 5. The requested variance would be consistent with the spirit and purpose of this chapter and the DeKalb County Comprehensive Plan text.
- B. Appeals of decisions regarding building architectural design standards shall be evaluated using the same criteria as section 7.6.7(B).

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- C. Appeals to the height standards, but not to add stories, shall be evaluated using the criteria as follows:
1. Adequacy of the size of the site for the use contemplated and whether or not adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located.
 2. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.
 3. Adequacy of public services, public facilities, and utilities to serve the proposed use.
 4. Whether or not the proposed use provides for all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located.
 5. Whether or not the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings.
 6. Whether or not the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.

7.5.2 Applications for variances to reduce or waive off-street parking or loading space requirements.

The zoning board of appeals shall hear and decide applications for variances to reduce or waive required off-street parking or loading spaces in accordance with the provisions and standards of this section. All such applications shall be heard and decided based on the notice requirements of section 7.2.4. The zoning board of appeals may waive or reduce the required number of parking or loading spaces in any district only upon an expressed finding that:

- A. The character of the use of the building(s) is such as to make unnecessary the full provision of parking or loading spaces;
- B. The lot upon which the building(s) is located is within one thousand (1,000) feet of the boundary of a MARTA RapidTransit Station;
- C. The provision of the full number of parking spaces would have a deleterious effect on a historic building, site, district or archaeological resource;
- D. The use has a characteristic that differentiates it from the typical use example used in the formulation of this ZoningOrdinance;
- E. The location of the proposed development is relatively isolated where the opportunity for diversity of use, pedestrian access, and alternative modes is not available; or
- F. The developer is providing the additional spaces for general public parking (for hourly or daily parking charges) to serve surrounding development.

Section 21-27. Sign Variances.

- (a) Where a literal application of this article, due to special circumstances, would result in an unusual hardship in an individual case, a variance may be granted by the zoning board of appeals after receiving evidence that the applicant meets all of the following criteria:
 - 1. Exceptional conditions pertaining to the property where the sign is to be located as a result of its size, shape, or topography, which are not applicable to other lands or structures in the area;
 - 2. Granting the variance would not confer on the applicant any significant privileges which are denied to others similarly situated;
 - 3. The exceptional circumstances are not the result of action by the applicant;
 - 4. The requested variance is the minimum variance necessary to allow the applicant to enjoy the rights commonly enjoyed by others similarly situated;
 - 5. Granting of the variance would not violate more than one (1) standard of this article; and
 - 6. Granting the variance would not result in allowing a sign that interferes with road or highway visibility or obstruct or otherwise interfere with the safe and orderly movement of traffic.
- (b) No variance shall be granted to the height of a sign or the aggregate area of signs permitted on a lot.
- (c) No variance shall be granted which increases the size of a sign more than twenty (20) percent of that allowed by this chapter. (Ord. No. 13-03, Pt. I, 6-10-03)

7.5.3 Appeals of decisions of administrative officials.

- A. *General Power.* The zoning board of appeals shall have the power and duty to hear and decide appeals where it is alleged by the appellant that there is error in any final order, requirement, or decision made by an administrative official based on or made in the enforcement of this Zoning Ordinance or as otherwise authorized by local law or the Code of DeKalb County as Revised 1988. Administrative officials must make final decisions covered by this section within one hundred and eighty (180) days of receipt of all necessary information to make such decision. A failure to act prior to the passage of one hundred and eighty (180) days shall not be construed to be a final order, requirement or decision within the meaning of this division. If a decision is not made by the 181st day, the requested decision is deemed denied, and becomes appealable. All such appeals shall be heard and decided following the notice requirements of section 7.2.4, and pursuant to the following criteria and procedural requirements.
- B. *Appeals of decisions of administrative officials.* Appeals of decisions of administrative officials may be filed by (1) any person aggrieved by; (2) any elected member of the DeKalb County Governing Authority affected by; or (3) an owner of property within two hundred and fifty (250) feet of the nearest property line of the property that is the subject of any final order, requirement, or decision of an administrative official, based on or made in the enforcement of this Zoning Ordinance, or as otherwise authorized by local law or the Code of DeKalb County as Revised 1988. by filing with the secretary of the zoning board of appeals an application for appeal, specifying the grounds thereof, within fifteen (15) days after the action was taken by the official that is the subject of the appeal.
- C. *Appeal stays all legal proceedings.* An appeal of a decision of an administrative official stays all legal proceedings in furtherance of the action or decision appealed from unless the official from whom the appeal is taken certifies to the zoning board of appeals, after notice of appeal has been filed, that by reason of facts stated in the certificate, a stay would, in that official's opinion, cause imminent peril to life or property. In such a case, legal proceedings shall be stayed only pursuant to a restraining order granted by a court of competent jurisdiction directed to the officer from whom the appeal is taken and

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- D. *Appeal stays land disturbance or construction activity in certain situations.* If the action or decision appealed from permits land disturbance or construction activity to commence or continue on residentially zoned property, the appeal stays the land disturbance or construction activity until the zoning board of appeals issues a decision on the appeal. Thereafter, land disturbance or construction activity in such cases shall only be stayed by an order from a court of competent jurisdiction. In all cases involving non-residentially zoned property, the appeal to the zoning board of appeals does not stay land disturbance or construction activity; such activity shall only be stayed by an order from a court of competent jurisdiction.
- E. Thereafter, in such situations land disturbance or construction activity shall only be stayed by an order granted by a court of competent jurisdiction.
- F. *Time of hearing.* The zoning board of appeals shall fix a reasonable time for the hearing of the appeal and give notice thereof pursuant to the requirements of section 7.2.4 as well as written notice to the appellant. Any party may appear at the hearing in person, by an agent, by an attorney, or by the submission of written documentation.
- G. *Decision of the zoning board of appeals.* Following the consideration of all testimony, documentary evidence, and matters of record, the zoning board of appeals shall make a determination on each appeal and shall issue a written decision explaining the reasons for its decision. The zoning board of appeals shall decide the appeal within a reasonable time, but in no event more than sixty (60) days from the date of the hearing. An appeal shall be sustained only upon an expressed finding by the zoning board of appeals that the administrative official's action was based on an erroneous finding of a material fact, erroneously applied the Zoning Ordinance to the facts, or that the administrative official acted in an arbitrary manner. In exercising its powers, the zoning board of appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from, and to that end shall have all the powers of the administrative official from whom the appeal was taken and may issue or direct the issuance of a permit, provided all requirements imposed by any applicable laws are met.

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7.5.4 Limitations of authority of the zoning board of appeals.

No variance shall be granted by the zoning board of appeals to:

- A. Allow a structure or use not listed as a permitted use or a special use in the applicable zoning district or a density of development that is not authorized within such district. This prohibition does not apply to any variance from the supplemental regulations of Article 4 of this Zoning Ordinance or from any other accessory feature or characteristic of a permitted or special use, unless said variance is otherwise prohibited by the regulations of this chapter.
- B. Allow any variance which conflicts with or changes any requirement enacted as a condition of zoning or of a special land use permit by the board of commissioners.
- C. Reduce, waive or modify in any manner the minimum lot width unless the purpose is to reverse a lot merger.
- D. Reduce, waive or modify in any manner the minimum lot area established by this chapter.
- E. Extend the time period for a temporary outdoor social, religious, entertainment or recreation activity approved by the director of planning.
- F. Permit the expansion or enlargement of any nonconforming use of land, nonconforming use of land and buildings in combination, nonconforming use of land and structures in combination, or nonconforming use requiring special land use permit.
- G. Permit the reestablishment of any nonconforming use of land, nonconforming use of land and buildings in combination, nonconforming use of land and structures in combination, or nonconforming use requiring special land use permit where such use has lapsed pursuant to the requirements and limitations of Article 8 of this chapter.
- H. Permit customer contact for a home occupation authorized by this chapter.
- I. Allow any variance to increase the height of a building which will result in adding a story.

Summary of Zoning Board of Appeals Application Process:

1. **Timeline.** It takes ~45-60 days to submit your application and receive an initial decision from the Zoning Board of Appeals regarding your request.
2. **Pre-application Meetings.** DeKalb County now mandates pre-application meetings. Please email plansustain@dekalbcountyga.gov to schedule a virtual appointment to meet with a Planner assigned to the Zoning Board of Appeals. During the virtual meeting, we will review and provide feedback regarding your request, review the application process, and answer any questions.
3. **Application Submittals.** Create a profile and upload at least page 1 of your application to: <https://epermits.dekalbcountyga.gov/> (no more than 10mb permitted). Email a combined PDF document of the completed application and materials to plansustain@dekalbcountyga.gov and ljcarter@dekalbcountyga.gov along with the application number.
4. **Public Hearing Signs.** You will need to post at least one sign per street frontage of the property. Staff will prepare a sign template. You will need to coordinate sign printing and posting with a sign company of your choice, at least 30 days prior to the ZBA hearing. Sign(s) must remain posted until final Board of Appeals action regarding the request. If the application is deferred, you may update the sign(s).
5. **Revisions or amendments.** An application must be submitted in writing and must be received a least 14-days before the scheduled meeting to be addressed by the staff report.
6. **Staff Report.** Staff prepares reports and recommendations for each application. These recommendations are based on the attached criteria established by the [DeKalb County Zoning Code](#). Final staff reports are available to the applicant and the public prior to the scheduled Board of Appeals meeting. Find current reports on our website, here: <https://www.dekalbcountyga.gov/planning-and-sustainability/public-hearing-agendas-info>
7. **Monthly Meetings.** The Zoning Board of Appeals meets once a month, generally on the second Tuesday of each month at 1:00 P.M., via Zoom. Find agendas on our website, [HERE](#).
8. **Applicant and/or Representative must be Present.** Applicants or their representatives must be present at the public hearing to present the request to the Zoning Board of Appeals.
9. **Public Hearing portion of Meeting.** Applicants and others in favor of an application are given a total of five (5) minutes to present to the Board. That is five minutes combined, no matter how many people wish to speak. Applicants should be prepared to explain their variance, why they are requesting it and answer questions from the board. Anyone speaking in opposition also has a total of five (5) minutes to address the application in front of the board. Be prepared to raise your hand or announce yourself when the chair asks for those in support or opposition to the application.
10. **Applicant and/or Representative must be Present.** Applicants or their representative must be present at the public hearing to present the request to the Zoning Board of Appeals.
11. **Executive Session.** After the public hearing, the Board of Appeals will close the public hearing, go into executive session for discussion, and will then take an action on an application. Applicants are not allowed to address the Board of Appeals during Executive Session unless they are asked questions by members of the Board of Appeals.

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12. **Zoning Board of Appeals Actions.** The Board of Appeals is authorized to:
 - a. Approve the application as submitted;
 - b. Approve a revised application;
 - c. Approve an application with conditions;
 - d. Deny an application (if an application is denied, no variance can be considered on the same site within 24 months);
 - e. Allow an application to be "Withdrawn without Prejudice" at the request of the applicant.
13. **Compliance with standards upon denial.** In such case that a variance request is initiated due to an existing code violation and such application is denied, the violation shall be required to be brought into compliance within thirty (30) days of such denial or as specified by the board if a greater time period is approved.
14. **Successive applications.** Section 27-920 of the DeKalb County Zoning Ordinance states: An application for a variance or special exception affecting all or a portion of the same property which was denied by the Zoning Board of Appeals shall not be submitted more than once every twenty-four (24) months measured from the date of final decision by the zoning board of appeals. The Zoning Board of Appeals may waive or reduce this twenty-four-month time interval by resolution provided that if the application for a variance or special exception was denied by the Zoning Board of Appeals, the time interval between the date of said denial and any subsequent application or amendment affecting the same property shall be no less than six (6) months.
15. **Appeals of Decisions.** Any person aggrieved by a final decision of the board, or any officer, department, board or agency affected by such decision, may seek review of such decision by petitioning the Superior Court of DeKalb County. Such petition shall be filed within 30 days after the final decision of the board is rendered.

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director
Andrew A. Baker, AICP

**Application for Administrative Variance of Development
Standards Per Code 14-34 (C)**

Fee: \$200.00 – Existing home and \$300.00 for new Development (non-refundable) payable when application is filed. Attach a scale site plan showing all property lines with dimensions; location, size and species of all significant and specimen trees; all existing and proposed buildings; storm drains; sanitary sewers; flood plains; state waters; buffers; easements and fences; north arrow; and land lot and district. The plan must depict the exact nature of the site conditions from which the variance is sought (grading, soil erosion and sedimentation control, storm water management, water quality control) per 14-34(C) 3.

* See checklist for plan requirements.

PROPERTY OWNER: John Holbrook

ADDRESS FOR WHICH THE VARIANCE IS REQUESTED: 2522 Echo Dr NE
Atlanta, GA 30345

PHONE: 423-534-4704 E-MAIL (required): johnfholbrook@gmail.com

AGENT: Todd Shoemaker AGENT PHONE: 6784852922

AGENT ADDRESS: 1440 Dutch Valley Place, AGENT E-MAIL: todd@toddshoemaker.com
Suite 600
Atlanta, GA 30345

DESCRIPTION OF REQUESTED VARIANCE: _____
Encroachment into the stream buffer to stablize the area
with a retaining wall.

TYPE OF CONSTRUCTION (CHECK ONE):

NEW RESIDENTIAL CONSTRUCTION: ☐ NEW COMMERCIAL CONSTRUCTION: ☐
REDEVELOPMENT OF EXISTING MULTI-FAMILY RESIDENTIAL, COMMERCIAL OR INSTITUTIONAL: ☐
REDEVELOPMENT OR ADDITION TO EXISTING SINGLE FAMILY RESIDENTIAL: ☒

14-44.4. Except as further limited herein, an applicant may request a variance from the terms of the requirements of sections 14-37, 14-38, 14-40, 14-42 AND 14-44 of Chapter 14. The director shall have no power to consider or to grant variances which are the responsibility of the director of the EPD pursuant to O.C.G.A. § 12-2-8 and other relevant state statutes and regulations. Where variances involving the same project are requested from both the director of the EPD and the director, the director shall take no action on any such request for variance until the director of the EPD grants the variance or otherwise approves the request pending before the EPD. Receiving a variance from the director of the

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EPD does not obligate the director to permit the project to proceed if the project does not also meet all the other requirements of this article. No variance from the provisions of Chapter 14 shall be authorized except as specifically authorized in this section or specifically authorized in another section of Chapter 14.

14-44.4(i)(1). In considering any request for a variance to the terms of this Chapter authorized in subsection (1) above, the director shall apply all of the following criteria:

a. The request, while not strictly meeting the requirements of Chapter 14, will in the judgment of the director be at least as protective of natural resources and the environment as would a plan which met the strict application of these requirements. In making such a judgment, the director shall examine whether the request will be at least as protective of the natural resources and the environment with regard to the following factors:

1. Stream bank or soil stabilization.
2. Trapping of sediment in surface runoff.
3. Removal of nutrients, heavy metals, pesticides and other pollutants from surface runoff.
4. Terrestrial habitat, food chain, and migration corridor.
5. Buffering of flood flows.
6. Infiltration of surface runoff.
7. Noise and visual buffers.
8. Downstream water quality.
9. Impact on threatened and endangered species, as those species are designated by law or federal or state regulation. The shape, size, topography, slope, soils, vegetation and other physical characteristics of the property.
10. The locations of all streams on the property, including along property boundaries.
11. The location and extent of the proposed buffer or setback intrusion.
12. Whether alternative designs are possible which require less intrusion or no intrusion.
13. The long-term and construction water-quality impacts of the proposed variance.

RESPONSE We will be sure to make sure we are extremely protective
of the natural resources and the enviroment in the
development of this project by hand digging and not use
large equiptment inside the buffer and will treat the
approval as it is the strictest allowed.

b. By reason of exceptional topographic or other relevant physical conditions of the subject property that was not created by which were not created by the owner or applicant, there is no opportunity for any development under any design configuration unless a variance is granted.

RESPONSE If this variance is not granted the land will erode and
steam buffer will continue to be deminished as the
retaining wall will stablize and stop erosion. If this is
not allowed the owner will not have the opportunity to
have a backyard and swimming pool as others in the
neighborhood do.

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- c. The request does not go beyond the minimum necessary to afford relief and does not constitute a grant of special privileges inconsistent with the limitations upon other properties which are similarly situated.

RESPONSE This request does not go beyond the minimum
necessary to afford the owners relief and does not
constitute a special privileges over any other
properties which are similarly situated.

- d. The grant of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the area in which the property is located.

RESPONSE The granting of the variance will not be materially
detrimental to the public welfare or injurious to the
property owner or improvements, in fact it will better
the property and help further stabilize the land.

- e. Whether the applicant has provided a mitigation plan designed and stamped by Georgia licensed design professionals and whether that proposed mitigation plan is (a) non-structural; (b) designed to improve the quality of the stream and the associated buffer; and (c) includes a planting schedule and channel protection design.


RESPONSE We will provide a mitigation plan designed and
stamped by a design professional and it will include
mitigation plan and planting schedule.

- f. Whether the literal interpretation and strict application of the applicable provisions or requirements of Chapter 14 would cause an extreme hardship, so long as the hardship is not created by the owner. The applicant is responsible for providing proof of hardship. The proof shall demonstrate the difficult site conditions and possible alternate designs. The director shall not grant any stream buffer variances if the actions of the property owner of a given property have created the conditions of hardship on the property.

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RESPONSE Due to difficult site conditions we believe we have designed
the best design which demishes the amount we have to
encroach into the stream buffer. The conditions show it is a
difficult site and that the owner did not create the condtions
but is trying to improve them.

APPLICANT Todd Shoemaker DATE: 10/28/24

SIGNATURE 

AMOUNT: _____ MAP REFERENCE _____

RECEIPT _____ ZONING DISTRICT _____

DATE RECEIVED: _____ FILE # _____

TYPE OF VARIANCE GRANTED:

ACTION TAKEN:

DATE: _____

DIRECTOR OF DEVELOPMENT

DEPARTMENT OF PLANNING & SUSTAINABILITY

Stream Buffer Variance Checklist

- ☐ Show graphic scale and north arrow, including location of all streams, wetlands, floodplain boundaries and natural features as determined by field survey.
- ☐ Delineate all state waters located on or within 200 feet of the project site.
- ☐ Delineate 25-foot undisturbed buffers of state waters and 50-foot buffers along designated trout streams from wretched point of vegetation.
- ☐ Delineate 75-foot undisturbed buffers of state waters from wretched point of vegetation.
- ☐ Identify the project receiving waters and describe adjacent areas – such as streams, lakes, drainage ditches, residential areas etc., which might be affected.
- ☐ Variance from GA. E.P.D. required for encroachment in 25-foot state waters buffers.
- ☐ All proposed mitigation plans shall be designed and stamped by a Georgia-licensed designed professional.
- ☐ Show double row Type –C silt fence between land disturbing activity and state waters, wetlands, 2025 built-out conditions and/or I.R.F.
- ☐ File notice of intent and notice of termination with GA. E.P.D. and DeKalb Co., if land disturbance is one (1) acre or more or within 200 feet of state waters. Submission must be 14 days prior to start of land disturbance activities.
- ☐ Show soil series and their delineation.
- ☐ Provide existing and proposed lot coverage.
- ☐ Show limits of disturbance on E&SC plans.
- ☐ Provide name, address, email address and phone number of developer/owner.
- ☐ Provide Power of Attorney, if you are not the owner.
- ☐ Provide name and phone number of 24 – hour local erosion and sediment control contact.
- ☐ Show certification number, signature and seal of qualified plan designer.
- ☐ Provide vegetative plan for all temporary and permanent vegetative practices, including species, planting dates, seeding,

****No permanent non erodabel structure can be placed within the 75' Dekalb County Stream Buffer.***

- ☐ Show location and detail of erosion and sediment control practices, using uniform coding symbols from the manual for Erosion and Sediment Control in Georgia, Chapter 6. Practices may include, but not limited to:
 - ☐ Construction exit
 - ☐ Sediment Barrier per DeKalb STD. 900
 - ☐ Retrofitting
 - ☐ Storm Outlet Protection
 - ☐ Temporary sediment basin and calculations
 - ☐ Storm drain inlet sediment traps

DEPARTMENT OF PLANNING & SUSTAINABILITY

- ☐ Channel stabilization and vegetation
 - ☐ Check dams
 - ☐ Rock filter dams
 - ☐ Down drains
 - ☐ Temporary creek crossings
 - ☐ Mat blankets
 - ☐ Other
-
- ☐ Provide 67 cubic yards per acre sediment storage. This can't be located within the 75' buffer area.
 - ☐ Provide a list of distinct and super district commissioners within which the property is located.
 - ☐ Provide a list of abutting property owners to subject property.
 - ☐ Posting of signs on site is required within 48 hours of submittal of a complete stream buffer variance application. Provide a dated photograph of the posted notice as evidence of posting within 48 hours of posting.

Notes on Plan:

- ☐ Erosion and sediment control measures and practices to be inspected daily.
- ☐ Cut and fill slopes shall not exceed 3H: 1V on residential projects and lots, and lots shall not exceed 2H: 1V on all other projects.
- ☐ "I certify that the permittee's erosion, sedimentation and pollution control plan provides for an appropriate and comprehensive system of best management practices required by the Georgia Water Quality Control Act and the document 'Manual for Erosion and Sediment control in Georgia', published by the State Soil and Water Conservation Commission as of January of the year in which the land disturbing activity was permitted, provides for the sampling of the receiving water(s) or the sampling of the storm water outfalls and the designed system of Best Management Practices and sampling methods is expected to meet the requirements contained in the General NPDES Permit NO. Gar 10000-."(1,2 or 3).
- ☐ "I 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"
- ☐ Inspections by qualified personnel provided by the primary permittee and the associated records shall be kept on site in compliance with Gar.10000- (1,2 or 3).

DEPARTMENT OF PLANNING & SUSTAINABILITY

ADDITIONAL QUESTIONS:

Do all property lines bear dimension?

☒Yes ☐No

Does it include Existing Grading Topography and Proposed Contours?

☒Yes ☐No

Have you inserted other Plans or Documents?

☐Yes ☒No

If so, list them below:

Are you showing Water Quality Control?

☐Yes ☒No

If Buffer Reduction Request, it is required a stream buffer zone of 75'. How many feet of Buffer are you requesting? 34 Feet

Check the box below if drawings indicate all of the following: The standard Dekalb 75 feet buffer; the standard State of Georgia 25 feet buffer; as well as the requested reduced buffer.

☒Yes ☐No

Name what design feature or buffer management requirements have been proposed for the planned reduction.

**We can design a rain garden or any method Deklab
County would require to authorize the encroachment.**

DEPARTMENT OF PLANNING & SUSTAINABILITY

Stream Buffer Variance

“Example Sign”

(Sign must be 20” x 22” Minimum)

Name of Applicant: _____

Address of Property: _____

Site Plan Designer: _____

Contractor: _____

Type of Work: _____

AP Number: _____

Date Variance Applied for: _____



DeKalb County Planning & Sustainability Department

178 Sams Street, Decatur,
GA 30030

Michael L. Thurmond
Chief Executive Officer

Cedric Hudson
Interim Director

Important note: All drawings shall have the seal and signature of the design professional, along with the date the drawings were prepared.

WATER QUALITY REVIEW CHECKLIST FOR SINGLE FAMILY RESIDENTIAL

This checklist shall be submitted with your documents/drawings. Answers shall be provided to all items as "no" or "yes"; and if "no", you must explain why the item in question is not applicable.

Project Name: _____

Date: _____

Address: _____

Parcel #: _____

Name of Design professional _____

Signature 

Seal _____



Date: _____

INFORMATION TO BE SHOWN ON THE DRAWINGS OR WATER QUALITY SHEET	IS ITEM ADDRESSED?		IF NO, EXPLAIN
1. Show the "required" water quality volume (WQv). Use the Georgia Stormwater Management Manual for the WQv formula (i.e. $(1.2 \times R_v \times A)/12$) Important notes: (1) A is the total square feet of the site/property (2) In situations where, the development is only a portion of the total site, and you believe that using the A may result in over-designing the BMPs, you may use the Stormwater Quality Site Development Review Tool instead to show compliance with the water quality review tool which will allow you to accounts for the basins, disturbed areas and area draining to the BMPs.	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
2. Show the "provided" water quality volume by the BMP(s) being proposed. (volume "provided" must exceed or equal to volume "required")	NO <input type="checkbox"/>	YES <input type="checkbox"/>	



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3. Sheet must be sealed by a registered professional civil engineer, landscape architect, land surveyor or architect.	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
4. Minimum sheet size is to be 11" x 17"	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
5. The following information must be provided on the proposed condition sheet: <ul style="list-style-type: none">• Location of Water Quality BMP(s)• Dimension/size of the water quality BMPs (Length x Width x Depth of infiltration trench pit, diameter of flo-wells, number of flo-wells, etc.) must be provided/shown on the proposed condition site plan• Volume "required" by each water quality BMP• Construction details: installation specification, x-section details, maintenance activities and schedule for each water quality BMP• Type of material and size of pipes being used to direct runoff to each water quality BMP	NO <input type="checkbox"/>	YES <input type="checkbox"/>	



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6. Design considerations:	NO	YES	
<ul style="list-style-type: none">• Water quality BMPs shall be installed on the proposed site (no offsite treatment)• Overflow from water quality BMPs shall not adversely impact adjacent properties• Flow from water quality BMPs shall have positive drainage away from all foundations• Water quality BMPs are not allowed:<ul style="list-style-type: none">➤ In County 75' stream buffer➤ In a tree save/critical root zone➤ In special flood hazard area, future condition floodplain and Area Adjacent to Future Conditions Floodplain➤ Within 10 feet upgradient of a private well➤ Within 100 ft upgradient of a septic tank/leach field➤ Within 400 feet upgradient of surface drinking water sources➤ Within 10 feet of building foundation when below the lowest floor elevation (including unfinished	<input type="checkbox"/>	<input type="checkbox"/>	



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<p>basements and crawlspace)</p> <ul style="list-style-type: none">➤ 25' of building foundation OR 3 times the elevation difference between top of water quality BMPs and bottom of lowest floor, whichever is greater; when water quality BMP is above lowest floor (including basements and crawl space)➤ Within 10 feet downgradient of building foundation➤ Within backfill of retaining walls (without a Professional Engineer's structural certification) <ul style="list-style-type: none">• Cleanout and emergency bypass(es) for excess flows shall be installed and shown on the site plan• Infiltration devices shall be placed on 0% grade• Maximum allowable void ratio is 40%			
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<p>7. The following notes must be added:</p> <ul style="list-style-type: none"> • As-built water quality certification shall be provided before issuance of Certificate of occupancy • Water quality BMP(s) to be installed at the time of final landscaping • All collected water shall be directed to the water quality devices. All runoff from roof drain shall be directed to the water quality BMP • Overflow from water quality BMP shall not adversely affect adjacent properties 	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>	
<p>8. Refer to the latest edition of the Georgia Stormwater Management Manual (GSMM) for list of acceptable water quality BMPs, as well as for their engineering design process.</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>	
<p>9. Manufacturer design spreadsheet for volume calculations are not accepted.</p> <p>You may use manufacturers' information to select the number of BMPs, their sizes and dimensions; however you must use mathematical formula to calculate the volume provided by those BMPs.</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>	
<p>10. In order for permeable materials/features such as permeable pavers, porous concrete/asphalt, artificial turf, etc. to be considered/accepted as pervious surfaces; they must be designed to retain the same volume of runoff as a</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>	



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<p>pervious surface such as a lawn. Hence, you must show that the proposed pervious material has the capacity/volume to retain the same amount of runoff as a lawn:</p> <p>(a) Calculate the runoff Q (in) to be expected from a lawn/grass area using equation 3.1.5 from the Georgia Stormwater Management Manual (GSMM, 2016 Edition). $Q = (P - 0.2S)^2 / (P + 0.8S)$ ($S = (1000/CN) + (-10)$ with CN curve number of lawn/grass for the applicable hydrological group soil)</p> <p>(b) Precipitation value P to be used must be the 25-yr rainfall value from the NOAA Atlas Point Precipitation estimates.</p> <p>(c) Compute the volume of runoff F (in) to be retained by the permeable material: $F = P - Q$</p> <p>(d) Compute the depth of the storage area of the permeable material: $D = F/n$ where “n” is the porosity. (Please, note that D is depth of the storage area, and not the total depth of the entire permeable material which will include the depth of other layers and of the pavers or asphalt/concrete)</p> <p>(e) If an upturned underdrain is used, then $D = F / (0.75 \times n)$</p> <p>(f) If an underdrain is used, then $D = F / (0.5 \times n)$ If the permeable materials/features are used for the purpose to reduce the proposed impervious surfaces square footage to less than the threshold stated in Sec.14.40, hence to not</p>			
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provide full stormwater management/detention; then the permeable materials/features cannot be used to also comply with the water quality requirement. A separate BMP shall be used to provide Water Quality.			
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SURVEYOR'S CERTIFICATION

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.



Virgil F. Gaddy, Jr., C.A. PLS # 2661

7/12/24
DATE

THIS BLOCK RESERVED FOR THE CLERK
OF THE SUPERIOR COURT

GRID NORTH (GA WEST)

LEGEND

IPS IRON PIN SET
1/2" REBAR
RBF REBAR FOUND
CTF CRIMP TOP FOUND
OTF OPEN TOP FOUND
JB JUNCTION BOX
R/W RIGHT-OF-WAY
BL BUILDING LINE
P PROPERTY LINE
CB CATCH BASIN
FHW SIDEWALK
SSMH STORM MANHOLE
X-X FENCE
L.L. LAND LOT LINE
O.L. ORIGINAL LOT LINE
D.L. DRAINAGE EASMT.
S.E. SEWER EASMT.
U.L. UTILITY EASMT.
C.L. CHAIN LINE
PP POWER POLE
DP DRAINAGE POLE
LP LIGHT POLE
EP EDGE OF PAVEMENT
C CENTERLINE

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 29,568 FEET AND AN ANGULAR ERROR OF 1" PER ANGLE POINT AND WAS ADJUSTED USING THE COMPASS RULE.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 98,137 FEET.

A LEICA TS13 03" R500 TOTAL STATION WAS USED TO OBTAIN ANGULAR AND LINEAR MEASUREMENTS.

GRID LOCATION & TOPOGRAPHIC DATUM OBTAINED USING A DUAL FREQUENCY LEICA GS14 RECEIVER AND GEORGIA LEICA RTK NETWORK. DATUM = NAVD88.

THE STRUCTURE ON THIS PROPERTY IS NOT LOCATED INSIDE A DESIGNATED F.I.A. SPECIAL FLOOD HAZARD AREA AS PER DEKALB COUNTY FLOOD INSURANCE RATE MAP #13089CD036K, EFFECTIVE DATE: 08-15-2019

AREA = 0.48 ACRE±

PROPERTY ZONED R-100 (DEKALB COUNTY)

SETBACKS SHOWN HEREON ARE BASED ON DEKALB COUNTY ZONING REQUIREMENTS AND ARE SUBJECT TO APPROVAL BY DEKALB COUNTY DEPARTMENT OF PLANNING.

DEKALB COUNTY HAS ESTABLISHED AN ADJACENT TO FUTURE CONDITION FLOOD (AFCF) ELEVATION OF 877.3 FOR THIS PROPERTY.

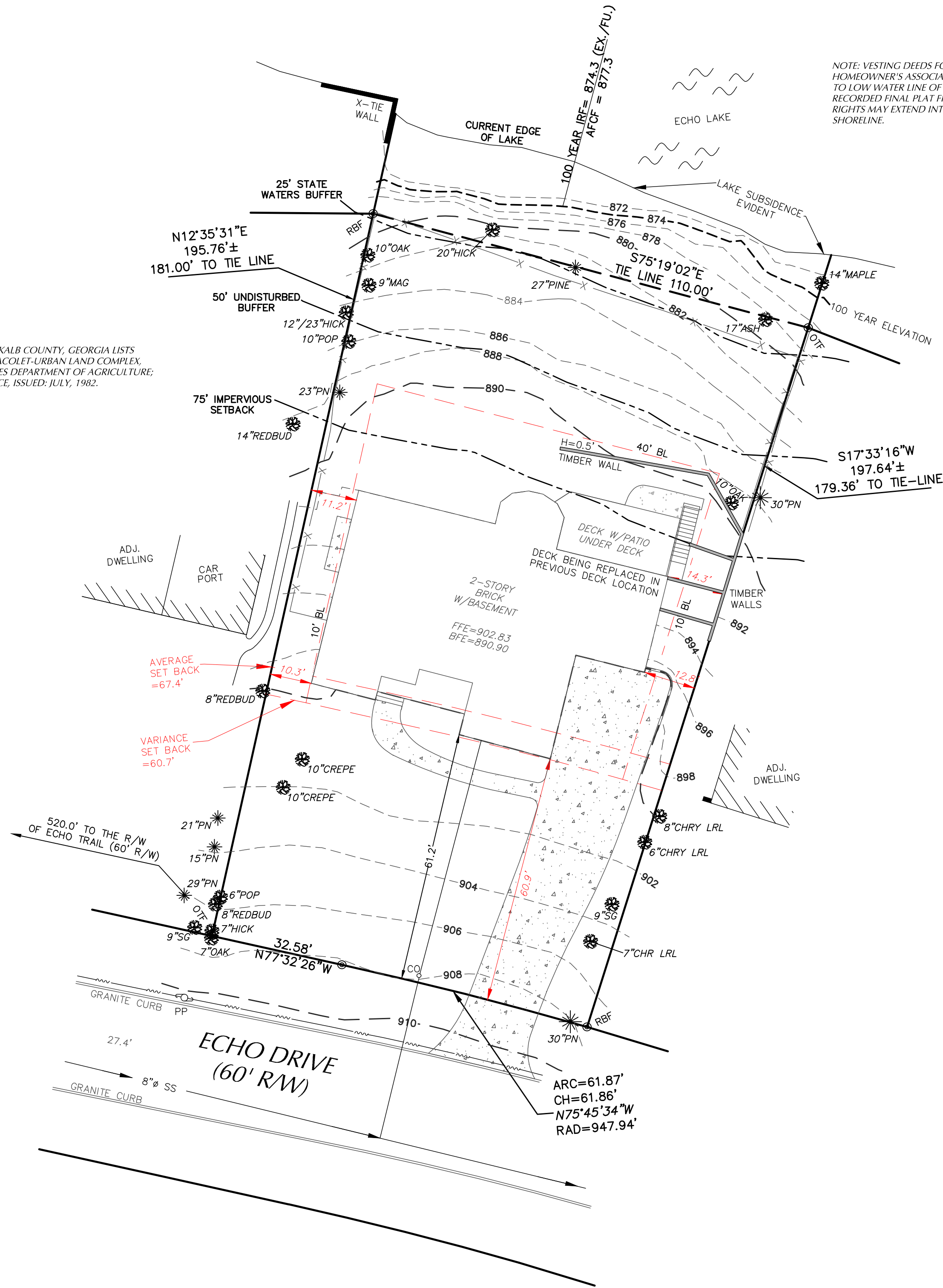
LOT COVERAGE CALCULATION (IN SQ.FT.):
LOT = 20,754

DWELLING = 3,404
FRONT PORCH = 40
DRIVEWAY / WALKWAY = 2,076
BASEMENT ENTRY = 48
REAR DECK / PATIO = 306
TIMBER WALLS = 83.5

TOTAL IMPERVIOUS = 6,157.5
LOT COVERAGE = 29.67%

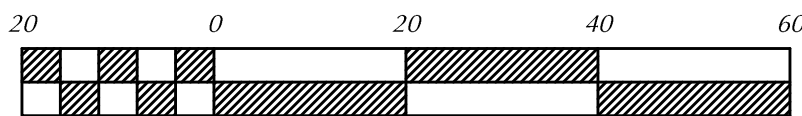
NOTE: SOIL SURVEY FOR DEKALB COUNTY, GEORGIA LISTS THE ENTIRE PROPERTY AS PACOLET-URBAN LAND COMPLEX, PREPARED BY: UNITED STATES DEPARTMENT OF AGRICULTURE, SOIL CONSERVATION SERVICE, ISSUED: JULY, 1982.

NOTE: VESTING DEEDS FOR PROPERTY AND ECHO LAKE HOMEOWNER'S ASSOCIATION REFERENCE PROPERTY RIGHTS TO LOW WATER LINE OF ECHO LAKE AS SHOWN ON RECORDED FINAL PLAT FROM 1957. ADDITIONAL PROPERTY RIGHTS MAY EXTEND INTO LAKE FROM CURRENT SHORELINE.



Existing Conditions

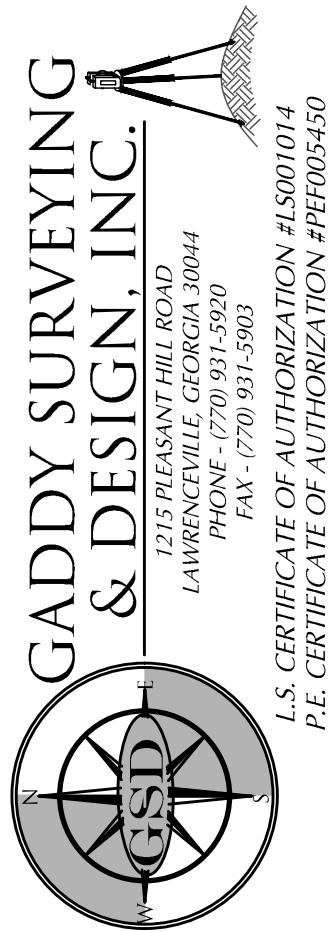
GRAPHIC SCALE



1 INCH = 20 FEET

PROJECT NUMBER
HPO-24-001

BY FIELD DRAWING
CV 06-03-24 07-12-24



TOPOGRAPHIC SURVEY FOR:
JOHN & ANNA HOLBROOK
#2522 ECHO DRIVE
LOT 5 - BLOCK "A"
ECHO LAKE SUBDIVISION
(PLAT BOOK 27, PAGE 02)
LAND LOT 206 - 18TH DISTRICT
DEKALB COUNTY, GEORGIA

24 - Hour local erosion
and sediment control
contract.

avana Pools & Outdoors, LLC
Jose Covelo - 4044833089
2332 River Heights Ct SE,
Marietta, GA 30067.
business License - OCC033483

Distinct and super district
commissioner

Commissioner :- Michele Long Spears

Super commissioner :- Edward "Ted"
Terry

Lot size = 0.48 acre
Required amount of storage = 67 cu.yd. x 0.48
= 32.16 cu.yd.
Required length of Slit fence = 107.2 feet

Abutting property owners

EROSION CONTROL SEEDING SCHEDULE (Dx1, Dx2, Dx3).

CONTRACTOR SHALL PROTECT ALL DISTURBED AREAS BY TEMPORARILY RE-SEEDING UNTIL PERMANENT GROUND COVER IS ESTABLISHED (MAXIMUM 3 WEEKS).

SOIL PREPARATION:

ADD 2 TONS OF LIME PER ACRE FOR PERMANENT GRASS. HAY MULCH FOR TEMPORARY COVER AT 5000 LBS. PER ACRE.

TOP DRESSING: APPLY WHEN PLANTS ARE 2-4 INCHES TALL.

FERTILIZER: (AMMONIUM NITRATE 33%) 300 LBS PER ACRE.

SECOND YEAR FERTILIZER: (5-10-10) OR EQUIVALENT 500 LBS. PER ACRE.

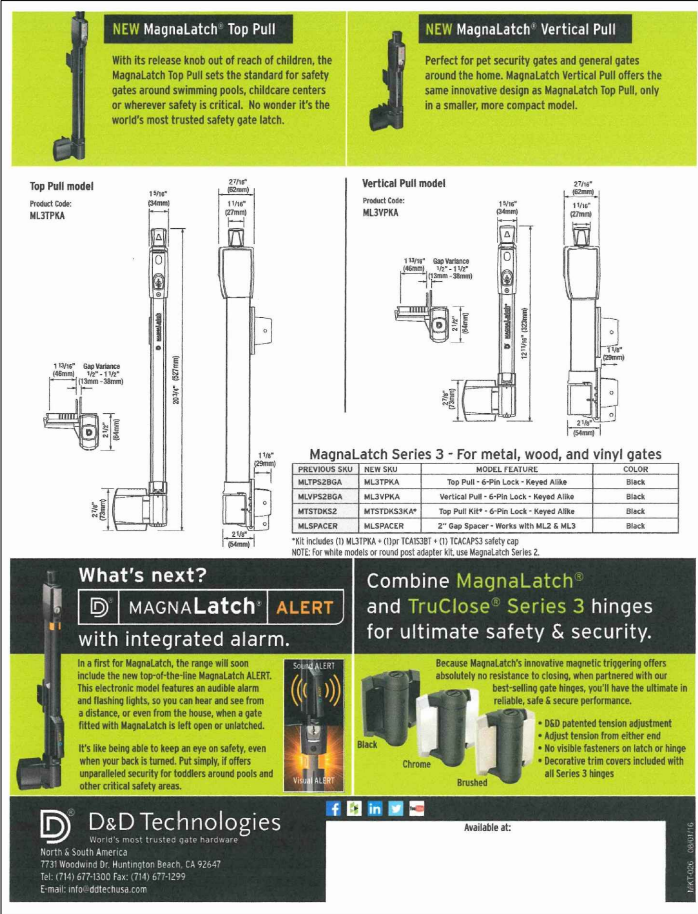
SEEDING RATES:

SUMMER 4/1-9/15 BERMUODA(HULLED) 10 LBS. PER ACRE
COOL 9/1-11/1 FESCUE(KY 31) 50 LBS PER ACRE
WINTER 11/1-4/15 ANNUAL RYE GRASS 50 LBS. PER ACRE

WASTE MATERIALS SHALL NOT BE DISCHARGED TO WATERS OF THE STATE EXCEPT AS AUTHORIZED BY A SECTION 404 PERMIT

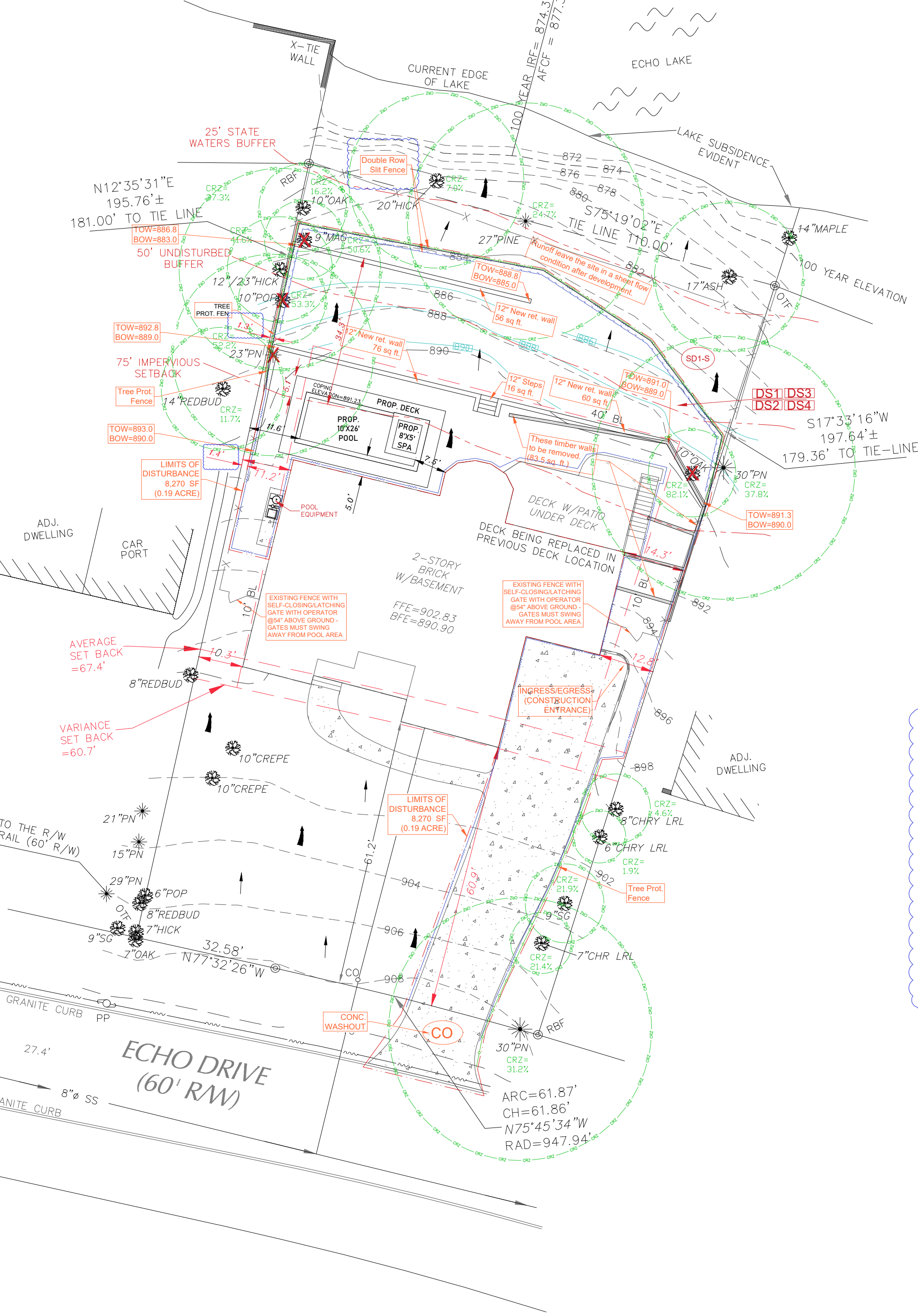
A MINIMUM FOUR FOOT (4') HIGH EFFECTIVE CONSTRUCTION SAFETY BARRIER SHALL BE IN PLACE AROUND ALL BUILDING EXCAVATIONS AT ALL TIMES DURING CONSTRUCTION. UNTIL A PERMANENT FENCED ENCLOSURE IS EFFECTIVELY IN PLACE AROUND THE BUILDING.

THE EXISTING DRIVEWAY MAY BE USED AS A CONSTRUCTION EXIT PROVIDED THAT ALL CONSTRUCTION VEHICLES ARE CONFINED TO EXISTING PAVED AREAS ON SITE. ANY TRACKING OF DIRT, SILT, MUD, ETC., ONTO STREET WILL RESULT IN AN IMMEDIATE STOP WORK ORDER. AND IT WILL NOT BE LIFTED UNTIL A CONSTRUCTION EXIT IS CONSTRUCTED IN ACCORDANCE WITH THE CURRENT DETAIL.



- As-built water quality certification shall be provided before issuance of Certificate of occupancy.
- Water quality BMP(s) to be installed at the time of final landscaping.
- All collected water shall be directed to the water quality devices. All run from roof drain shall be directed to the water quality BMP.
- Overflow from water quality BMP shall not adversely affect adjacent properties.

1. Erosion and sediment control measures and practices to be inspected daily.
2. Cut and fill slopes shall not exceed 3H: 1V on residential projects and lots, and lots shall not exceed 2H:1V on all other projects.
3. "I certify that the permittee's erosion, sedimentation and pollution control plan provides for an appropriate and comprehensive system of best management practices required by the Georgia Water Quality Control Act and the document 'Manual for Erosion Sediment control in Georgia', published by the State Soil and Water Conservation Commission as of January of the year in which the land disturbing activity was permitted, provides for the sampling of the receiving water(s) or the sampling of the storm water outfalls and the designed system of Best Management Practices and sampling methods is expected to meet the requirements contained in the General NPDES Permit NO. Gar 10000-" (1,2 or 3).
4. "I certify that 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"
5. Inspections by qualified personnel provided by the primary permittee and the associated records shall be kept on site in compliance with Gar 10000-"(1,2 or 3).

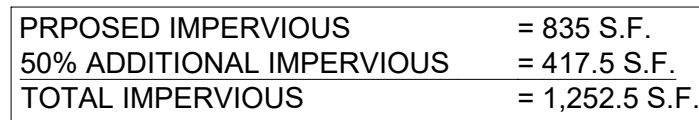


TOTAL IMPERVIOUS AREA	=	6,157.5 S.F
LOT COVERAGE	=	6,157.5/20,754
	=	29.67%

TOTAL NEW IMPERVIOUS AREA	=	6,157.5-83.5+835 S.F.
= 6,909 S.F.		
NEW IMPERVIOUS COV.	=	6,909.0/20,754
	=	0.3328 =33.3%
TOTAL DISTURBED AREA	=	8,270 S.F (0.19 ACRE)

50' Buffer Encroachment LOD
1421 sq. ft

75' Buffer Encroachment LOD
2666 sq. ft



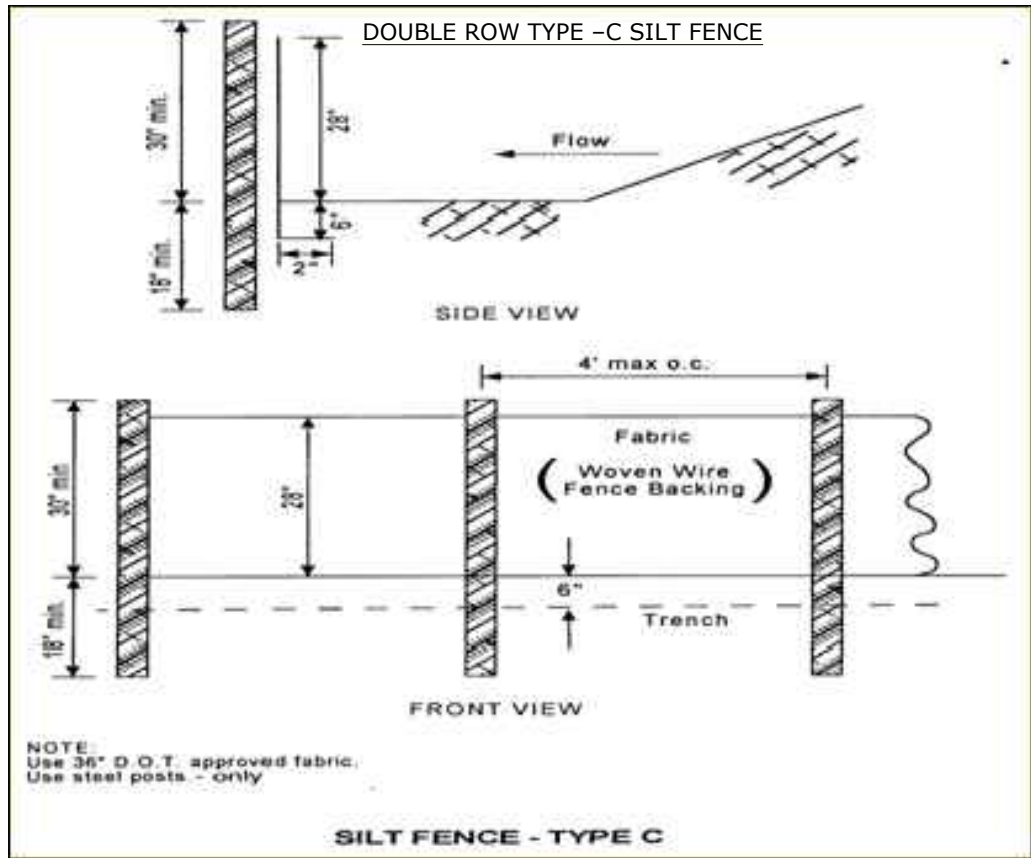
75' Buffer Encroachment LOD
2666 sq. ft

LOT 5 ~ BLOCK "A"
ECHO LAKE SUBDIVISION
(PLAT BOOK 27, PAGE 103)
LAND LOT 206 ~ 18TH DISTRICT
DEKALB COUNTY, GEORGIA
PARCEL # 18-206-01-034

THE STRUCTURE ON THIS PROPERTY IS NOT
LOCATED INSIDE A DESIGNATED F.I.A. SPECIAL
FLOOD HAZARD AREA AS PER DEKALB COUNTY
FLOOD INSURANCE RATE MAP #13089C0056K,
EFFECTIVE

According to the Chart 1-3 per 14-39(g)(4). We need 15 density units per acre.
 Subject Lot size = 0.48 Acre
 Required tree density = $15 \times 0.48 = 7.2$ (8 Trees)
 Remaining trees = 9 Trees

1. True protection fencing as be installed prior to any land disturbance on site.	4. Activities within true protection areas are not permitted, including staging of materials, parking, pedestrian access, etc.
2. Locate fencing at edge of CHZ, or against pavement edges, as per approved site plan.	5. Where true protection is adjacent to erosion control fencing, true fence must be visible and at full of height run, on the inside of true reve area.
3. Fencing must remain through the duration of all construction activities. Temporary relocation of fencing for temporary access must be replaced daily and immediately removed once access is no longer required. Temporary access must be approved in advance by the COSS Arborist.	6. Where true protection fencing encroaches on CHZ of existing trees to remain, of any size, in areas of cut/slopes, true roots are to be cut below grade to depth of 12" with clean sharpened implements.



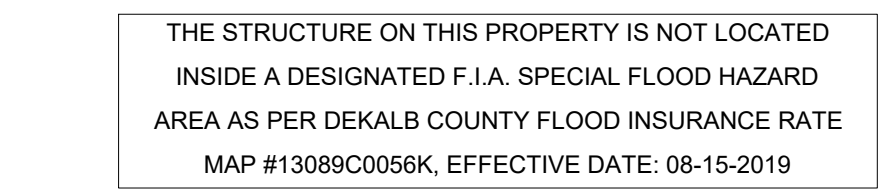
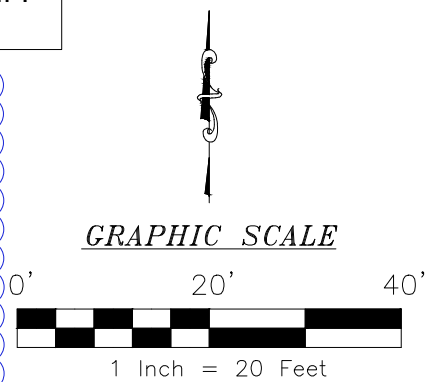
- *International Building Code, 2018 Edition, with Georgia Amendments (2020)
- *International Residential Code, 2018 Edition, with Georgia Amendments (2020)
- *International Fire Code, 2018 Edition (Contact State Fire Marshal Below)
- *International Plumbing Code, 2018 Edition, with Georgia Amendments (2020)
- *International Mechanical Code, 2018 Edition, with Georgia Amendments (2020)
- *International Fuel Gas Code, 2018 Edition, with Georgia Amendments (2020)
- *National Electrical Code, 2020 Edition (No Georgia Amendments)
- *International Energy Conservation Code, 2015 Edition, with Georgia Supplements and Amendments (2020)
- *International Swimming Pool and Spa Code, 2018 Edition, with Georgia Amendments (2020)

SCOPE OF WORK

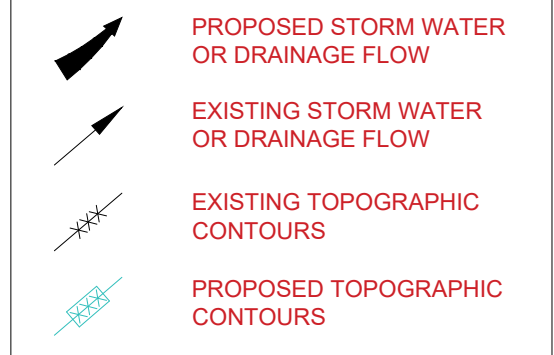
Stabilize the area with retaining walls.

SCALE: 1"=20'

RELEASED FOR CONSTRUCTION



TREE NOTES			
RECOMPENSE FORMULA			
$\$ \text{AMOUNT} = \100.00 [(# OF NO TREES DESTROYED + # OF TREES LOST) - # TREES REPLACED]			
$+ \$30.00$ [DBH INCHES DESTROYED + DBH INCHES LOST] - CALIPER INCHES REPLACED]			
	\$100.00 x # TREES DESTROYED	= \$100.00 x 4	= \$400.00
+	\$30.00 x DBH INCHES DESTROYED	= \$30.00 x 52	= \$1560.00
-	\$100.00 x TREES REPLACED	= \$100.00 x 0	= \$0.00
-	\$30.00 x DBH INCHES REPLACED	= \$30.00 x 0	= \$0.00
		=	\$1960.00



DEVELOPER
Havana Pools & Outdoors, LLC
Jose Covelo - 4044833089
2232 River Heights Ct SE,
Marietta, GA 30067.
Business License - OCC033483

OWNER NAME
JOHN & ANNA
HOLBROOK

REVISIONS	BY
10/11/2024	N.T.M
10/12/2024	N.T.M
10/24/2024	N.T.M
02/22/2025	N.T.M
03/06/2025	N.T.M

PROPOSED SITE PLAN FOR;
John & Anna Holbrook
2522 Echo Dr NE, Atlanta, GA 30345
DeKalb County, Georgia

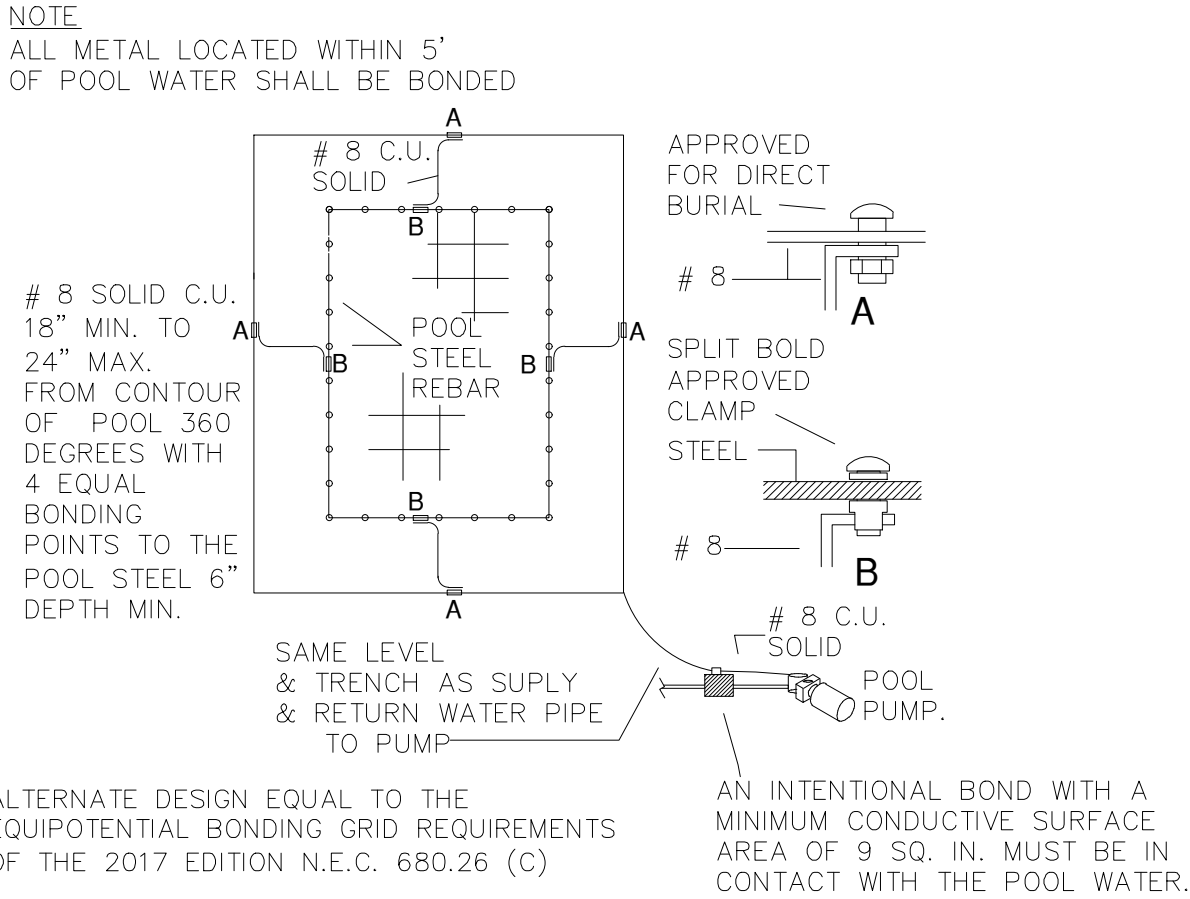
JOB NO.	24-69
DRAWN	NADEERA
CHECKED	TODD
SCALE	NOTED
DATE	SEPTEMBER 2024

SHEET NO.

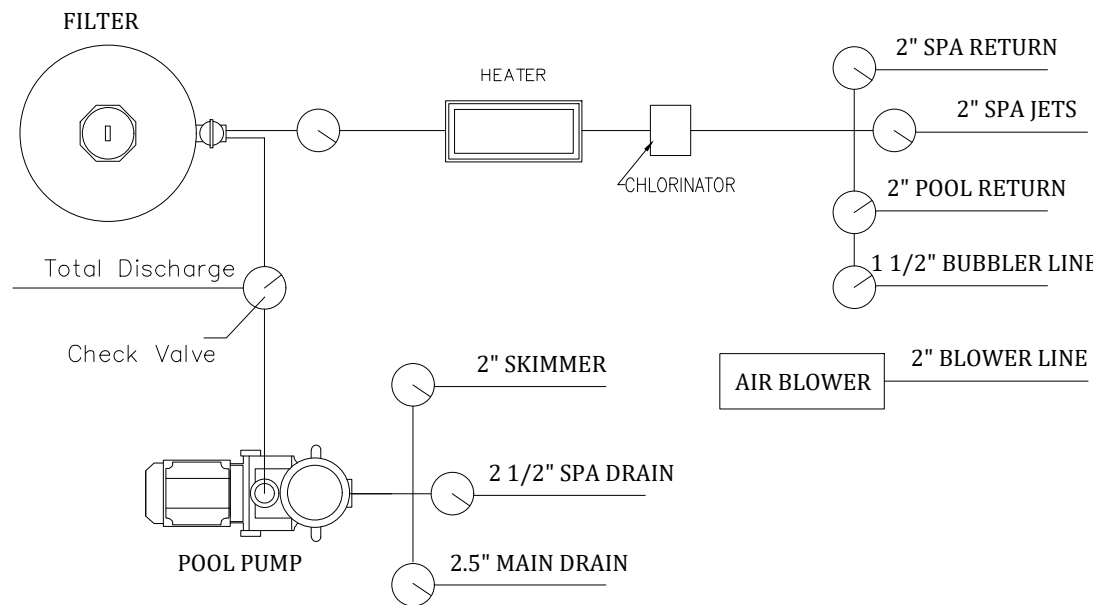
A-2

ELECTRICAL NOTES:

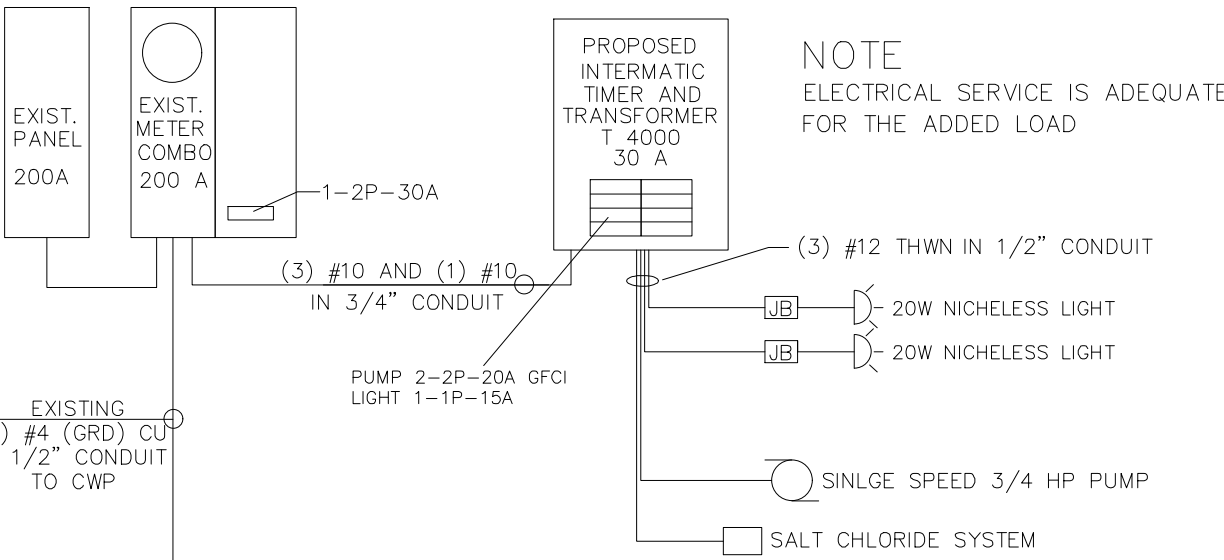
1. ALL POOL ELECTRICAL WORK SHALL BE ACCOMPLISHED IN COMPLIANCE WITH FBC 2020, 7TH EDITION, CHAPTER 42.
2. ALL POOL ELECTRICAL WORKS, GROUNDING AND BONDING MUST BE CONFORM WITH THE NEC 2017, ART.680.
3. AT LEAST ONE GFCI PROTECTED, 125-VOLT RECEPTACLE OUTLET IS REQUIRED BETWEEN 6 AND FEET OF THE INSIDE WALL OF THE POOL. NEC 680.22(A)(1) (RESIDENTIAL AND COMMERCIAL)
4. THE EQUIPMENT GROUNDING CONDUCTOR MUST BE A MINIMUM 12 AWG COPPER. NEC 680.21(A), 680.25(F)(2), 680.25(B)(1)
5. EQUIPOTENTIAL BONDING TO COMPLY WITH 2017 NEC 680.26(8) SHALL BE INSTALLED IN OR UNDER PAVED WALKING SURFACES FOR THREE FEET HORIZONTALLY BEYOND THE WALLS OF THE POOL. NEC 680.26(C) L 4 POINTS & DECK BONDING (360 DEGREES)
6. RECEPTACLE OTLETS ARE NOT PERMITTED WITHIN 6 FEET OF THE INSIDE WALLS OF A POOL. NEC 680.22(A)(2)
7. POOL PUMP MOTOR CIRCUITS, MUST BE PROVIDED WITH GFCI PROTECTION. NEC 680.21(C)
8. LIGHTING OUTLETS MUST BE LOCATED A MINIMUM OF 5 FEET FROM THE INSIDE WALL OF A POOL OR MOUNTED A MINIMUM OF 12 FEET ABOVE THE MAXIMUM WATER LEVEL. NEC 680.22(B)(1)
9. OVERHEAD CONDUCTORS ARE NOT PERMITTED OVER THE POOL OR THIN 10 FEET HORIZONTALLY FROM THE EDGE OS THE POOL. FBC 424.1.4.2.4
10. OVERHEAD CONDUCTORS SHALL NOT BE PERMITTED OVER THE POOL OR WITHIN 10 FEET HORIZONTALLY FROM EDGE OF THE POOL UNLESS PROVIDE WITH CLEARANCE TO COMPLY WITH NEC 680.8.
11. A CONDUCTIVE ELEMENT THAT IS PART OF THE POOL BONDING SYSTEM MUST BE IN DIRECT CONTACT WITH THE POOL WATER. IN THE ABSENCE OF RAILS, LADDERS OR NICHES, A WATER BONDING SHALL MEET THE REQUIREMENT. NEC 680.26(C).
12. ALL METAL PARTS WITHIN 5 FEET OF THE POOL MUST BE BONDED TO A COMMON BONDING GRID. NEC 680.26(B)(5)



BONDING DETAIL
NTS



PUMP CONNECTION DIAGRAM
NTS



NOTES

- A. POOL PUMP TO COMPLY WITH FBC E 403.
- B. POOL MOTORS REQUIRE OVERLOAD ROTECTION TO COMPLY WITH NEC 430.32.

ELECTRIC DIAGRAM

LIST OF POOL/SPA EQUIPMENT

- FILTER:

PENTAIR C & C PLUS (SIZE 420)
- MAIN PUMP:

PENTAIR WHISPERFLO 2HP
- GAS HEATER:

PENTAIR MASTERTEMP 400 (400,000 BTU)
- ADD'L PUMPS:

$\frac{3}{4}$ H.P. BOOSTER PUMP
- CHLORINATOR:

INTELLECHLOR IC-40
- CLEANER:

POLARIS 280 VAC SWEEP
- POOL LIGHT:

2 PENTAIR LED COLOR
- SPA LIGHT:

1 PENTAIR LED LIGHT
- POOL/SPA CONTROL:

EASYTOUCH-8 WIRELESS

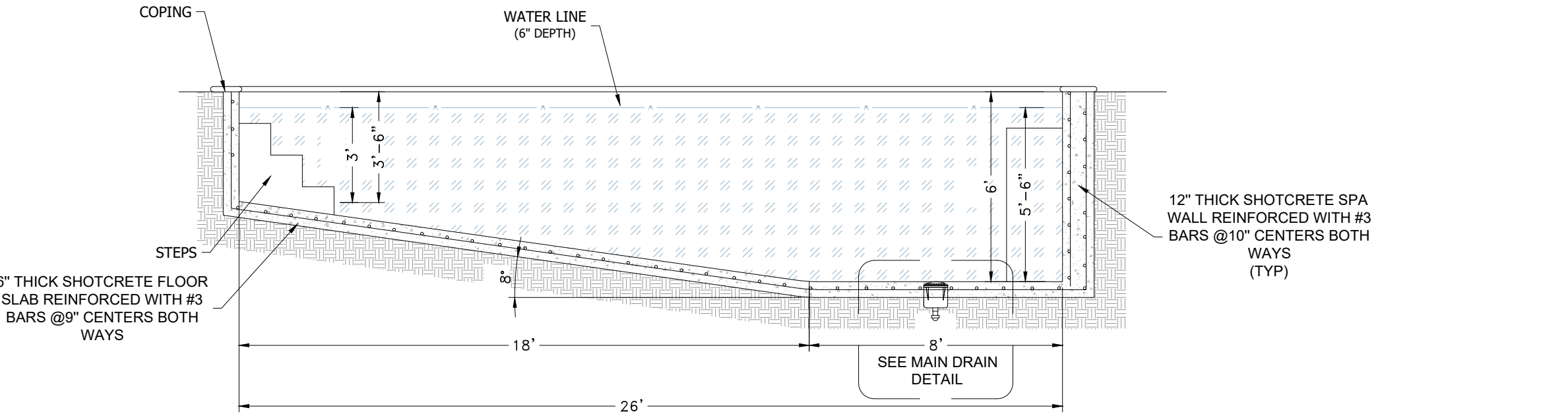
PLUMBING NOTES:

1. ALL POOL EQUIPMENT PIPING SHALL BE SCHEDULE 40, PVC-PW, ON-THREADED, NSF APPROVED SUPPORTED CONTINUOUSLY ON GROUND OR ON MAXIMUM 4'-0" CENTERS WITH CLEVIS HENGERS.
2. ALL SUCTION PIPING SHALL BE 2" DIAMETER AND ALL PRESSURE PIPING 1-1/2" DIAMETER, UNLESS OTHERWISE NOTED
3. POOL WATER DISPOSAL SHALL BE IN ACCORDANCE WITH LOCAL BUILDING DEPARTMENT REQUIREMENTS.
4. ANTI VORTEX MAIN DRAINS SHALL HAVE ITS PLATE SECURELY FASTENED WITH TAMPER-PROOF SCREWS.
5. POOL VACUUM SHALL HAVE SPRING LOADED CAP IN ACCORDANCE WITH THE GEORGIA BUILDING CODE
6. ALL PIPING SHALL BE INSTALLED IN ACCORDANCE WITH THE GEORGIA BUILDING CODE AS IT PERTAINS TO BUOYANCY.
7. THE WATER VELOCITY THROUGH ALL SUCTION PIPING SHALL BE LESS THAN 8 FEET PER SECOND.
8. THE WATER VELOCITY THROUGH ALL PRESSURE PIPING SHALL BE LESS THAN 10 FEET PER SECOND.
9. ALL PIPING SHALL BE SUITABLE FOR EXPOSURE TO ULTRA VIOLET RADIATION AND NORMAL OPERATING TEMPERATURES

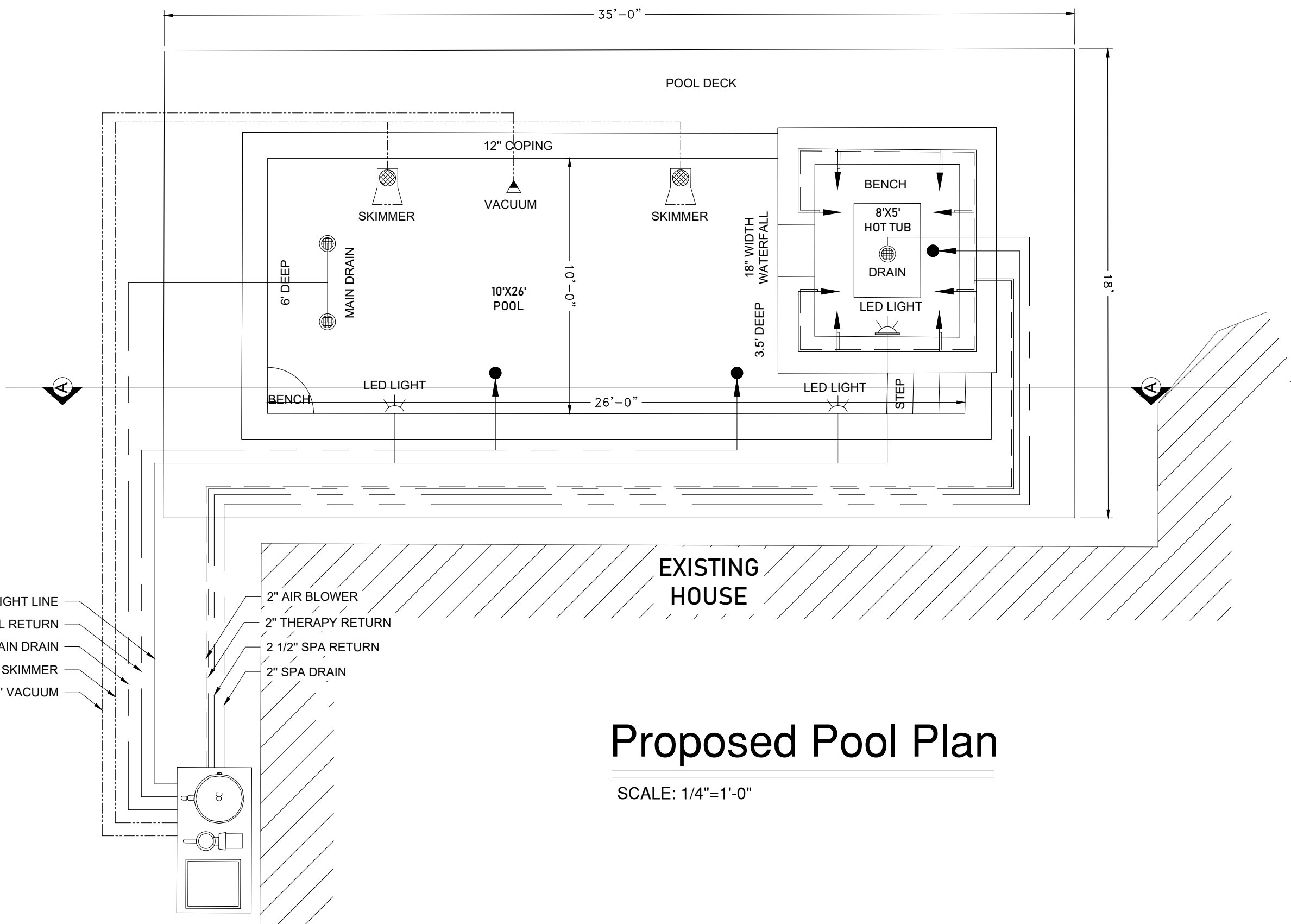
STRUCTURAL NOTES:

1. ALL POOL CONCRETE SHALL DEVELOP A MINIMUM 28 DAYS COMPRESSIVE STRENGTH OF 3000 PSI.
2. ALL REINFORCEMENT STEEL SHALL HAVE A MINIMUM YIELD STRENGTH OF 60000 PSI.
3. ALL DECK CONCRETE (WHEN INSTALLED UNDER THESE PLANS) SHALL HAVE A MINIMUM 28 DAYS COMPRESSIVE STRENGTH OF 2500 PSI. REINFORCED STEEL FROM POOL WALL SHALL NOT BE BENT INTO A NEW OR FUTURE CONCRETE DECK. CONCRETE DECK SHALL BE FREE TO FLOAT BEYOND POOL WALL. EXCEPTION: STRUCTURAL DECKS SHALL COMPLY WITH THE DESIGN FOR SUPPORT SHOWN ON THESE PLANS.
4. ALL REINFORCING SPLICES SHALL BE 18" IN LENGTH UNLESS OTHERWISE INDICATED ON THESE PLANS.
5. THE DESIGN OF THIS PROJECT HAS INCORPORATED A RATIONAL DESIGN APPROACH BASED ON ACCEPTED ENGINEERING PRINCIPALS.
6. POOL WALL REINFORCEMENT IS ADEQUATE TO WITHSTAND THE HORIZONTAL WATER LOADS PLACED ON THE POOL WALL FOR UP TO 18" OF EXPOSED POOL WALL ABOVE GRADE.

DATA	POOL	SPA	DECK
MAX. LENGTH (FEET)	26	8	35
MAX. WIDTH (FEET.)	10	5	18
DEPTH (FEET)	3.5 - 6	4	-
SURFACE AREA (SQ. FT.)	263	40	285
PERIMETER (FEET.)	136	26	106
VOLUME (GALLONS)	7,200	1,197	-



Section A - A
SCALE: 1/4"=1'-0"



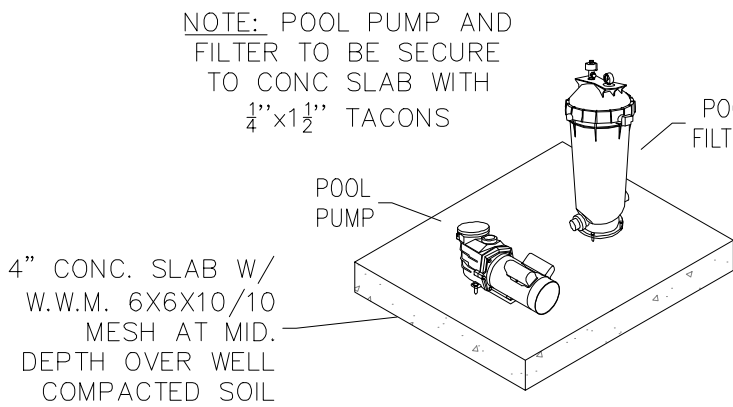
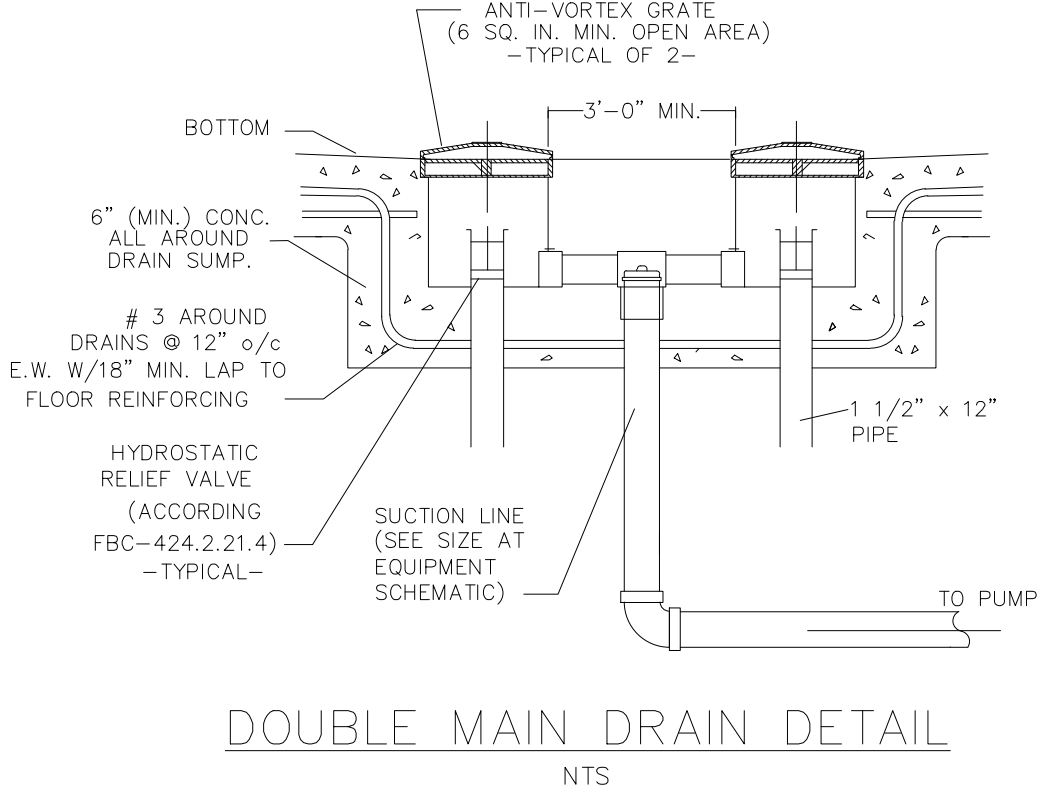
Proposed Pool Plan

SCALE: 1/4"=1'-0"

NOTE:

REINFORCING STEEL SHALL HAVE A MINIMUM CLEAR COVER AS FOLLOWS, U.O.N. IN DRAWINGS:

- >> CONCRETE POURED AGAINST EARTH 3"
- >> CONCRETE EXPOSED TO EARTH OR WEATHER:
5' OR SMALLER 1-1/2"
6' OR LARGER 2"



EQUIPMENT HOLD DOWN
NTS

DEVELOPER
Havana Pools & Outdoors, LLC
Jose Covello - 4044833089
2232 River Heights Ct SE,
Marietta, GA 30067.
Business License - OCC033483

OWNER NAME
JOHN & ANNA
HOLBROOK

REVISIONS

REVISIONS	BY
10/11/2024	N.T.M.
10/12/2024	N.T.M.
10/24/2024	N.T.M.
02/22/2025	N.T.M.
03/06/2025	N.T.M.

PROPOSED POOL PLAN FOR;
John & Anna Holbrook
2522 Echo Dr NE, Atlanta, GA 30345
DeKalb County, Georgia

JOB NO.	24-69
DRAWN	NADEERA
CHECKED	TODD
SCALE	NOTED
DATE	SEPTEMBER 2024

APPLICABLE CODE

- *International Building Code, 2018 Edition, with Georgia Amendments (2020)
- *International Residential Code, 2018 Edition, with Georgia Amendments (2020)
- *International Fire Code, 2018 Edition (Contact State Fire Marshal Below)
- *International Plumbing Code, 2018 Edition, with Georgia Amendments (2020)
- *International Mechanical Code, 2018 Edition, with Georgia Amendments (2020)
- *International Fuel Gas Code, 2018 Edition, with Georgia Amendments (2020)
- *National Electrical Code, 2020 Edition (No Georgia Amendments)
- *International Energy Conservation Code, 2015 Edition, with Georgia Supplements and Amendments (2020)
- *International Swimming Pool and Spa Code, 2018 Edition, with Georgia Amendments (2020)

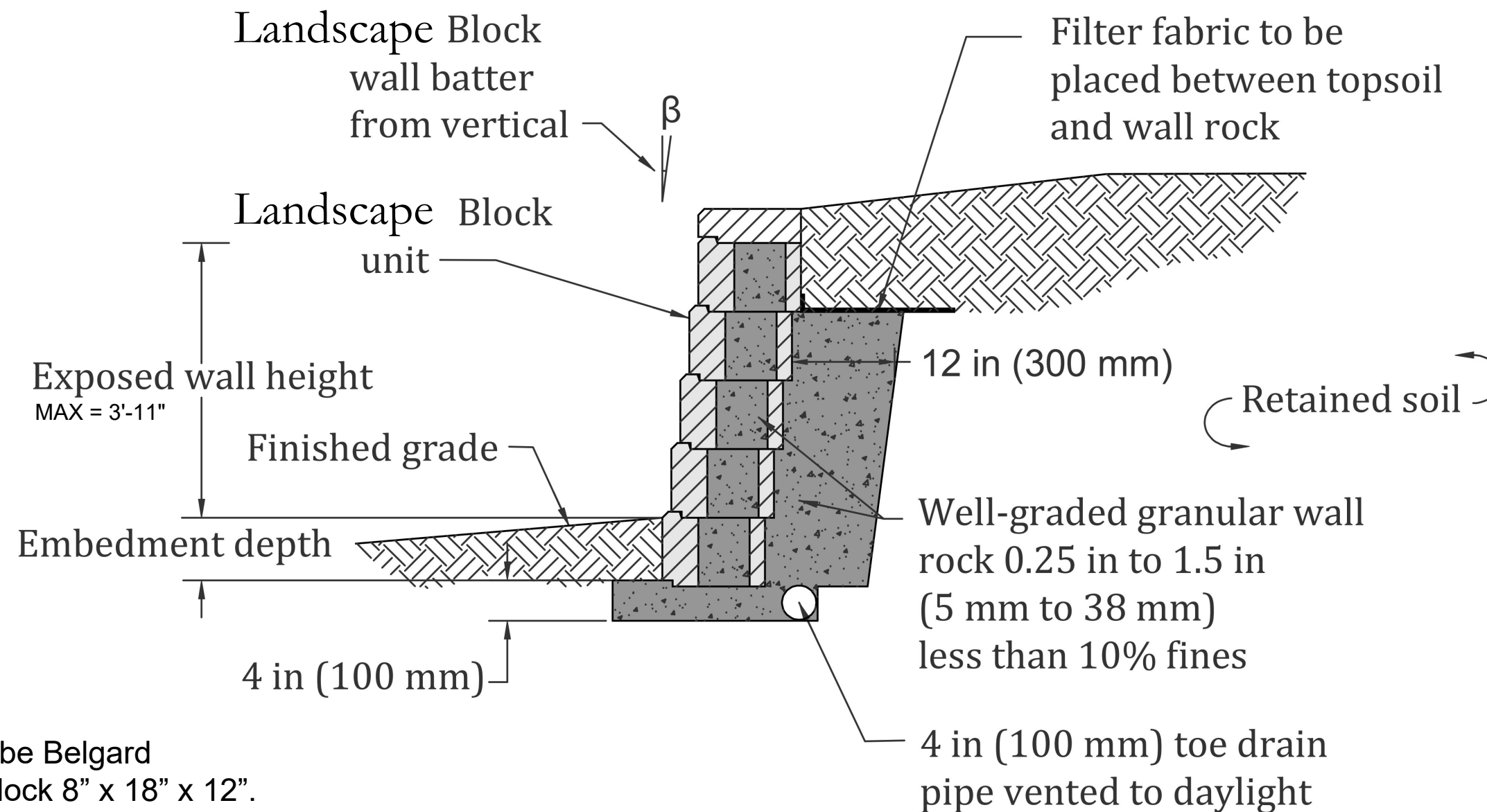
SCOPE OF WORK

Stabilize the area with retaining walls.

Proposed Pool Plan

RELEASED FOR CONSTRUCTION

SHEET NO.
A-3



1. Block used will be Belgard Diamond Pro block 8" x 18" x 12".

2. Footer and backfill will be made out of gravel.

3. Wall will also include 4" perforated pipe.

LANDSCAPE BLOCK WALL DETAIL

(NOT TO SCALE)

SHEET NO.

A-4