



Technical Panel

Chapter 74 Article VII
Riparian Buffer Requirements

Technical Review Report

Atlanta City Code Section 74-309

Modified Application

Application No: 2020-04

1889 Felker Ward Drive

October 21, 2020

1. Background and legislative context

The purpose of this report is to document the technical review required to be conducted by the Technical Panel (“Panel”) pursuant to section 74-309 of the Atlanta City Code (“Code”).

2. Project description

The project seeks approval to construct a new single-family house on an existing lot of record at 1889 Felker Ward Drive. The entire buildable area (as defined by zoning) is within the 75 ft buffer. Applicant has located the proposed house to be outside the 25-ft buffer. The revised site plan has addressed and incorporated comments from the Panel’s previous review on February 24, 2020.

3. Project modifications

The following project modifications have been made and the application being considered by the Panel is for the project as amended by the following modifications. The Panel may or may not request further modifications to the application.

Modification #	Date	Description
3 rd Submittal	Latest revision dated 6/22/20	Revise Grading near garage, per Panel’s comment.

4. Assessment and evaluation

The Panel has reviewed the application, including any information, plans, and reports prepared by the applicant as well as other information on the City file.

In accordance with section 74-309 of the Code, the Panel has evaluated the following the matters:

Table 1: Compliance with section 74-309

Subsection	Comment
(a) Whether the application meets the requirements of section 74-308 and provides sufficient information to proceed with review	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
(b) Whether the application contains a disqualifying characteristic that makes the applicant ineligible for an authorized encroachment	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

Subsection	Comment
(c) Whether the proposed encroachment is on a wetland, 100-year floodplain, or other location that is inappropriate for development	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
(d) Whether the property owner has demonstrated a hardship or an extreme hardship	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> The entire buildable area defined by zoning is within the 75 ft buffer. It is impossible to develop the site without buffer encroachment.
(e) Whether, in light of the showings by the applicant required by section 74-308, the applicant has demonstrated that the location and extent of the proposed buffer encroachment has been minimized	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> The entire buildable area defined by zoning is within the 75 ft buffer. Applicant has located the proposed house to be outside the 25-ft buffer.
(f) Whether alternative designs are possible which require less intrusion or no intrusion	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> The entire buildable area defined by zoning is within the 75 ft buffer. There is no practical alternative to this proposal.
(g) Whether, in light of the mitigation proposed by the applicant in accordance with section 74-306(d), the post-development conditions will be at least as protective of water quality as pre-development conditions	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Restoration and maintenance of the buffer area beyond the disturbance will be a required condition. Additional stormwater management will be required.
(h) Whether the proposed development meets all other requirements of this ordinance	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> See Table 2.
(i) Whether the property to be affected by the authorized encroachment has no reasonable use given, but not limited to, the current zoning if the authorized encroachment is denied	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Existing lot of record is zoned residential.

In accordance with section 74-309(h) of the Code, the Panel has evaluated the following the matters and has determined compliance as follows:

Table 2: Compliance with section 74-309(h)

Section	Comment
74-304. - Stream crossing requirements	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

Section	Comment
74-306(a) – Existing lots of record	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
74-306(a) – New lots of record	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
74-306(c) – All lots of record	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
74-306(d) – Mitigation	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> 150% of standard requirements for stormwater management. Management of invasive species if present.

5. Other Comments or Conditions

- Applicant will be required to provide 150% of standard stormwater management as mitigation.
- If invasive species (including but not limited to privet and English ivy) are present in the buffer along the unimpacted section, a plan for management and elimination should be submitted along with the public notice affidavit.

6. Determination

The Panel, having completed the technical review in accordance with section 74-309 of the Code, determines to

[Option 3: Approve for public notice] notify the applicant that technical review is complete, and that the applicant may proceed with public notice as required by section 74-310.

Authorized Signature:  D94D3F69F198445...

Name: Rose Connolly