

DATE: JANUARY 31, 2022

TO: Mayor Rusty Paul, City of Sandy Springs
ATTN TO: Lindsey Walker, City Arborist, City of Sandy Springs
FROM: Douglas R. Hooker, Executive Director, ARC



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Original on file

The Atlanta Regional Commission (ARC) has received the following proposal and is initiating a regional review to seek comments from potentially impacted jurisdictions and agencies. The ARC requests your comments related to the proposal not addressed by the Commission's regional plans and policies.

Name of Proposal: 930 River Overlook Court RC-22-01SS

Review Type: Metropolitan River Protection Act

MRPA Code: RC-22-01SS

Description: A proposal to add a pool to an existing home on a .67 acre lot within the Chattahoochee River Corridor at 930 River Overlook Court in the city of Sandy Springs.

Preliminary Finding: ARC's preliminary finding is that the proposed development, while not consistent with the plan in all respects, will provide a level of land and water resource protection equivalent to an application consistent with the Plan.

Submitting Local Government: City of Sandy Springs

Date Opened: January 31, 2022

Deadline for Comments: February 11, 2022

Earliest the Regional Review can be Completed: February 11, 2022

THE FOLLOWING LOCAL GOVERNMENTS AND AGENCIES ARE RECEIVING NOTICE OF THIS REVIEW:

ATLANTA REGIONAL COMMISSION
NATIONAL PARK SERVICE

GEORGIA DEPARTMENT OF NATURAL RESOURCE
GEORGIA CONSERVANCY

CHATTAHOOCHEE RIVERKEEPER

If you have any questions regarding this review, please contact Donald Shockey at dshockey@atlantaregional.org or (470) 378-1531. If ARC staff does not receive comments from you on or before 2022-02-09 00:00:00, we will assume that your agency has no additional comments and will close the review. Comments by email are strongly encouraged. The ARC review website is located at: <http://www.atlantaregional.org/land-use/planreviews>.

Attached is information concerning this review.

**APPLICATION FOR
METROPOLITAN RIVER PROTECTION ACT CERTIFICATE**

1. Name of Local Government: City of Sandy Springs

2. Owner(s) of Record of Property to be Reviewed:
Name(s): Joseph M. Simon and Toney S. Monchilovich
Mailing Address: 930 River Overlook Ct.
City: Atlanta State: GA Zip: 30328
Contact Phone Numbers (w/Area Code):
Daytime Phone: 404-805-5666 Fax: _____
Other Numbers: 770-714-2577

3. Applicant(s) or Applicant's Agent(s):
Name(s): Thomas E. McFarland, Jr. (Pool Depot Inc.)
Mailing Address: 4995 Moon Rd
City: Powder Spring State: GA Zip: 30127
Contact Phone Numbers (w/Area Code):
Daytime Phone: (404) 680-3029 Fax: _____
Other Numbers: _____

4. Proposed Land or Water Use:
Name of Development: _____
Description of Proposed Use: Pool addition to existing single-family house

5. Property Description (Attach Legal Description and Vicinity Map):
Land Lot(s), District, Section, County: _____
Subdivision, Lot, Block, Street and Address, Distance to Nearest Intersection: _____
930 River Overlook Court
Size of Development (Use as Applicable):
Acres: Inside Corridor: 0.67 acres (29,167 SF)
Outside Corridor: _____
Total: _____
Lots: Inside Corridor: 1
Outside Corridor: _____
Total: 1
Units: Inside Corridor: _____
Outside Corridor: _____
Total: _____
Other Size Descriptor (i.e., Length and Width of Easement):
Inside Corridor: _____
Outside Corridor: _____
Total: _____

6. Related Chattahoochee Corridor Development:

A. Does the total development include additional land in the Chattahoochee Corridor that is not part of this application? No

If "yes", describe the additional land and any development plans: _____

B. Has any part of the property in this application, or any right-of-way or easement bordering this land, previously received a certificate or any other Chattahoochee Corridor review approval? No

If "yes", please identify the use(s), the review identification number(s), and the date(s) of the review(s): _____

7. How Will Sewage from this Development be Treated?

A. Septic tank _____

Note: For proposals with septic tanks, the application must include the appropriate local government health department approval for the selected site.

B. Public sewer system X

8. Summary of Vulnerability Analysis of Proposed Land or Water Use:

Vulnerability Category	Total Acreage (or Sq. Footage)	Total Acreage (or Sq. Footage) Land Disturbance	Total Acreage (or Sq. Footage) Imperv. Surface	Percent Land Disturb. (Maximums Shown In Parentheses)	Percent Imperv. Surf.
A	_____	_____	_____	(90)_____	(75)_____
B	_____	_____	_____	(80)_____	(60)_____
C	20,230 SF	11,579 SF	7,476 SF	(70) 57.4	(45) 37
D	7,644 SF	7,484 SF	1,138 SF	(50) 97.9	(30) 14.8
E	1,293 SF	1,252 SF	0 SF	(30) 96.8	(15) 0
F	_____	_____	_____	(10)_____	(2)_____
Total:	29,167 SF	20,315 SF	8,614 SF	N/A	N/A

NOTE: This property was developed before the Metropolitan River Protection Act was adopted in 1973. However, land disturbance, including tree removal and grading occurred on this property after the Act took effect, but prior to purchase by either the current or the immediately previous owner. Land disturbance exceeds the maximums allowed in D and E without any new activity. It has been determined that the existing land disturbance constitutes a hardship under Part 1.B of the Chattahoochee Corridor Plan. The project has also been determined to be equivalent to a consistent project, as provided for in Section 12-5-445(b)(1)(B) of the metropolitan River Protection Act, using an average weighted runoff coefficient test. As the project has met the average weighted runoff coefficient test, it has been found that, while not consistent with the Plan in all respects, it is equivalent to a fully consistent project and can be built as proposed. The test and determination are attached.

9. Is any of this Land within the 100-Year Floodplain of the Chattahoochee River? No

If "yes", indicate the 100-year floodplain elevation: _____

NOTE: The 100-year river floodplain is defined as the natural land surface below the one hundred- (100) year flood elevations shown in the Flood Profiles of the most recent floodplain study for the Chattahoochee River approved by the United States Federal Emergency Management Agency for each Corridor jurisdiction.

NOTE: All river 100-year floodplain is assigned to the "E" Category; its allowable allocations can be combined with those of other "E" land in the review. Also, 100-year floodplain cannot be reanalyzed and cannot accept transfers.

10. Is any of this land within the 500-year floodplain of the Chattahoochee River? No

If "yes", indicate the 500-year flood plain elevation: _____

NOTE: The 500-year floodplain is defined as the natural land surface below the five hundred- (500) year flood elevations shown in the Flood Profiles of the most recent floodplain study for the Chattahoochee River approved by the United States Federal Emergency Management Agency for each Corridor jurisdiction.

NOTE: Plan Standards include a 35-foot height limit above the pre-construction grade within the 500-year floodplain (includes the 100-year floodplain). Adherence to this standard must be noted on the submitted plans (see Part 2.B.(4) of the Chattahoochee Corridor Plan).

11. The following is a checklist of information required to be attached as part of the application. Individual items may be combined.

FOR ALL APPLICATIONS:

____ Description of land in the application and any additional land in the project (attach legal description or surveyed boundaries).

____ Name, address, and phone number(s) of owner(s) of record of the land in the application. (Space provided on this form)

____ Written consent of all owners to this application. (Space provided on this form)

____ Name, address, and phone number(s) of applicant or applicant's agent. (Space provided on this form)

____ Description of proposed use(s). (Space provided on this form)

____ Existing vegetation plan.

____ Proposed grading plan.

____ Certified as-builts of all existing land disturbance and impervious surfaces.

____ Approved erosion control plan.

____ Detailed table of land-disturbing activities. (Both on this form and on the plans)

____ Plat-level plan showing (as applicable): lot boundaries; any other sub-areas; all easements and rights-of-way; 100- and 500-year river floodplains; vulnerability category boundaries; topography; any other information that will clarify the review.

____ Documentation on adjustments, if any.

____ Cashier's check or money order (for application fee).

FOR SINGLE-STEP APPLICATIONS (NON-SUBDIVISION):

____ Site plan.

____ Land-disturbance plan.

FOR TWO-STEP SINGLE-FAMILY SUBDIVISION APPLICATIONS ONLY:

____ Concept plan.

____ Lot-by-lot and non-lot allocation tables.

12. I (we), the undersigned, authorize and request review of this application for a certificate under the provisions of the Metropolitan River Protection Act: (use additional sheets as necessary)

Joseph M. Simon
J. S. Marshall

11/5/2021

11/5/21

Signature(s) of Owner(s) of Record

Date

13. I (we), the undersigned, authorize and request review of this application for a certificate under the provisions of the Metropolitan River Protection Act:

[Signature]

Signature(s) of Applicant(s) or Agent(s)

11-5-2021

Date

14. The governing authority of The City of Sandy Springs requests review by the Atlanta Regional Commission of the above-described use under the Provisions of the Metropolitan River Protection Act.

Lindsay Walker

Lindsay Walker; City Arborist

1/18/2022

Signature of Chief Elected Official or Official's Designee

Date

Memorandum

Date: January 24, 2022

To: File

From: Jim Santo, ARC

Subject: Equivalent Consistency Calculations and Finding for 930 River Overlook Court, City of Sandy Springs

When ARC was first contacted by the buyers of this property, a search of historical information revealed that, while the existing house and driveway were built in the late 1960s, before the Metropolitan River Protection Act (MRPA) took effect in 1973, a large area of the property was cleared, graded and landscaped in the mid-2000s, based on aerial photo evidence. Checking real estate records, we found this was done before the owners selling the property had purchased it. The excess land disturbance cannot be restored – it will count as disturbed in any review and it exceeds the maximums allowed in the E and D categories. It is under the maximums in the C category, but the Chattahoochee Corridor Plan does not allow transfers of allocation from less restrictive to more restrictive categories. However, based on the circumstances, ARC staff believes that this situation constitutes a hardship for the property owners and therefore the property is eligible for the equivalent consistent finding provided for in both MRPA and the Chattahoochee Corridor Plan. Once a hardship has been determined on a property that is being considered for review, an average weighted runoff coefficient test is used to determine if a proposed project on the property can be considered equivalent to a consistent project, even though it cannot meet Plan requirements in all respects. This involves comparing the coefficient for a maximum consistent project (this assumes the property is undeveloped and the maximum amounts of land disturbance and impervious are proposed) and the current proposed project. If the proposed project's average weighted runoff coefficient is the same or less than the coefficient for the maximum consistent project, then the proposal is considered to be equivalent to a consistent project and the review can be handled administratively.

The proposal has been submitted for Metro River review and these calculations have been adjusted to reflect a slight reduction in land disturbance from earlier estimates.

The first step is to calculate the runoff coefficient for the maximum consistent project. Based on the maximum allowable amounts allowed in the categories on the property, the total amounts of land disturbance and impervious allowed on the whole property are calculated and the land is broken into natural areas (the undisturbed areas or total area less disturbance), the landscaped areas (disturbance less impervious) and the impervious areas. These amounts are divided by the total property area to determine what percentage of the site is natural, landscaped or impervious. The percentages are then multiplied by the appropriate runoff coefficient: 0.30 for natural, 0.35 for landscaped and 0.95 for impervious. The three resulting numbers are added together and the result is the average weighted runoff coefficient for a maximum consistent project on the subject property.

The process is then repeated for the proposed project, including all land disturbance and impervious, as well as any proposed development.

Maximum Consistent Project:

The category areas calculated for the property, as well as the maximum amounts and percentages for land disturbance and impervious surface in each category are shown below. All areas are in square feet:

Category	Total Area	Land Disturbance	Impervious Surface
C	20,230	14,161 (70%)	9,104 (45%)
D	7,644	3,822 (50%)	2,293 (30%)
E	1,293	388 (30%)	194 (15%)
Totals:	29,167	18,371	11,591

Based on these numbers, the natural, landscaped and impervious areas are calculated as follows:

Natural: Subtract the total maximum disturbed area from the total lot area

Landscaped: Subtract the total maximum impervious from the total maximum disturbed area

Impervious: The total impervious area is used as is.

The resulting numbers for the property are:

Natural: $29,167 - 18,371 = 10,796 \text{ SF}$

Landscaped: $18,371 - 11,591 = 6,780 \text{ SF}$

Impervious: $11,591 \text{ SF}$

The percentages are then calculated using these numbers. The resulting percentages are multiplied by the appropriate runoff coefficient (0.30 for natural areas, 0.35 for landscaped and 0.95 for impervious). The results are added together, and the result is the average weighted runoff coefficient for the maximum consistent project:

Natural:	$10,796 \text{ SF} / 29,167 \text{ SF Total Area} = 0.37 \times 0.30 = 0.111$
Landscaped:	$6,780 \text{ SF} / 29,167 \text{ SF Total Area} = 0.23 \times 0.35 = 0.080$
Impervious	$11,591 \text{ SF} / 29,167 \text{ SF Total Area} = 0.40 \times 0.95 = 0.380$
Average weighted runoff coefficient:	0.571

Next, the existing conditions on the property need to be measured and the proposed project (a pool addition) needs to be added to these numbers. The proposed impervious is located entirely within the existing disturbed areas. The proposed numbers for this property are as follows:

Undisturbed (or Natural)	8,852 SF
Disturbed (includes impervious):	20,315 SF
Impervious	8,614 SF

Based on these numbers, the existing natural, landscaped and impervious areas are calculated:

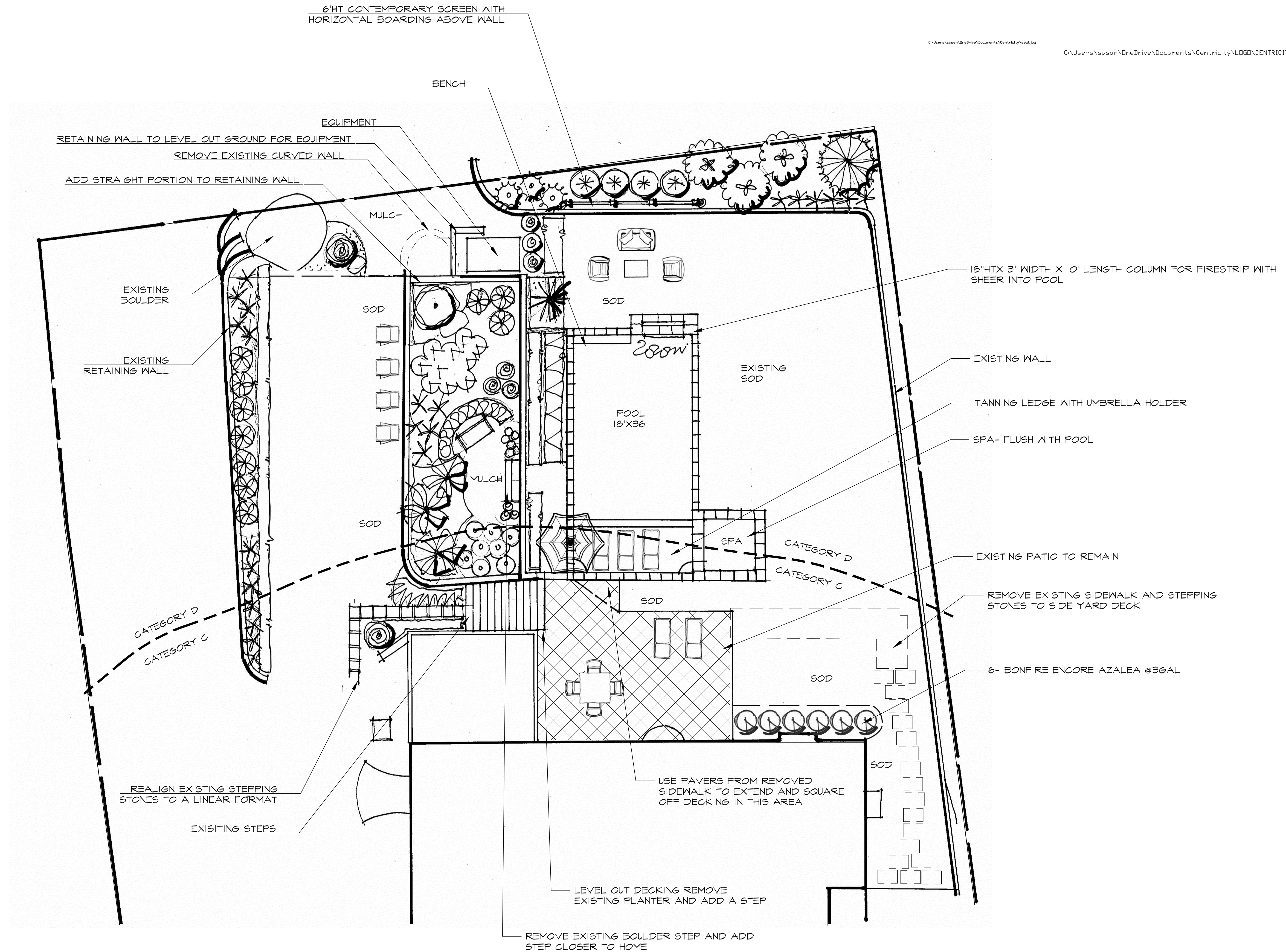
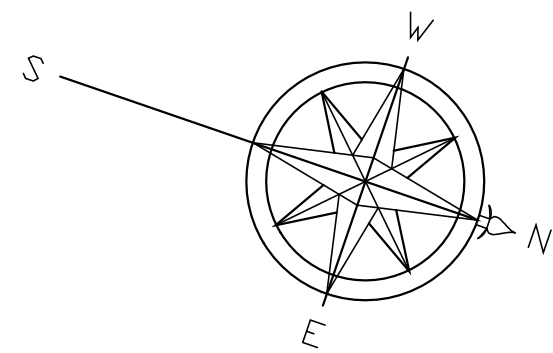
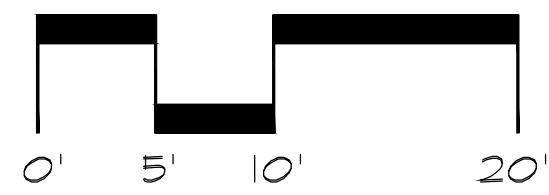
Natural:	8,852 SF
Landscaped:	$20,315 - 8,614 = 11,701 \text{ SF}$
Impervious:	8,614 SF

The current runoff coefficient is then calculated for these numbers:

Natural:	$8,852 \text{ SF} / 29,167 \text{ SF Total Area} = 0.303 \times 0.30 = 0.091$
Landscaped:	$11,701 \text{ SF} / 29,167 \text{ SF Total Area} = 0.402 \times 0.35 = 0.141$
Impervious	$8,614 \text{ SF} / 29,167 \text{ SF Total Area} = 0.295 \times 0.95 = 0.280$
Existing conditions average weighted runoff coefficient:	0.512

The score for the proposed project is lower than the maximum consistent project score meaning it meets the average weighted runoff coefficient test and can be found equivalent to a consistent project.

A POOL PLAN A
PS-1B SCALE: 1/8"=1'-0"



TOTAL SITE AREA: 29,167SF
TOTAL LAND DISTURBANCE: 20,315SF
TOTAL IMPERVIOUS SURFACE: 8,614SF

IMPERVIOUS CALCULATIONS IN CATEGORY D

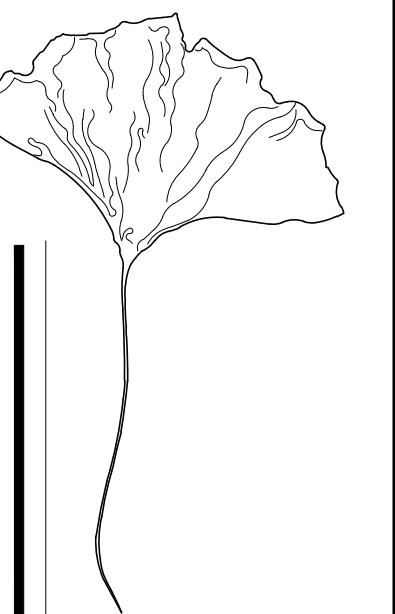
TOTAL AREA	7644SF
TOTAL SF LAND DISTURBANCE	7484 SF
EXISTING IMPERVIOUS	367SF
PROPOSED IMPERVIOUS- POOL/ SPA/ EQUIPMENT/WALLS	785SF
IMPERVIOUS AREA REMOVED: PLANTER WALL	14SF
TOTAL IMPERVIOUS	1138SF
IMPERVIOUS %	14.80%
ALLOWABLE IMPERVIOUS % (2,293.2SF)	30.00%

IMPERVIOUS CALCULATIONS IN CATEGORY C

TOTAL AREA	20,230SF
TOTAL SF LAND DISTURBANCE	11,579 SF
EXISTING IMPERVIOUS	7533SF
PROPOSED IMPERVIOUS- POOL/ SPA/ DECK	202SF
IMPERVIOUS AREA REMOVED: PATH AND STEPPING STONES	259SF
TOTAL IMPERVIOUS	7476SF
IMPERVIOUS %	36.90%
ALLOWABLE IMPERVIOUS % (9103.5SF)	45.00%

IMPERVIOUS CALCULATIONS IN CATEGORY E

TOTAL AREA	1293SF
TOTAL SF LAND DISTURBANCE	1252 SF
EXISTING IMPERVIOUS	0SF
PROPOSED IMPERVIOUS- POOL	0SF
TOTAL IMPERVIOUS	0SF
IMPERVIOUS %	0%
ALLOWABLE IMPERVIOUS % (194SF)	15%

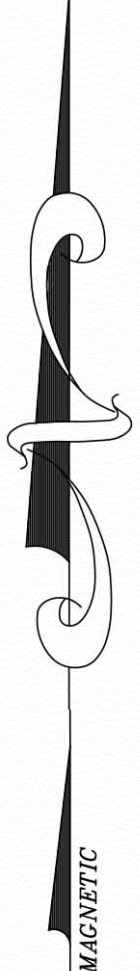


Revisions:

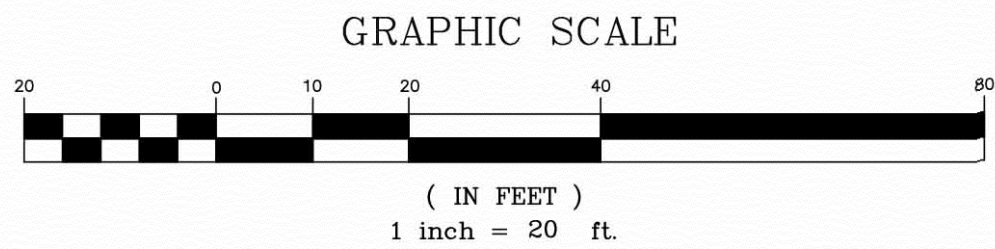
Date: 2-6-2020

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CURVE CHART				
CURVE	LENGTH	RADIUS	BEARING	CHORD
C1	42.24'	483.50'	S73°02'12"W	42.23'



EXISTING LOT COVERAGE	
ASPHALT DRIVE	2,361 SF
FRONT YARD STEPS	23 SF
FRONT BRICK WALK	77 SF
FRONT STOOP	20 SF
FRONT PORCH	14 SF
DWELLING (FOOTPRINT)	2,940 SF
REAR SCREEN PORCH	336 SF
REAR BRICK PATIO	852 SF
LEFT SIDE STONE PATIO	57 SF
RIGHT SIDE BRICK PATIO	363 SF
RIGHT SIDE STONE PAD	4 SF
STEPPING STONES	262 SF
AD PATIOS	17 SF
REAR YARD CONC. PAD	21 SF
WALLS	439 SF
ROCK BORDER	103 SF
REAR CONCRETE	10 SF
TOTAL =	7,900 SF (27.09%)

SITE AREA
29,167 sq.ft.
0.67 acres

VULNERABILITY CATEGORY CALCULATIONS

CATEGORY	TOTAL AREA	CLEARING (ALLOWABLE)	IMPERVIOUS (ALLOWABLE)	CLEARING (EXISTING)	IMPERVIOUS (EXISTING)	CLEARING (PROPOSED)	IMPERVIOUS (PROPOSED)
C	20,230 SF	14,161.0 SF (70%)	9,103.5 SF (45%)	11,579 SF	7,533 SF	7476 SF	202 SF
D	7,644 SF	3,822.0 SF (50%)	2,283.2 SF (30%)	7484 SF	367 SF	785 SF	1138 SF
E	1,293 SF	387.9 SF (30%)	194.0 SF (15%)	1252 SF	0 SF	0 SF	0 SF

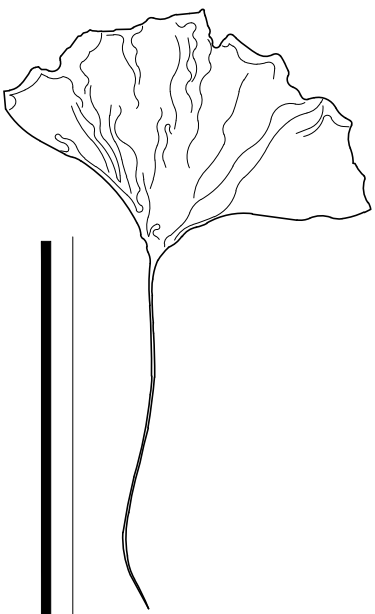
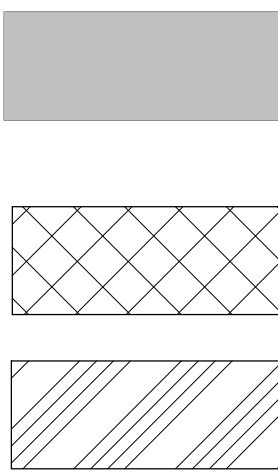
SEE SHEET L-3 FOR MRPA OR CHATTAHOOCHEE RIVER CORRIDOR NUMBERS

ESTIMATED CURRENT CONDITIONS
(FULTON COUNTY GIS)

EXISTING UNDISTURBED
(TREES, LAWN, AND LANDSCAPE)
8116.73 SF

EXISTING DISTURBED
13,476.77 SF

IMPERVIOUS
7,573.50 SF



Revisions:

Date: 2-6-2020
Scale: 1" = 20'
File:

SIMON RESIDENCE

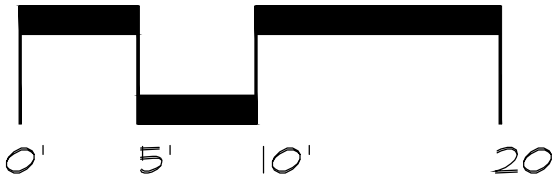
CONCEPTUAL LANDSCAPE DESIGN
950 River Overlook Court 80928

GINKGO LEAF DESIGNS LLC.

LANDSCAPE DESIGN SERVICES

442 Claude Scott Road, Canton, GA 30115
Tele: 770-842-2210
E-Mail: ade@gingkgoleafdesignsllc.com

A EXISTING LAND DISTURBANCE
L-1 SCALE: 1" = 20'



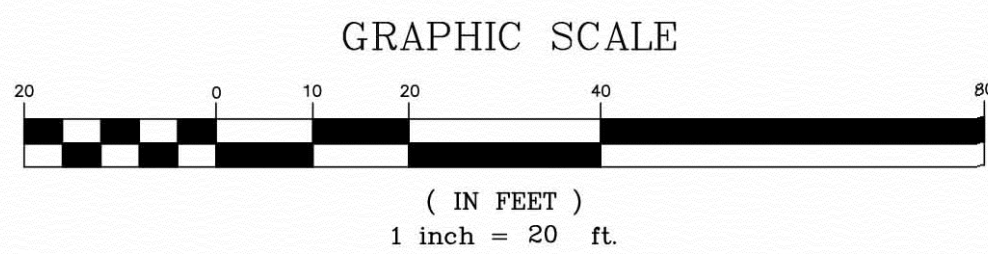
L-1

EROSION CONTROL FENCE

N/F
ROBERT L FISHER
ZONED: RD-27

SEE L-3 FOR CONSTRUCTION
DETAIL

EROSION CONTROL FENCE



CURVE CHART				
CURVE	LENGTH	RADIUS	BEARING	CHORD
C1	42.24'	483.50'	S73°02'12"W	42.23'

EXISTING LOT COVERAGE	
ASPHALT DRIVE	2,361 SF
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SEE SHEET L-3 FOR MRPA OR CHATTAHOOCHEE RIVER CORRIDOR NUMBERS

ESTIMATED CURRENT CONDITIONS
(FULTON COUNTY GIS)

UNDISTURBED
(TREES, LAWN, AND LANDSCAPE)
8,116.73 SF

DISTURBED
13,476.71 SF

IMPERVIOUS
7,573.50 SF

POOL CALCULATIONS AND IMPERVIOUS CALCULATIONS

AVAILABLE IMPERVIOUS SF = 850

IMPERVIOUS SF ADDED = 10,956 SF

POOL AND SPA = 8,925 SF
PROPOSED EDGING STRIPS AT END OF POOL = 345 SF
PROPOSED STEPPING STONES AROUND POOL = 625 SF
EXTRA DECKING TO SQUARE OFF EXISTING LAYOUT = 165 SF
PROPOSED BOCCO COURT EDGING = 125 SF
EQUIPMENT AND RETAINING WALL AT EQUIPMENT = 195 SF

IMPERVIOUS SF REMOVED = 2,735 SF

PATH TO SIDE YARD = 151 SF
STEPPING STONES AT SIDE YARD = 108 SF
CURVED PLANTER WALL = 145 SF

GINKGO LEAF DESIGNS LLC.

LANDSCAPE DESIGN SERVICES

442 Claude Scott Road, Canton, GA 30115
Tele: 770-842-2210
E-Mail: ade@inkgodesignsllc.com

Revisions:

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SIMON RESIDENCE

CONCEPTUAL LANDSCAPE DESIGN
950 River Overlook Court 80928

L-2