

ENVIRONMENTAL PROTECTION DIVISION  
PUBLIC NOTICE  
WATERSHED PROTECTION BRANCH

January 16, 2026  
Notice Issue Date

Forsyth County  
City / County

February 26, 2026  
Notice Close Date

BV-058-25-04  
Control Number

Marbella Subdivision Restoration  
(GPS Coordinates: 34.1153, -84.1242)

Due to technical difficulties with EPDs Public Notice website this Buffer Variance Public Notice has been extended 10 days and will close on February 26, 2026

Activity

This notice is issued to inform the public of a receipt of an application for a variance submitted pursuant to a state environmental Law. The public is invited to comment during the 30-day period on the proposed activity. Site plans are available for review and are located in the following EPD office: Watershed Protection Branch File Room, 2 MLK Jr. Drive, SW, West Tower, Balcony, Suite 418, Atlanta, GA 30334. Please contact [GORArequest.Water@dnr.ga.gov](mailto:GORArequest.Water@dnr.ga.gov) to schedule an appointment to review the plans. Since the EPD has no authority to zone property or determine land use, only those comments addressing environmental issues related to air, water, and land protection will be considered in the application review process. Comments may be submitted via e-mail to: [EPDcomments@dnr.ga.gov](mailto:EPDcomments@dnr.ga.gov). Comments may also be provided in writing to: Program Manager, Nonpoint Source Program, Erosion and Sedimentation Control, 2 Martin Luther King Jr. Drive SW, Suite 1452 East, Atlanta, GA 30334. The words "Buffer Variance Comment", including the Control Number shown above, should be placed in the e-mail subject line (if sent via e-mail) or on the top of the first page of written comments to ensure that your comments will be forwarded to the appropriate staff.

Type of Permit Application: Variance to encroach within the 25-foot State waters buffer.

Applicable Law: Georgia Erosion and Sedimentation Act O.C.G.A. § 12-7-1 et seq.

Applicable Rules: Erosion and Sedimentation Control Chapter 391-3-7

Basis under which variance shall be considered {391-3-7-.05 (2)(a-k)}: (b)

Description and Location of Proposed Activity:

The proposed project involves restoration of a buffered area within Marbella Subdivision, a residential neighborhood located on Nichols Drive, Forsyth County. Land disturbing activities for this project include house demolition, driveway removal, stabilization practices, revegetation practices, and necessary BMPs. Encroachments total 12,836 square feet along 675 linear feet of buffer associated with an unnamed tributary of James Creek. The site is within the Upper Chattahoochee Watershed (03130001).

Name and Address of Permit Applicant: Wesley Young  
Grand Communities, LLC  
3940 Olympic Boulevard, Suite 400  
Erlanger, KY 41018

Summary of Rules Requirements for Variance Application:

The application for a variance must include an Erosion and Sediment Control Plan with control measures based on sound conservation and engineering practices which meet or exceed the standards in the "Manual for Erosion and Sediment Control in Georgia" and which will minimize erosion and deposition of sediments on adjacent lands or into State waters.

For Additional Information Contact: Madison McCrary  
Environmental Compliance Specialist  
EPD Watershed Protection Branch  
Nonpoint Source Program  
2 Martin Luther King Jr. Drive SW, Suite 1462 East  
Atlanta, GA 30334  
Telephone: (470) 524-0622  
Email: Madison.McCrary@dnr.ga.gov