

ENVIRONMENTAL PROTECTION DIVISION  
PUBLIC NOTICE  
WATERSHED PROTECTION BRANCH

July 22, 2016  
Notice Issue Date

DeKalb County  
City / County

August 22, 2016  
Notice Close Date

BV-044-16-05  
Control Number

CBY Luke Properties, LLC – Single-Family Residential Development  
(Houston Mill Road NE, Atlanta, GA 30329)  
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 immediately available for review and are located in the following EPD office: Watershed Protection Branch, 200 Piedmont Avenue SW, Suite 418 West, Atlanta, GA 30334. Please contact Ms. Thais Edwards at (404) 463-2387 or email [thais.edwards@dnr.ga.gov](mailto:thais.edwards@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. Written comments should be submitted to: Program Manager, NonPoint Source Program, Erosion and Sedimentation Control, 2 Martin Luther King Jr. Drive SW, Suite 1462, Atlanta, GA 30334.

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)}: (h)

Description and Location of Proposed Activity:

The proposed project will consist of constructing a new six lot single-family residential development and associate infrastructure on approximately 3.26 acres along Houston Mill Road near Lavista Road in DeKalb County. This project will include an integrated stormwater management system (i.e., micropool extended detention ponds and Jellyfish® Stormwater Filters). Construction activities will result in permanent impacts (228.9 linear feet, 12,202 square feet) to an unnamed tributary to South Fork Peachtree Creek in the Upper Chattahoochee Watershed.

Name and Address of Permit Applicant: Mr. Sagy Peretz  
CBY Luke Properties, LLC  
2897 N. Druid Hills Road, Suite 101  
Atlanta, GA 30329

Summary of Rules Requirements for Variance Application:

The application for a variance must include an approved 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: Frank M. Carubba, Environmental Engineer  
EPD Watershed Protection Branch  
NonPoint Source Program  
2 Martin Luther King Jr. Drive SW, Suite 1462  
Atlanta, GA 30334  
Telephone: (404) 651-8550