

# Memorandum

**Subject:** Variance. To allow development in the floodplain, future conditions flood and/or adjacent area. The property is located at 5525, 5535 and 5500 Elliott Road within land lots 598, 599, 660, 661, 19th district, 2nd Section, Cobb County, Georgia. PIN: 19067400030, 19066000050 and 19066000060.

July 21, 2025

Motion to approve, subject to the following:

1. The application for variance shall be updated by the applicant and submitted with the application for Land Disturbance Permit. Because the 24003 Floodplain Exhibit dated 03/10/25 is showing that the proposed development will encroach on both the 100-yr Existing (Special Flood Hazard Area – SFHA) and 100-yr Future Conditions flood hazard area, the variance application shall be amended to reflect that the variance request proposes encroachments on both the SHFA and Future-Conditions flood hazard areas.
2. Because the UDC Article 10, Sec 10-32(d) allows a flood hazard area variance when it has been demonstrated that granting of the variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense or creation of a nuisance, with the application of the Land Disturbance Permit, the applicant developer shall provide a No-Rise Report and the supporting engineering study prepared in accordance with Sec. 10-15 of the UDC.
3. The application for Land Disturbance Permit shall include the required reports and studies that demonstrate the Sec 10-15 engineering study requirements are met and the Sec 10-16 standards for encroachment are met. The previous No-Rise reports and engineering study prepared in support of Elliott Green North and South proposed development shall be revised and updated to address the City's review comments made on 03/12/2025 and 05/06/2025, which remain unaddressed as of the date of the variance approval.
4. The Hydraulic Analysis for Elliott Greene report dated 12/20/2024 discussed direct release of the stormwater from the project site. If direct release is proposed, it shall be documented through a certified engineering study and report that any proposed increase in the peak flow discharges along Powder Springs Creek will not increase the Base Flood Elevations, Floodway Elevations or 100-yr Future Conditions Flood Elevations along the stream. This documentation shall be included in the study and reports that are required with the application for Land Disturbance Permit.
5. After the completion of the development and prior issuance of the final Certificate of Occupancy, an As-Built Floodplain Study report shall be submitted to the City certifying that the development is completed as proposed, and the City's Floodplain Managements requirements have been met.

**SO RESOLVED AND EFFECTIVE** this 21<sup>st</sup> day of July 2025.

**[signature page follows]**

Absent

Albert Thurman, Mayor

Henry Lust, Council Member

Doris Dawkins, Council Member

Dwayne Green, Council Member

Dwight McMutry, Council Member

Patricia Wisdom, Council Member

Attest:

Kelly Axt, City Clerk

c: File