

Applicant: Blue River Development, LLC

Telephone No.: [REDACTED]

Applicant's Address: 3715 DaVinci Court; Suite 300; Norcross, Ga 30092

Property Location: 5535 Powder Springs Dallas Road SW

Land Lot No.: 734, 735, 746 & 747

Applicant is: Property Owner Other: Attorney for Property Owner

(Attach Owner's Authorization)

Other Representative of the Owner

(Attach Owner's Authorization)

Current Zoning: R30

Type of Appeal

- Flood Protection Variance
- Change in Stipulations of Approval

Attachments

- Application Fee
- Boundary Description
- Review Checklist

Maps or Drawings (Not Required)

Other: _____

Description of Appeal

Additional pages explaining the Appeal are attached.

The property is bisected by a flood plain that occupies 4.1 acres of the site and blocks the only public access, rendering the entire 16.56 acre property undevelop-able without a variance. A No Rise analysis will be performed and adequate floodplain compensation accounted for within the site boundaries to demonstrate no rise in flood plain elevations off the subject site.

I attest that this Application and its attachments are accurate to the best of my knowledge, and that all written or reproducible evidence supporting my appeal is attached.

Sworn to and subscribed before me this

_____ day of _____, 20____

Signature of Applicant (to be notarized) _____

Notary Public _____

DO NOT WRITE IN THE BOXES BELOW

- DRI
- Forms filed with ARC/DCA/GRTA on: _____
- Final determination received on: _____

Application Received Date: _____

Scheduled for Public Hearing:

Planning Commission Date: _____

Appealed to MCC Date: _____

Mayor & City Council Date: _____

Signs Provided Date: _____

Newspaper Ad Date: _____

Affidavit Received Date: _____

Planning Commission

Public Hearing: Date: _____

Tabled Until: Date: _____

Action

- Approved
- Approved with Changes
- Denied
- Stipulations Attached

Mayor & Council

Public Hearing: Date: _____

Tabled Until: Date: _____

Returned to P.C. Date: _____

Final Action

- Approved
- Approved with Changes
- Denied
- Stipulations Attached



Application Withdrawn

- By Planning Director
- By P.C. or Mayor & Council

Date: _____

- Without time restriction
- With Restriction: Cannot be refiled for 12 months

Sec. 10-32. General Criteria for Flood Hazard Area Variances.

A flood hazard area variance shall be issued only when it has been determined that the following criteria have been met:

Standard	Yes	No	Comments
(a) Good and sufficient cause for the relief sought exists;	✓		The property is bisected by a stream and flood plain that occupy 4.1 acres of the site, blocking access to public right of way.
(b) Failure to grant the variance would result in exceptional hardship;	✓		The property cannot be developed without a flood plain variance.
(c) The variance is the least deviation from the standards of this article necessary to accomplish the objectives of the applicant and/or the minimum necessary to afford relief; and	✓		The variance is to allow a road to cross the flood plain, cross the flood-way, and fill along the edge of the flood plain fringe where there is minimal impact. Floodplain storage compensation will be provided in conjunction with a No Rise analysis.
(d) Granting of the variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, or creation of a nuisance.	✓		A Flood Plain No Rise analysis will be performed demonstrating no rise in flood plain or flood way elevations outside of property controlled by the applicant.
(e) No variance shall be issued within any designated floodway that would cause any increase in flood levels during the base flood discharge.	✓		A Flood Plain No Rise analysis will be performed demonstrating no rise in flood plain or flood way elevations outside of property controlled by the applicant.

This is to certify that (I am we are I am the Corporate Secretary of a Corporation that is) the owner of a majority interest in the property that is the subject of the attached application.

By execution of this form, this is to authorize the person named as "applicant" below, acting on behalf of the owner, to file for and pursue a request for approval of the following:

(Check each that applies and cross out each that does not apply)

- Rezoning
- Special Use
- Appeal from Administrative Decision
- Special Exception
- Hardship Variance
- Flood Protection Variance

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Suite 300
Norcross, Ga 30092

Date this Authorization becomes null and void: _____, 20____ (Not applicable)

Mark A. Blosser
 Signature of Owner Mark A. Blosser

Mark T. Bradshaw
 Signature of Owner Mark Bradshaw

Signature of Owner _____

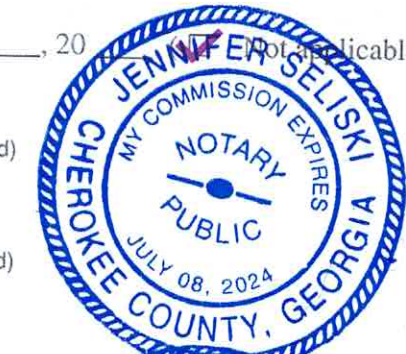
Signature of Owner _____

(Notarized)

(Notarized)

(Notarized)

(Notarized)



Attach additional sheets as needed

Corporations – attach copy of corporate resolution approving authorization

Applicant: Blue River Development, LLC

Current Zoning: R30

Property Location: 5535 Powder Springs Dallas Road

734, 735,
Land Lot No. 746 & 747

Standards for approval

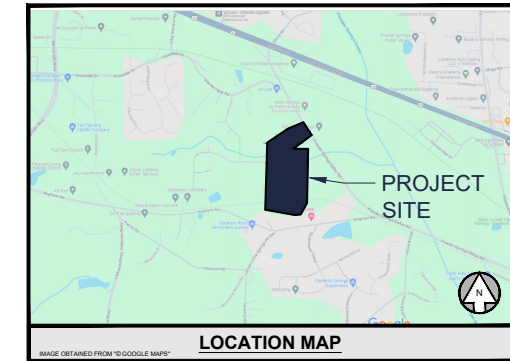
Variances from the Code requirements relating to flood damage prevention may be approved under the following provisions:

Standard	YES	NO	Comments
Is the variance for the reconstruction, rehabilitation or restoration of a building listed on the National Register of Historic Places or the State Inventory of Historic Places, AND the proposed work will NOT result in the building losing its historical designation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Not applicable -- Not a listed historic building
a. Will this variance reduce the danger that materials may be swept onto other lands to the injury of others?	<input type="checkbox"/>	<input type="checkbox"/>	
b. Will this variance reduce the danger to life and property due to flooding or erosion damage?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Is the facility and its contents susceptible to flood damage?	<input type="checkbox"/>	<input type="checkbox"/>	If "YES," discuss what the effect of such damage is on the owner.
d. Does the facility provide services of importance to the community?	<input type="checkbox"/>	<input type="checkbox"/>	
e. Is it a necessity that the facility have a waterfront location, like a boat ramp or fishing pier?	<input type="checkbox"/>	<input type="checkbox"/>	
f. Are there no available alternative locations, not subject to flooding or erosion damage, for the proposed use?	<input type="checkbox"/>	<input type="checkbox"/>	
g. Is the use compatible with existing and anticipated development?	<input type="checkbox"/>	<input type="checkbox"/>	
h. Is there a relationship of the use to the comprehensive plan and flood plain management program for that area?	<input type="checkbox"/>	<input type="checkbox"/>	
i. Will safety of access to the property in times of flood for ordinary and emergency vehicles be maintained?	<input type="checkbox"/>	<input type="checkbox"/>	
j. Will there be an impact on flood conditions, either positive or negative?	<input type="checkbox"/>	<input type="checkbox"/>	Discuss: Expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site.
k. Will there be an impact on the cost of governmental services, whether an increase or decrease?	<input type="checkbox"/>	<input type="checkbox"/>	Discuss: Costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.

Prepared...Date: May 5, 20 24 for Blue River Dev. Applicant
 Date: _____, 20 ____ by _____ Powder Springs Staff
 Date: _____, 20 ____ by Other: _____

Attach additional sheets as needed

Drawing name: C:\Users\jdgaskin\Documents\Gaskin+LeCraw\Dropbox\Shared\Federal\Engineering\0270002 - Blue River - 5535 Powder Springs Rd - Powder Sgr\GALCADD\CONSTR\0000000 - 06 - SITE - 42.bas.dwg 5535 Floodplain Vairmor Jun 02, 2024 12:10pm by: dcmn



PREPARED IN THE OFFICE OF:



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1266 POWDER SPRINGS RD SW
MARIETTA, GA 30064
PHONE: [REDACTED]
www.gaskinslecrow.com

PEF008127

REVISIONS:

REV #	DATE	BY	CHECKED BY	DESCRIPTION
1	05/01/24	DJC	DJC	MODIFIED OVERALL LAYOUT

CLIENT
BLUE RIVER DEVELOPMENT
3715 DAVINCI COURT, SUITE 300, NORCROSS, GA 30092

PROJECT
5535 POWDER SPRINGS DALLAS ROAD
5535 POWDER SPRINGS DALLAS ROAD
LAND LOTS 734, 735, 746 & 747, DISTRICT 19, SECTION 2
POWDER SPRINGS, COBB COUNTY, GEORGIA

SEAL:

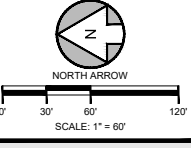
FOR INFORMATIONAL PURPOSES ONLY

6/2/2024

CALL BEFORE YOU DIG



SCALE & NORTH ARROW:



DESIGN INFO:

DRAWN BY:	DJC
DESIGNED BY:	DJC
REVIEWED BY:	DLS
JOB #:	02970002
DATE:	05.25.2024

EXHIBIT "E"



TECHNICAL DATA
TRAVERSE PRECISION: 1/NA
ANGLE CORRECTION: NA
SURVEY ADJUSTMENT: NA
EQUIPMENT: TOPCON GTS-48
PLAT PRECISION: 1/2,179,766

LEGEND

- CORNER MONUMENTATION:
 - CORNER SET WITH A 1/2" STEEL REINFORCING ROD
 - CORNER FOUND (1/2" REINFORCING ROD)
 - ▲ UNMONUMENTED CORNER
 - CORNER TO BE SET WHEN CONSTRUCTION PERMITS
- x — x — FENCE LINE
- RR = STEEL REINFORCING ROD
- OTP = OPEN TOP WATER PIPE
- CTP = CRIMPED TOP WATER PIPE
- PP = POWER POLE = "D"
- C/L = CENTERLINE
- R/W = RIGHT OF WAY
- LAND LOT LINE = - - - - -

FLOOD STATEMENT

I HAVE THIS DATE EXAMINED THE FLOOD INSURANCE RATE MAPS, COMMUNITY PANEL NO. 13067 C0065 F EFFECTIVE DATE: AUGUST 18, 1996

THE MAP GRAPHICALLY DEPICTS THE SUBJECT PROPERTY TO LIE IN ZONES "A" & "X"

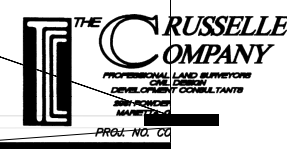
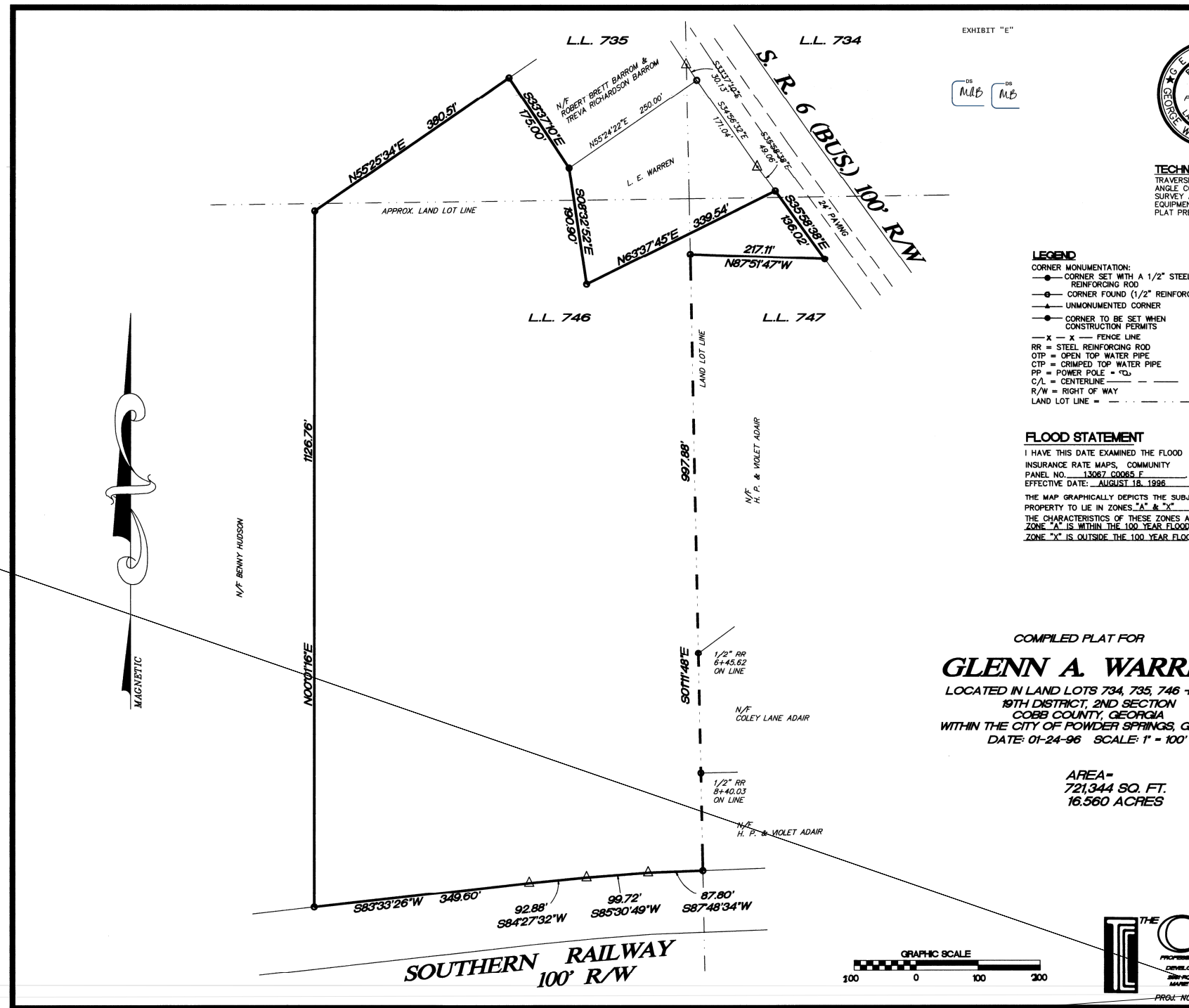
THE CHARACTERISTICS OF THESE ZONES ARE ZONE "A" IS WITHIN THE 100 YEAR FLOOD PLAIN ZONE "X" IS OUTSIDE THE 100 YEAR FLOOD PLAIN

COMPILED PLAT FOR

GLENN A. WARREN

LOCATED IN LAND LOTS 734, 735, 746 + 747
19TH DISTRICT, 2ND SECTION
COBB COUNTY, GEORGIA
WITHIN THE CITY OF POWDER SPRINGS, GEORGIA
DATE: 01-24-96 SCALE: 1" = 100'

AREA =
721,344 SQ. FT.
16,560 ACRES

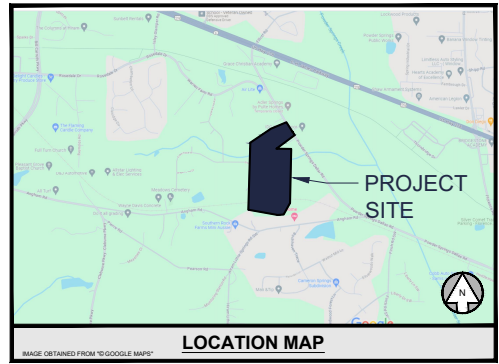
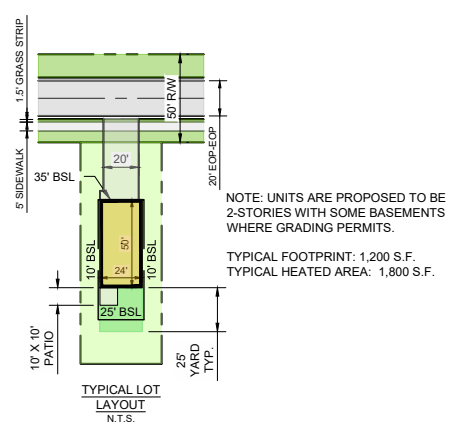


Drawing name: C:\Users\ldom\Gaskins\LeCraw\Dropbox\Shared\Federal\Engineering\02\70002 - Blue River - 5685 Powder Spr Rd - Powder Spr Ga\CADD\CONSTR\000000 - 00 - COVER.dwg SURVEY (BY OTHERS) Jun 02, 2024 12:10pm by:ldom

Parcel	Area (Sq. Ft.)	Area (Acres)
1	9,562 Sq. Ft.	0.22 AC
2	7,278 Sq. Ft.	0.17 AC
3	7,274 Sq. Ft.	0.17 AC
4	8,114 Sq. Ft.	0.19 AC
5	7,257 Sq. Ft.	0.17 AC
6	7,253 Sq. Ft.	0.17 AC
7	8,726 Sq. Ft.	0.20 AC
8	11,095 Sq. Ft.	0.25 AC
9	12,283 Sq. Ft.	0.28 AC
10	8,813 Sq. Ft.	0.20 AC
11	7,091 Sq. Ft.	0.16 AC
12	6,738 Sq. Ft.	0.15 AC
13	6,740 Sq. Ft.	0.15 AC
14	6,742 Sq. Ft.	0.15 AC
15	7,596 Sq. Ft.	0.17 AC
16	7,359 Sq. Ft.	0.17 AC
17	11,516 Sq. Ft.	0.26 AC
18	9,181 Sq. Ft.	0.21 AC
19	7,640 Sq. Ft.	0.18 AC
20	7,915 Sq. Ft.	0.18 AC
21	9,441 Sq. Ft.	0.22 AC
22	12,478 Sq. Ft.	0.29 AC
23	9,885 Sq. Ft.	0.23 AC
24	7,818 Sq. Ft.	0.18 AC

Parcel	Area (Sq. Ft.)	Area (Acres)
25	6,750 Sq. Ft.	0.15 AC
26	6,750 Sq. Ft.	0.15 AC
27	6,750 Sq. Ft.	0.15 AC
28	6,750 Sq. Ft.	0.15 AC
29	6,750 Sq. Ft.	0.15 AC
30	6,750 Sq. Ft.	0.15 AC
31	6,221 Sq. Ft.	0.14 AC
32	6,162 Sq. Ft.	0.14 AC
33	6,354 Sq. Ft.	0.15 AC
34	6,357 Sq. Ft.	0.15 AC
35	6,554 Sq. Ft.	0.15 AC
37	6,465 Sq. Ft.	0.15 AC
38	6,592 Sq. Ft.	0.15 AC
39	6,491 Sq. Ft.	0.15 AC
40	6,457 Sq. Ft.	0.15 AC
41	6,359 Sq. Ft.	0.15 AC
42	6,037 Sq. Ft.	0.14 AC

Parcel	Area (Sq. Ft.)	Area (Acres)
Amenity	9,573 Sq. Ft.	0.22 AC
OPEN SPACE A	35,348 Sq. Ft.	0.81 AC
OPEN SPACE B	230,805 Sq. Ft.	5.30 AC
OPEN SPACE C	6,225 Sq. Ft.	0.14 AC
OPEN SPACE D	16,422 Sq. Ft.	0.38 AC
OPEN SPACE E	5,411 Sq. Ft.	0.12 AC
OPEN SPACE F	37,118 Sq. Ft.	0.85 AC
OPEN SPACE G	15,022 Sq. Ft.	0.34 AC
STORM MGMT.	18,658 Sq. Ft.	0.43 AC



Amenity and Open Space Summary

Total Site Area, ac	18.22			
Flood Plain Area, ac	4.32	23.7%		
Required Open Space	3.64	20.0%		
	Area, ac	% Credit	% Area	Credit Area
Open Space Amenity Credit	0.22	0.25	0.06	0.06
Stormwater Mgmt.	0.43	0.50	0.22	0.22
Open Space A - Flood Plain	0.81	0.50	0.41	0.41
Open Space B - Flood Plain	5.30	0.50	2.65	1.20
Open Space C	0.14	1.00	0.14	0.14
Open Space D	0.38	1.00	0.38	0.38
Open Space E	0.12	1.00	0.12	0.12
Open Space F	0.80	1.00	0.80	0.80
Open Space G	0.34	1.00	0.34	0.34
Total	8.54			3.66

ZONING PLAN DISCLAIMER

- THE ZONING PLAN REPRESENTED HEREIN IDENTIFIES A SCHEMATIC DESIGN RESULTING FROM LAYOUT PREFERENCES IDENTIFIED BY THE CLIENT COUPLED WITH A PRELIMINARY REVIEW OF ZONING AND LAND DEVELOPMENT REQUIREMENTS. THE FEASIBILITY OF THIS PLAN WITH RESPECT TO OBTAINING CITY, COUNTY, STATE AND OTHER APPLICABLE APPROVALS IS NOT WARRANTED AND CAN ONLY BE ASSESSED AFTER FURTHER EXAMINATION OF THE SITE AND VERIFICATION OF THE ZONING ORDINANCES AND DEVELOPMENT REGULATIONS ALONG WITH PROMISEMENT OF APPROPRIATE JURISDICTIONAL APPROVALS.
- THE EXISTING CONDITIONS SHOWN HEREON ARE BASED UPON AVAILABLE INFORMATION THAT WAS SUPPLIED AT THE TIME OF PLAN PREPARATION AND MAY BE SUBJECT TO CHANGE UPON THE AVAILABILITY OF ADDITIONAL INFORMATION.
- THIS ZONING PLAN WAS PREPARED WITHOUT BENEFIT OF A CURRENT SURVEY, GEOTECHNICAL AND/OR ENVIRONMENTAL INVESTIGATION, JURISDICTIONAL DELINEATION OR ARBORIST REPORT. THE LOCATION OF ANY JURISDICTIONAL WATERS, WETLANDS, UNDERGROUND UTILITIES AND/OR SPECIMEN TREES HAS NOT BEEN TAKEN INTO ACCOUNT.

NOTES

- ALL EXISTING DATA, TOPOGRAPHY, PROPERTY BOUNDARIES, FLOOD PLAIN ELEVATIONS, CREEK LOCATION AND OTHER EXISTING FEATURES WERE TAKEN DIRECTLY FROM OR DERIVED FROM COBB COUNTY, GA GIS DATA.
- THE STREAM LOCATION DEPICTED WAS APPROXIMATED USING CONTOUR DATA OBTAINED BY COBB COUNTY GIS.
- FLOOD PLAIN SHOWN IS BASED ON OVERLAIN IMAGERY FROM COBB COUNTY GIS DATA. NO FLOOD STUDY INFORMATION IS AVAILABLE TO SHOW THE ACTUAL FLOOD BOUNDARY LIMITS AS THEY RELATE TO THE GROUND TOPOGRAPHY.
- THIS PROJECT WILL IMPACT THE 100 YEAR FLOODPLAIN. A FLOOD PLAIN IMPACT ANALYSIS WILL BE REQUIRED FOR THE DEVELOPMENT OF THE FINAL PLANS FOR THIS PROJECT.
- THIS PROJECT WILL IMPACT BOTH STATE AND LOCAL STREAM BUFFERS. A STREAM IMPACT STUDY AND STREAM BUFFER VARIANCES WILL BE REQUIRED TO IMPLEMENT THIS CONCEPT PLAN.

SITE SUMMARY

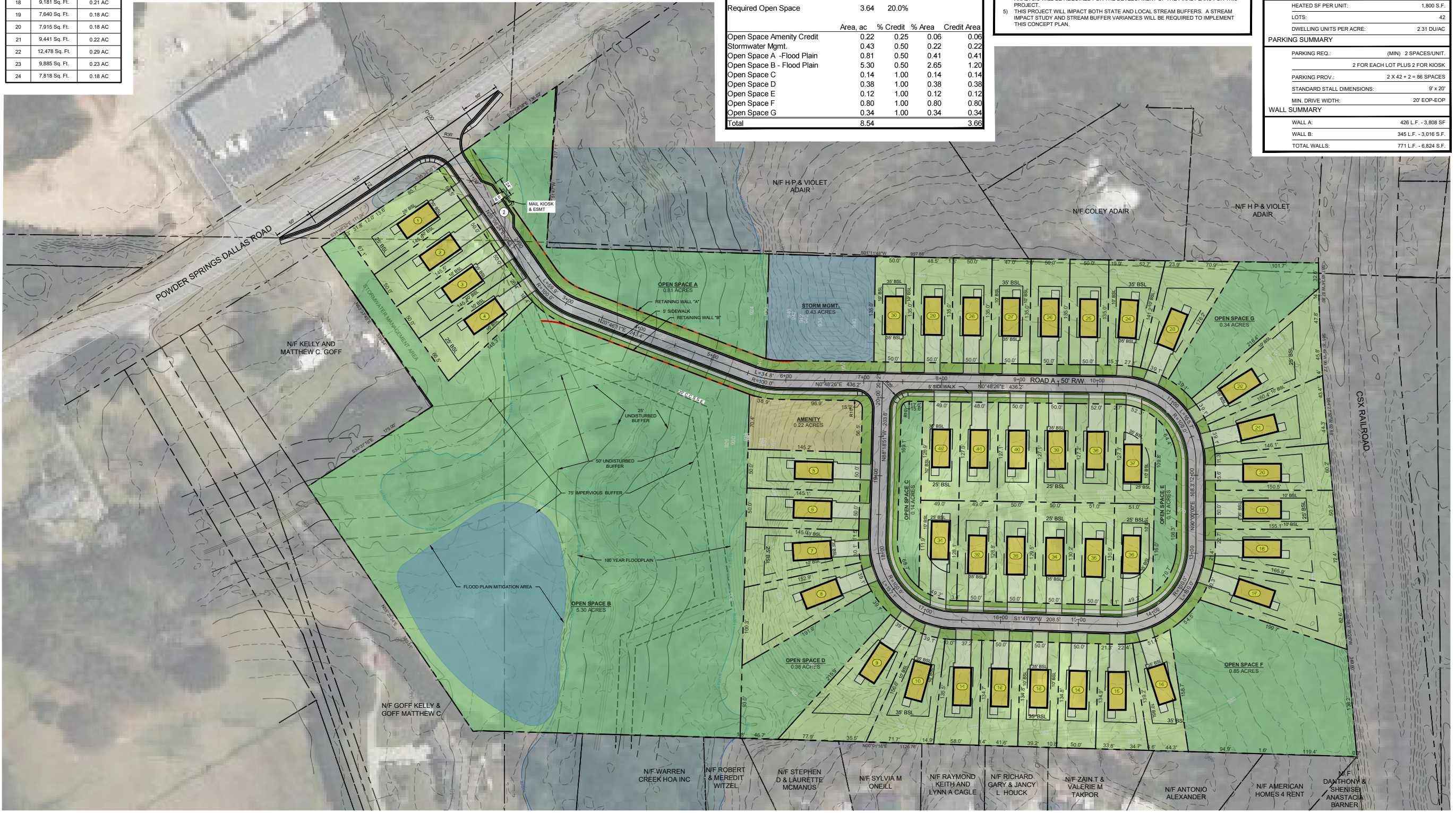
SITE AREA	
SITE AREA:	18.22 ACRES (793,850 S.F.)
IMPERVIOUS AREA:	4.37 AC (24.0%)
PERVIOUS AREA:	13.84 AC (76.0%)
OPEN SPACE REQ'D (20% SITE AREA):	3.64 AC (20.0%)
OPEN SPACE (SEE OPEN SPACE TABLE):	3.66 AC (20.0%)
FLOOD PLAIN:	4.32 AC (23.7%)
TOTAL LOT AREA:	7.39 AC (40.6%)
ZONING CLASSIFICATION	
JURISDICTION:	CITY OF POWDER SPRINGS
CURRENT ZONING:	R-30
ADJACENT ZONING:	R15, R15C, R30
PROPOSED ZONING:	PUD-R
BUILDING SETBACKS	
FRONT:	35'
SIDE:	10'
REAR INTERNAL:	25'
REAR TO ADJACENT PROPERTY:	35'
LOT SUMMARY	
HEATED SF PER UNIT:	1,800 S.F.
LOTS:	42
DWELLING UNITS PER ACRE:	2.31 DU/AC
PARKING SUMMARY	
PARKING REQ.:	(MIN) 2 SPACES/UNIT.
	2 FOR EACH LOT PLUS 2 FOR KIOSK
PARKING PROV.:	2 X 42 + 2 = 86 SPACES
STANDARD STALL DIMENSIONS:	9' x 20'
MIN. DRIVE WIDTH:	20' EOP-EOP
WALL SUMMARY	
WALL A:	426 L.F. - 3,808 SF
WALL B:	345 L.F. - 3,016 SF
TOTAL WALLS:	771 L.F. - 6,824 SF

PREPARED IN THE OFFICE OF:

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1266 POWDER SPRINGS RD SW
MARIETTA, GA 30064
PHONE: 770.428.1234
www.gaskins-lecraw.com

REVISIONS:

NO.	DATE	BY	DESCRIPTION
1	05/01/24	DJC	MODIFIED OVERALL LAYOUT



CLIENT
BLUE RIVER DEVELOPMENT
3715 DAVINCI COURT, SUITE 300, NORCROSS, GA 30092

PROJECT
5535 POWDER SPRINGS DALLAS ROAD
5535 POWDER SPRINGS DALLAS ROAD
LAND LOTS 734, 735, 746 & 747, DISTRICT 19, SECTION 2
POWDER SPRINGS, COBB COUNTY, GEORGIA

SEAL:
FOR INFORMATIONAL PURPOSES ONLY

CALL BEFORE YOU DIG

Know what's below.
Call before you dig.

SCALE & NORTH ARROW:

DESIGN INFO:

DRAWN BY: DJC
DESIGNED BY: DJC
REVIEWED BY: DLS
JOB #: 02970002
DATE: 05.25.2024

01 ZONING PLAN

Drawing name: C:\Users\dcom\Gaskins+LeCraw\Desktop\Shared\Federal\Engineering\02970002 - Blue River - 5535 Powder Spr Rd - Powder Spr\CalCAD\CONS\TR0000000 - 06 - SITE - 42 bas.dwg 01 ZONING PLAN Jun 02, 2024 12:10pm by dcom