

Powder Springs Application Form

FLOOD PROTECTION VARIANCE

Applicant: Grand Communities, LLC.; Jason M. Wisniewski

Telephone No.: (859) 344-3136

Applicant's Address: 3940 Olympic Blvd., Suite 100, Erlanger, KY 41018

Property Location: Springbrooke Estates Subdivision located along Lewis Road

975, 976, 1022, 1023, Land Lot No.: 1024, 1049 & 1050

Applicant is: Property Owner Other: Attorney for Property Owner

(Attach Owner's Authorization)

Other Representative of the Owner

(Attach Owner's Authorization)

Current Zoning: MDR

Attachments

Type of Appeal

- Flood Protection Variance
 Change in Stipulations of Approval

- Application Fee
 Boundary Description
 Review Checklist

- Maps or Drawings (Not Required)
 Other:

Description of Appeal

Additional pages explaining the Appeal are attached.

Proposed fill in the 100 yr floodplain for purposes of the proposed sewer extension connection at Powder Springs Creek.

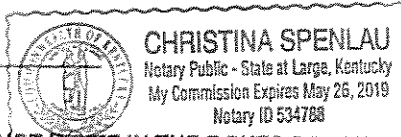
Please see attached document detailing the requested variance.

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

27 day of June, 2018

Signature of Applicant (to be notarized)



Christina Spenlau
Notary Public

DO NOT WRITE IN THE BOXES BELOW

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

Application Received Date:

Planning Commission

Mayor & Council

Scheduled for Public Hearing:

Public Hearing: Date:

Public Hearing: Date:

Planning Commission Date:

Tabled Until: Date:

Tabled Until: Date:

Appealed to MCC Date:

Returned to P.C. Date:

Mayor & City Council Date:

Action

Final Action

Signs Provided Date:

- Approved
 Approved with Changes

- Approved
 Approved with Changes

Newspaper Ad Date:

- Denied

- Denied

Affidavit Received Date:

- Stipulations Attached

- Stipulations Attached



Application Withdrawn

Date:

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

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

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Property Location: Springbrooke Estates Subdivision located along Lewis Road Land Lot No. 975, 976, 1022, 1023, 1024, 1049, & 1050

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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	The proposed improvements will be designed and constructed to reduce
b. Will this variance reduce the danger to life and property due to flooding or erosion damage?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	impacts to the floodplain and potential for damage.
c. Is the facility and its contents susceptible to flood damage?	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	Sewer outfall for the proposed development.
e. Is it a necessity that the facility have a waterfront location, like a boat ramp or fishing pier?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
f. Are there no available alternative locations, not subject to flooding or erosion damage, for the proposed use?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Alternatives have been reviewed and discussed with the City.
g. Is the use compatible with existing and anticipated development?	<input checked="" 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 checked="" type="checkbox"/>	The proposed improvements are for fill within the floodplain for the sewer extension.
i. Will safety of access to the property in times of flood for ordinary and emergency vehicles be maintained?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
j. Will there be an impact on flood conditions, either positive or negative? Improvements will have a no rise impact on the floodplain.	<input type="checkbox"/>	<input checked="" 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? No additional costs beyond typical maintenance costs are anticipated.	<input type="checkbox"/>	<input checked="" 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: _____, 20____ for _____ Applicant
 Date: _____, 20____ by _____ Powder Springs Staff
 Date: _____, 20____ by Other: _____

Attach additional sheets as needed

Powder Springs

OWNER'S AUTHORIZATION

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

Amy Hecker
Signature of Owner Springbrook, LLC

(Notarized)

Amy Strahan
Amy Strahan

Signature of Owner

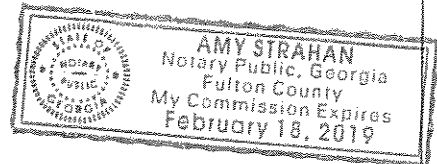
(Notarized)

Signature of Owner

(Notarized)

Signature of Owner

(Notarized)



Attach additional sheets as needed

Corporations – attach copy of corporate resolution approving authorization



We request that the certain sections of the Powder Springs Unified Development Code (UDC) be varied to allow for the installation of the proposed outfall sewer as shown on the exhibit submitted with this application. This proposed outfall sewer is the only reasonable way to provide sewer service to the undeveloped portion of Springbrooke Subdivision associated with this request. Due to the nature of the complexities of this proposed sewer main construction, we request that should an engineering hydrology and hydraulics study (H&H) show that there is a "no-rise" condition between the existing and future conditions flood plain that Mayor and Council authorize the Staff to approve the proposed outfall sewer with the understanding that certain sections of Chapter 10 of the UDC will need to be waived. Primarily, the fill proposed on the east side of the Lewis Road bridge will need to encroach into Powder Springs Creek floodway. As a result of this proposed condition, Section 10.11(b) which prohibits an increase in the floodway depths and a decrease in the floodway width will need to be waived. Further, as a result of floodplain fills on both sides of Lewis Road as shown on the referenced exhibit, Section Sec. 10.16 - (b) which requires compensation for any fills with the floodplain will need to be waived as we have no areas to perform this compensation. Finally, Section 10.16 - (a), (Parts 2 & 3) which requires no reduction of flood storage capacity (Part 2) and prohibits changes to the flow characteristics as to the depth and velocity of the waters of the base flood or future-conditions flood (Part 3) will need to be waived as our proposed fill without compensation will reduce flood storage capacity and will result in small increases in both depth and velocity of the flow characteristics of Powder Springs Creek

CORPORATE-CINCINNATI
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