

Kyle & Carmen Leach

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OCT 20 2020

PERMITS
City of Johns Creek

October 8, 2020

Johns Creek Planning & Zoning, Job ID#20-3091

We would like to request a 50' city undisturbed buffer variance to allow for the replacement of our upper deck and for the addition of 250 sq. ft. deck/porch.

Our property has a drainage ditch (designated as a creek) across the entire back boundary that is utilized for rain runoff. The 11 homes that back up to this area have underground gutter connections to reduce erosion. One to two days after a rain, the ditch is dry. The rain water is directed to our neighborhood (Oxford Mill) detention pond. Pictures and maps are attached.

Our survey shows that 68% of our property falls within the city 50' undisturbed buffer and 75' impervious surface setback - this is 100% of our backyard and the majority of both side yards. These ordinances, while having merit, have created an unnecessary hardship peculiar to this property and not general to the neighborhood or community. The requested variance with the proposed mitigation plans can still preserve the intent of the ordinances, but also relieves this significant hardship; a hardship that is more than merely inconvenient, it renders a truly substantial portion of our property untouchable without a variance.

There are no viable alternative locations for this plan. The entire existing deck is located in the 50' buffer. The end of the driveway (is in the 75' setback) and front yard are not allowed by our HOA.

Our plans stay parallel to the drainage ditch and do not intrude any closer to the undisturbed area. We plan to tie into our existing structure and create a safe, contained outdoor space on our second story deck for grandchildren, family and friends.

Mitigation for the 50' undisturbed buffer variance will include landscaping with one tree, 13 shrubs, and 26 ground cover plants from the approved list (412 sq ft. of plantings to offset the limit of disturbance 400 sq. ft.). The landscape plan is attached.

The impervious encroachment area of 250 sq ft is a 4.6% increase of our current impervious area of 5391 square feet. Mitigation for this additional amount of water will be a 25 cubic feet Flo-Well. The location is highlighted on the landscape plan and survey.

We have also included approval letters from all of our adjacent neighbors.

Thank you for considering our request.

Sincerely,


Kyle & Carmen Leach

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City of Johns Creek
Community Development

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OCT 13 2020

Stream Buffer Variance

City of Johns Creek
Community Development

1.) Documentation of unusual hardship should the buffer be maintained:

We would like to request a 50' city undisturbed buffer variance to allow for the replacement of our upper deck and for the addition of 250 sq. ft. deck/porch.

Our .39 acre property (17,079 sq. ft.) has a 50' undisturbed buffer and a 75' impervious setback due to a drainage ditch that runs across the entire back lot line to the neighborhood (Oxford Mill) detention pond. The buffer and setback ordinances govern 68% of our total property (11,620 sq. ft.). This covers the entire backyard, all of the side yards and a small corner of our front yard. The ordinances while having merit, have created a hardship peculiar to this property and not general to the neighborhood or community. We would like to tie into the existing second story structure and create a safe, contained, and covered outdoor space for grandchildren, family and friends. We cannot improve any of our backyard space without a variance. The requested variance with the proposed mitigation plans, can still preserve the intent of the ordinances, while relieving this significant hardship.

2.) At least one alternative plan which does not include a buffer or setback intrusion, or an explanation of why such a site plan is not possible:

The location of the city 50' undisturbed buffer setback includes the entire backyard, all of the deck (except a small portion of the side walkway and a corner by the deck door) and a large portion of both side yards. The 75' impervious setback includes all of the above plus the remaining side yards, deck corners, and even a small corner of the front yard. Our front yard is the only area not governed by the ordinances and setbacks, but not allowed by our HOA. We have no other alternative locations.

3.) A calculation of the total area and length of the proposed intrusion:

We have planned the additional deck and porch parallel to the drainage ditch to limit the intrusion into the undisturbed buffer.

The addition to the deck is 250 sq. ft. (12'x 17'/main porch + 5'x4' /porch front corner + 2'x13'/catwalk).

This impervious area is an additional 4.6% of our total impervious area (5391 sq. ft.).

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- 4.) A stormwater management site plan, if applicable:

To offset the 250 sq. ft. of additional impervious surface, we plan to capture and direct water from the new roof gutter to a 25 cubic feet Flo-Well. Please see the survey and the landscape mitigation plan for location. Six large boulders will be relocated to this sloped area creating a flat area for the captured water to percolate.

- 5.) Proposed mitigation to offset intrusion/encroachment into the stream buffer, or an explanation of why such a plan is not possible:

To mitigate the encroachment into the stream buffer and the 400 sq. ft. limit of disturbance, a landscape plan has been drawn to include one tree (Redbud), 13 shrubs (Dwarf Rhododendron/6, Oakleaf Hydrangea/7) and 26 ground cover (Stokes Aster/7, Wild Geranium/6, Christmas Fern/6, Butterflyweed/7) for a total offset of 412 sq. ft.

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