

Letter of Appeal for Variance

This variance request is for a residence at 9395 Riverclub Parkway. A portion of the property is in the 50-foot stream buffer and the ARC River Corridor.

The reasons for this variance request are to:

1. Repair catastrophic damage that occurred when two large trees fell on an elevated glass sunroom. This caused extensive structural damage and damage to the glass panels. Pictures are attached.
2. Correct a design error that was created when the house was constructed; basically the dimensions of the sunroom make it essentially unusable. It is only 7 feet wide, and 32 feet long. It resembles a bowling alley and it impossible to arrange furniture for comfortable seating. This odd structure adversely effects the value of the house. Also due to the rounded glass top, gutters are not practical and all of the runoff currently falls on the creek buffer.

The house was constructed prior to the incorporation of Johns Creek and stream buffers and ARC River Corridors (CRC) were not a limitation or consideration. The current sunroom encroaches on the 50 foot stream buffer a maximum of approximately 4 feet deep and approximately 103 square feet. The ground surface adjoining the sunroom is mostly flat and does not include any foliage other than grass and monkey grass.

We are requesting a variance to allow us to construct a covered porch that will measure 32 feet by 14 feet. This structure will extend out 7 feet from the existing structure and adds an additional 224 square feet; 220 square feet will be in (actually above) the 50-foot stream buffer. Four square feet of the proposed structure is outside the 50-foot buffer. However, the disturbance to the protected area will be minimal as the structure is elevated and will only require five support post. We do not propose to finish the area under the deck.

Further the proposed project will reduce the runoff going into the creek as it will include gutters and the runoff will be channeled underground.

SUMMARY

In summary this house was constructed prior to implementation of the stream buffer requirements and the application of these requirements and restrictions on this residence is creating a hardship and adversely affecting the use and value of the property. If the variance is not granted, we will experience an extreme hardship since we will be forced to expend money on and an unusable, worthless structure. Further the impact on the stream buffer will be minimal. The existing area is flat and grassed and the proposed construction will only involve 5 support posts. The elevated structure will only impact an additional 224 square feet (220 SF are in the buffer). The runoff situation will improve as we will be able to incorporate gutters and channel the water underground. We do not foresee any adverse impact water quality in the stream; in fact, it will improve as previously mentioned.

ALTERANATIVE

In regard to Alternative Plans, as required in the Application Package; the only alternative would be to replace the existing bowling alley structure and continue to live with an unusable sunroom. Due to the rounded top, it would continue to drop runoff into the buffer area. Also, we will comply with any mitigation requirements of the City or ARC.