

**Gwinnett County Floodplain Management Ordinance
Variance Application Guidelines & Information
September 2006**

The following appeals and variance procedures shall apply to an applicant who has been denied a permit for a development activity or to an owner or developer who has not applied for a permit because it is clear that the proposed development activity would be inconsistent with the provisions of the Gwinnett County Floodplain Management Ordinance, hereinafter referred to as the Ordinance. A request for a variance may be submitted by an applicant who has been denied a permit or by an owner or developer who has not previously applied for a permit for the reasons stated herein above.

Variance applications shall be submitted to the Stormwater Management Plan Review Offices located on the 2nd floor at Gwinnett One Justice Square. The deadline for submitting a variance application is 12 PM on Tuesdays (except holidays when the deadline will be the following day). Incomplete applications WILL NOT be processed and will be returned to the applicant. Please call 678-518-6150 for more information.

The Director of the Department of Water Resources or designee shall review and decide upon variance applications. Processing time typically takes one (1) week from time of receipt of the application. In passing upon variance applications for relief from the provisions of the Ordinance, all technical evaluations, all relevant factors, all standards specified in other sections of the Ordinance, and the following items shall be considered:

- 1.) The danger that materials may be swept onto other lands to the injury of others;
- 2.) The danger to life and property due to flooding or erosion damage;
- 3.) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
- 4.) The importance of the services provided by the proposed facility to the community;
- 5.) The necessity of the facility to a waterfront location, in the case of a functionally dependent facility;
- 6.) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
- 7.) The compatibility of the proposed use with existing and anticipated development;
- 8.) The relationship of the proposed use to the comprehensive plan and any floodplain management program for that area;
- 9.) The safety of access to the property in times of flood for ordinary and emergency vehicles;
- 10.) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters, if applicable, expected at the site;
- 11.) The 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;
- 12.) Consistency with other laws, codes, regulations, or model ordinances; and,
- 13.) Compatibility with the County's Economic Development Program.

Note: Per Section 1.6.2 of the Ordinance, variances shall not be approved within any designated floodway if any increase in flood levels outside the boundaries of ownership of the property being developed or drainage easement during the future conditions or the base flood discharge would result.

The following items are necessary to process a variance application:

- 1.) Application Form
Please complete and sign the Variance Application Form.
- 2.) Full-sized Site Plan and/or Boundary Survey
One (1) full-size copy of a closed boundary survey and one (1) full-size copy of the development, site or subdivision plan. If the plan is drawn on a closed boundary survey, only one (1) copy is required. Please clearly indicate on the plan the area on the drawing that the variance is to apply. It is recommended that the applicant provide as much information as possible that might support the application.

- 3.) Reduced Site Plan
Please provide one (1) copy of the plan reduced to 8½ by 11 inches.
- 4.) Plan Review Comments
Please attach a copy of the plan review comments report written by county staff about the project (if applicable).
- 5.) Proof of Notification
Please provide proof that all affect off-site property owners have received notification of the variance application. Notification shall include impacts to property and date of application submittal.

Note: Any person adversely affected by the decision of the Director of the Department of Water Resources or designee shall have the right to appeal the decision to the Board of Construction Adjustments and Appeals in their normal course of business. Please contact the Department of Planning & Development at 678-518-6000 for variance application guidelines and information.

Variance Application Floodplain Management Ordinance

Please complete this application and submit it, with all attachments as stated in Wavier Application Guidelines and Information, to the Stormwater Management Plan Review Offices located on the 2nd floor at Gwinnett One Justice Square by 12 PM on Tuesdays. Please TYPE or PRINT using BLUE or BLACK ink. Incomplete applications will not be processed.

<u>Applicant Information</u>	<u>Developer / Property Owner Information</u>
Name _____	Name _____
Address _____ _____	Address _____ _____
City _____	City _____
State _____ Zip _____	State _____ Zip _____
Phone _____	Phone _____
Contact Person's Name _____ Phone _____	
Applicant is the (please check or circle one of the following): <input type="checkbox"/> Developer / Property Owner <input type="checkbox"/> Developer's / Property Owner's Agent	

Address or Location of Property _____

Subdivision or Project Name _____

District, Land Lot, Parcel (MRN) _____

Development Type _____

Affected Off-site Parcels _____

Are impacts to off-site parcels contained in an easement? Yes No. If yes, please attach copies of easements.

Justification for Variance (use attachments if necessary) _____

Have plans been reviewed? Yes No. If yes, please attach a copy of the plan review comments.

<u>Applicant Signature</u>	<u>Developer / Property Owner Signature</u>
_____ Signature of Applicant Date	_____ Signature of Developer / Property Owner Date
_____ Typed or Printed Name & Title	_____ Typed or Printed Name & Title

Gwinnett County Government Use Below Only

Date Received _____ Received By _____

DWR Stormwater Management Ruling

Denied Approved Approved with Conditions

Conditions _____
