

Primary and Secondary Application

(Page 1 of 2)

Received
October 9 2023
V-23-0016
Planning & Zoning

Property Owner/Applicant Information

Property Owner: _____ **Phone:** _____

Address: _____

Email: _____

Applicant: _____ **Phone:** _____

Address: _____

Email: _____

Contact Person: _____ **Phone:** _____

Email: _____

Briefly Describe Variance Request

Parcel Information

Assessor's Parcel Identification Number (PIN): _____

Land Lot & District: _____

Site Address: _____

Subdivision Name (if applicable): _____

Parcel Size: _____

Zoning and Land Use

Existing Zoning Designation and Case Number: _____

Zoning of Surrounding Properties: (N) _____ (S) _____ (E) _____ (W) _____

Primary and Secondary Application

(Page 2 of 2)

Notarized Certification

To the best of my knowledge, this variance application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Johns Creek Zoning Ordinance.

Owner Signature: *Jenny McFallon* Date: 10-2-2023

Applicant Signature: *J. Wade Pruitt* Date: 10-2-2023

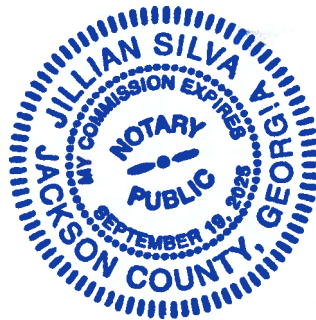
Sworn to and subscribed before me this 2nd Day of October 2023

NOTARY PUBLIC:

Signature: *Jillian Silva*

Email: jsilva@travisprutt.com

Phone Number: 770-695-3340





October 3, 2023

City of Johns Creek
11360 Lakefield Drive
Johns Creek, Ga. 30097

Received
October 9 2023
V-23-0016
Planning & Zoning

Subject: **Stream Buffer Variance – Letter of Appeal
River Glen HOA - Dredging
3443 & 3441 Holly Trail Lane,
Johns Creek, Fulton County, Georgia
TPA Project No 1-23-0128**

On behalf of our client, River Glen HOA, Travis Pruitt & Associates, Inc. (TPA) hereby submits this Letter of Appeal and attachments in support of an application for variance to encroach within the 50-foot undisturbed buffer at the above-referenced project site.

Background

The project site is located within the city limits of Johns Creek, Fulton County on the western side of a private lake at River Glen Swim & Tennis Club (Figures 1 and 2). State waters consist of the private lake, two unnamed tributaries on the northern side of the lake, and an unnamed tributary to the Chattahoochee River south of the lake. In February of 2022, Aquascape Environmental (AE) performed a Preliminary Lake Sediment Assessment on the private lake. In the report, AE recommended dredging activities should be performed in the northern 0.36-acre inlet cove due to the loss of greater than 60% of volume from sediment accumulation.

Activity

Sediment accumulation from stormwater discharges has reduced the volume of stormwater able to be held within the lake and must be dredged to restore the lake volume. Dragonfly Pond Works has been contracted to dredge and remove the accumulated 3,600 cubic yards of sediment from the lake. This activity will require the placement of stone for a Construction Exit (Co) on the western side of the private lake for the purpose of heavy equipment involved in dredging the northern portion of the lake to have access to the edge of water.

The heavy equipment will use the Co to transfer and deposit the removed material into the designated Dredge Stockpile Area on the western side of the lake between Holly Trail Lane and the 25-foot State Undisturbed Buffer. This area is depicted on the Erosion,

Sedimentation, and Pollution Control Plan (ESPCP, attached). The sediment will be contained within the stockpile area with a double-row of Type-C (Sd1-S) silt fence. The stockpile area will be used as a temporary drying location for the dredged material before it is transferred to the Rivermont Gold Club's driving range (Figure 2, attached) to be used as fill material. The proposed fill area is not located within an area designated as Waters of the State or state water associated buffers. The duration of the proposed 50-foot undisturbed buffer encroachment for the Dredge Stockpile Area will be approximately 6-8 weeks or the time required for the dredged material to dry completely before transfer.

The total encroachment within the 50-foot undisturbed buffer is 3,611 feet²/0.08-acre for the Co and Dredge Stockpile Area.

Mitigation

As stated above, uncontested sediment in stormwater discharges into the private lake have resulted in the loss of greater than 60% of volume in the northern inlet cove. Therefore, due to the loss of volume in the lake, it no longer adheres to the detention requirements set forth in the **Georgia Stormwater Management Manual (Blue Book.)** The removal of the accumulated sediment will restore the necessary volume to comply with the Blue Book. Additionally, the required pretreatment will be achieved by installing a six-foot wide Rock Filter Dam (Rd) at the confluence of the eastern unnamed tributary and the private lake. This pretreatment area will serve as both a designated discharged sediment settling area and a designated clean-out point for future dredging activity. Therefore, mitigation for the proposed variance will be accomplished by restoring the necessary volume to the lake and installing the required rock filter dam.

Benefits

Dredging the inlet cove of the lake to restore proper depths in the lake will play a vital role in reducing the risk of downstream flooding, reducing sediment and pollutant discharge into the Chattahoochee River, and increase downstream channel protection. Additionally, the dredging project will help restore the aquatic ecosystem for plants, fish, wildlife, and increase circulation throughout the lake. This, in turn, benefits the overall health and vitality of the aquatic life and wildlife of the lake's ecosystem.

Sedimentation can increase the risk of flooding by reducing the capacity of the lake to hold stormwater and can decrease downstream channel integrity. As stormwater runoff discharges into the lake, the velocity of the stormwater is reduced as its energy dissipates throughout the larger area. Therefore, increases in sedimentation reduce the area that the energy can disperse. Additionally, as sediment and pollutants from stormwater runoff enter the lake, the correct volume provides the necessary settling time for sediment and pollutants to settle out of solution and stratify on the lakebed. Conversely, in shallow pools of water, the velocity of water entering the pool stirs up already settled particles from the lakebed and mixes them into solution, increasing turbidity and pollutant loading in the lake and discharges from the lake. In turn, the loss of volume in the lake can increase downstream flooding, channel scouring, bank erosion, and sediment and nutrient discharges into the Chattahoochee River as stormwater discharges from the lake into the unnamed tributary to the Chattahoochee River.

As for the ecological impacts associated with dredging the lake, excess sediment can increase nutrient load (example - dissolved phosphorous and nitrogen) and decrease dissolved oxygen in the water column; and hinder water quality, which in turn, increases eutrophication, endangering aquatic life and wildlife. Firstly, nutrients can be bound both within the water column or the stratified sediment layers. However, the nutrients bound to sediment can be released, transformed, accumulated, or recycled; and can interact with the water column above and with biota living in and above the stratified sediment. Environmental circumstances can cause sudden releases of bound nutrients (example – dissolved phosphorous and nitrogen) from sediment and can, in turn, cause sudden algal blooms. Algal blooms can drastically reduce dissolved oxygen in the lake, resulting in the death of aquatic life. Secondly, the temperature of shallow water increases rapidly compared to deep water bodies. This is important because the solubility of oxygen decreases as temperature increases. Therefore, there is less dissolved oxygen in shallow water. Additionally, warm temperatures increase the risk of algal blooms. Therefore, dredging the lake can sharply increase the quantity of dissolved oxygen, prevent particulate matter in the sediment from re-entering solution; and reduce nutrient concentrations in the water column.

Additionally, the proliferation of native marsh vegetation, used by waterfowl for feeding and cover, is decreased in silty soils. Native marsh vegetation prefers sandy or clay substrates of a lakebed and deep-water columns. In shallow water, emergent, invasive vegetation can choke out native species and degrade the overall health of the lake. Dredging the lake will increase the growth of desired aquatic vegetation. As a result of the above, the benefits of dredging the inlet cove of the lake will ultimately increase biodiversity and improve the ecology for waterfowl, amphibious reptiles, and fish of the private lake.

We believe we have provided the necessary information required for submittal and processing of the 50-foot undisturbed buffer variance. However, if you have any questions or require additional information, please call Mr. S. Wade Gilbert at (770) 318-5560.

Respectfully submitted,



Christiana R. Rarie, CEIAM
Environmental Specialist



S. Wade Gilbert, LEED AP BD+C
Vice President

Letter of Appeal
October 3, 2023
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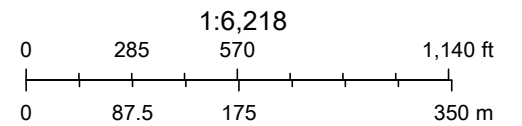
Attachments: Figure 1 – Site Location Map
Figure 2 – Google Earth Image Map
Variance Application
Photographs of Existing Conditions
Erosion, Sedimentation, and Pollution Control Plan
River Glen Topographical Survey
GDNR EPD BV-060-23-14 Approval Letter
Parcel and Legal Description

CRR/SWG

11 012000010076, 0 BARNWELL RD, JOHNS CREEK

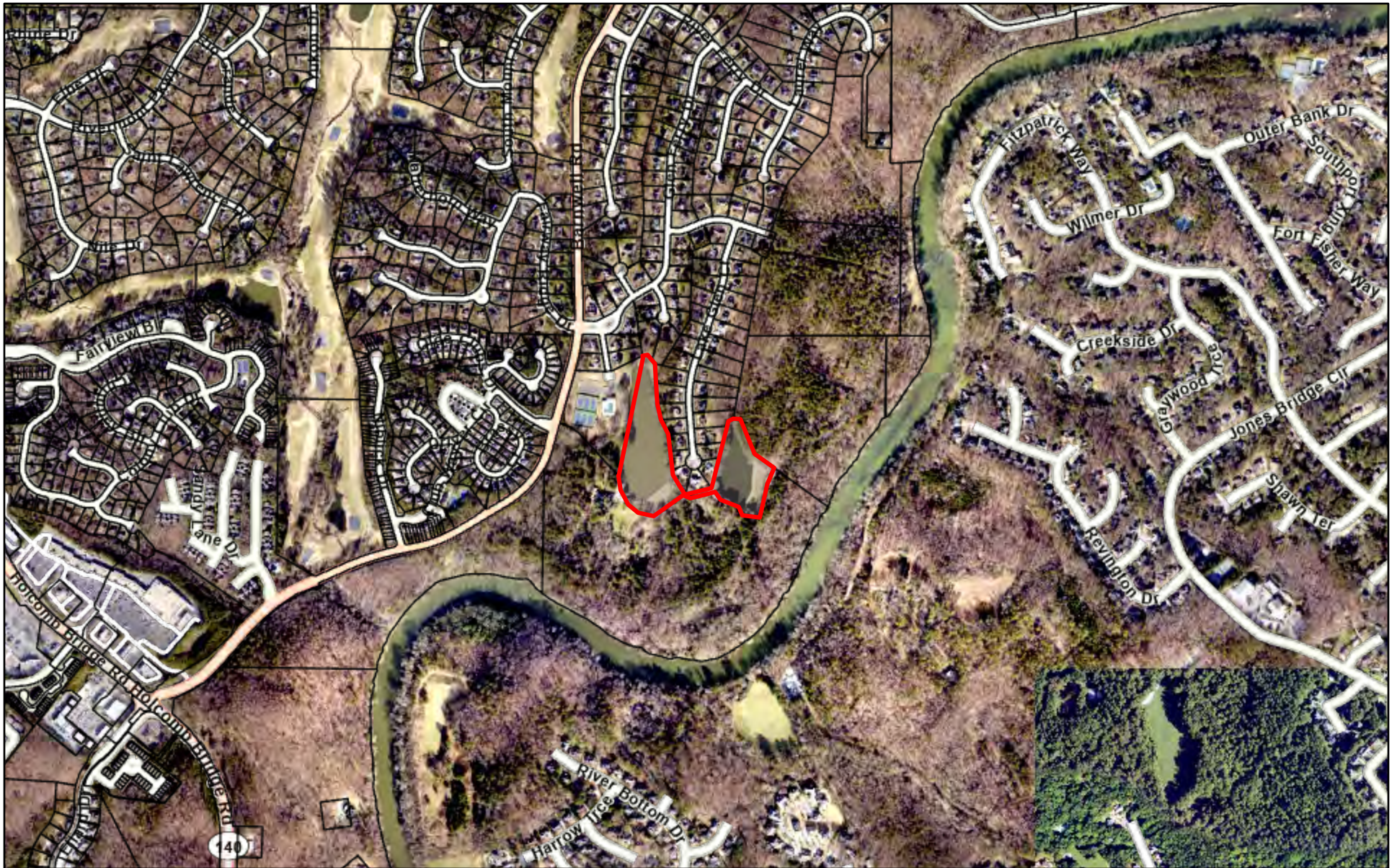


October 9, 2023

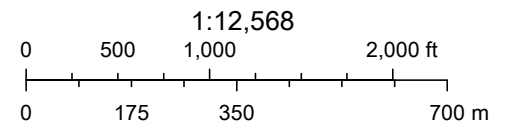


Tyler_Transportation, Tyler_TaxParcels

11 012000230096, 0 BARNWELL RD, JOHNS CREEK



October 9, 2023



Tyler_Transportation, Tyler_TaxParcels

County, Georgia
Date SEP 10 1987
SARAH J. FINCH
Clerk, Superior Court
Deputy CLERK

QUIT CLAIM DEED

STATE OF GEORGIA
COUNTY OF FULTON

RIVER GLEN HOMEOWNERS

THIS INDENTURE, made the 27nd day of July in the Year of our Lord One Thousand Nine Hundred and Eighty Seven, between Hooker Atlanta (7) Corporation and Nona Barnes, Inc., a Georgia Corporation, as Parties of the First Part, and River Glen H.O.A. (1) Inc., a Georgia Corporation, as Party of the Second Part,

WITNESSETH: That the said Parties of the First Part, for and in consideration of the sum of TEN 00/100 U.S. DOLLARS (\$10.00), in and by these presents do remise, convey and forever QUIT CLAIM to the said Party of the Second Part, its successors and assigns, all that tract or parcel of land lying and being in Land Lots F3 & 23 of the 1st District, 1st Section, Fulton County, Georgia and being more particularly described in Exhibit "A" attached hereto and made a part hereof by reference.

TO HAVE AND TO HOLD the said described premises to the said Party of the Second Part, so that neither the said Parties of the First Part nor its successors nor assigns claiming under it shall at any time, by any means or ways, have, claim or demand any right or title to the aforesaid described premises or appurtenances, or any rights thereof.

IN WITNESS WHEREOF, the said Parties of the First Part have hereunto set their hand and seals the day and year above written.

Signed, sealed and delivered in the presence of

HOOKER ATLANTA (7) CORPORATION

R. George Mills
Witness

By: Paul T. Zandy (SEAL)
Title Vp Pres

Stellie Blane
Notary
Notary Public, Georgia State at Large
My Commission Expires May 16, 1988

By: Robert Bell (SEAL)
NONA BARNES, INC.
Title

R. George Mills
Witness

By: Robert Bell (SEAL)
Title VP

Stellie Blane
Notary
Notary Public, Georgia State at Large
My Commission Expires May 16, 1988

By: Paul T. Zandy (SEAL)
Title Vp Pres

GEORGIA, Fulton County, Clerk's Office Superior Court
Filed & Recorded, SEP 10 1987 at 11:49

Sarah J. Finch CLERK (SEAL)

BOOK 11056 PAGE 312

All that tract or parcel of land lying and being in Land Lot F3 and 23, of the 1st District, 1st Section of Fulton County, Georgia, being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING of the tract of land herein described, commence at an Iron pin located at the northeastern corner of Land Lot 25; running thence South 01 degree 02 minutes 27 seconds East a distance of 1,868.67 feet to a point; running thence South 47 degrees 37 minutes 50 seconds West a distance of 116.67 feet to a point; running thence South 33 degrees 34 minutes 13 seconds West a distance of 175.37 feet to a point; running thence South 32 degrees 50 minutes 03 seconds West a distance of 179.88 feet to a point; running thence South 33 degrees 11 minutes 25 seconds West a distance of 198.95 feet to a point; running thence South 26 degrees 32 minutes 26 seconds West a distance of 210.07 feet to a point; running thence North 57 degrees 14 minutes 26 seconds West a distance of 643.89 feet to a point which marks the true POINT OF BEGINNING of the tract of land herein described; from the true Point of Beginning thus established, running thence North 24 degrees, 25 minutes 49 seconds West a distance of 285.52 feet to a point; running thence North 53 degrees 09 minutes 28 seconds West a distance of 53.39 feet to a point; running thence South 60 degrees 35 minutes 48 seconds West a distance of 40.81 feet to a point; running thence South 13 degrees 26 minutes 43 seconds West a distance of 521.37 feet to a point; running thence South 75 degrees 32 minutes 37 seconds West a distance of 206.03 feet to a point; running thence North 32 degrees 28 minutes 10 seconds West a distance of 173.87 feet to a point; running thence North 07 degrees 42 minutes 23 seconds West a distance of 308.67 feet to a point; running thence North 26 degrees 47 minutes 26 seconds West a distance of 123.49 feet to a point; running thence North 13 degrees 38 minutes 47 seconds West a distance of 128.16 feet to a point; running thence North 04 degrees 26 minutes 49 seconds West a distance of 302.00 feet to a point; running thence North 44 degrees 55 minutes 01 seconds West a distance of 88.07 feet to a point; running thence South 81 degrees 28 minutes 09 seconds West a distance of 40.45 feet to a point; running thence South 63 degrees 04 minutes 42 seconds West a distance of 248.19 feet to a point; running thence South 79 degrees 01 minute 33 seconds West a distance of 44 feet to a point; running thence South 87 degrees 33 minutes 27 seconds East a distance of 228.88 feet to a point; running thence South 15 degrees 16 seconds 07 seconds West a distance of 372.53 feet to a point; thence along an arc of a curve to the right (said arc having a chord bearing of South 63 degrees 19 minutes 09 seconds East a chord distance of 15.31 feet and a radius of 381.95 feet (an arc distance of 15.31 feet to a point)); thence along an arc of a curve to the right (said arc having a chord bearing of South 52 degrees 41 minutes 43 seconds East a chord distance of 125.75 feet and a radius of 381.95 feet) an arc distance of 126.33 feet to a point; thence South 43 degrees 13 minutes 12 seconds East a distance of 239.53 feet to a point; thence South 40 degrees 49 minutes 11 seconds East a distance of 211.23 feet to a point; thence South 08 degrees 54 minutes 59 seconds East a distance of 106.48 feet to a point; thence South 27 degrees 20 minutes 06 seconds East a distance of 125.34 feet to a point; thence South 50 degrees 47 minutes 28 seconds East a distance of 87.38 feet to a point; thence South 50 degrees 47 minutes 28 seconds East a distance of 10 feet to a point; thence South 77 degrees 28 minutes 57 seconds East a

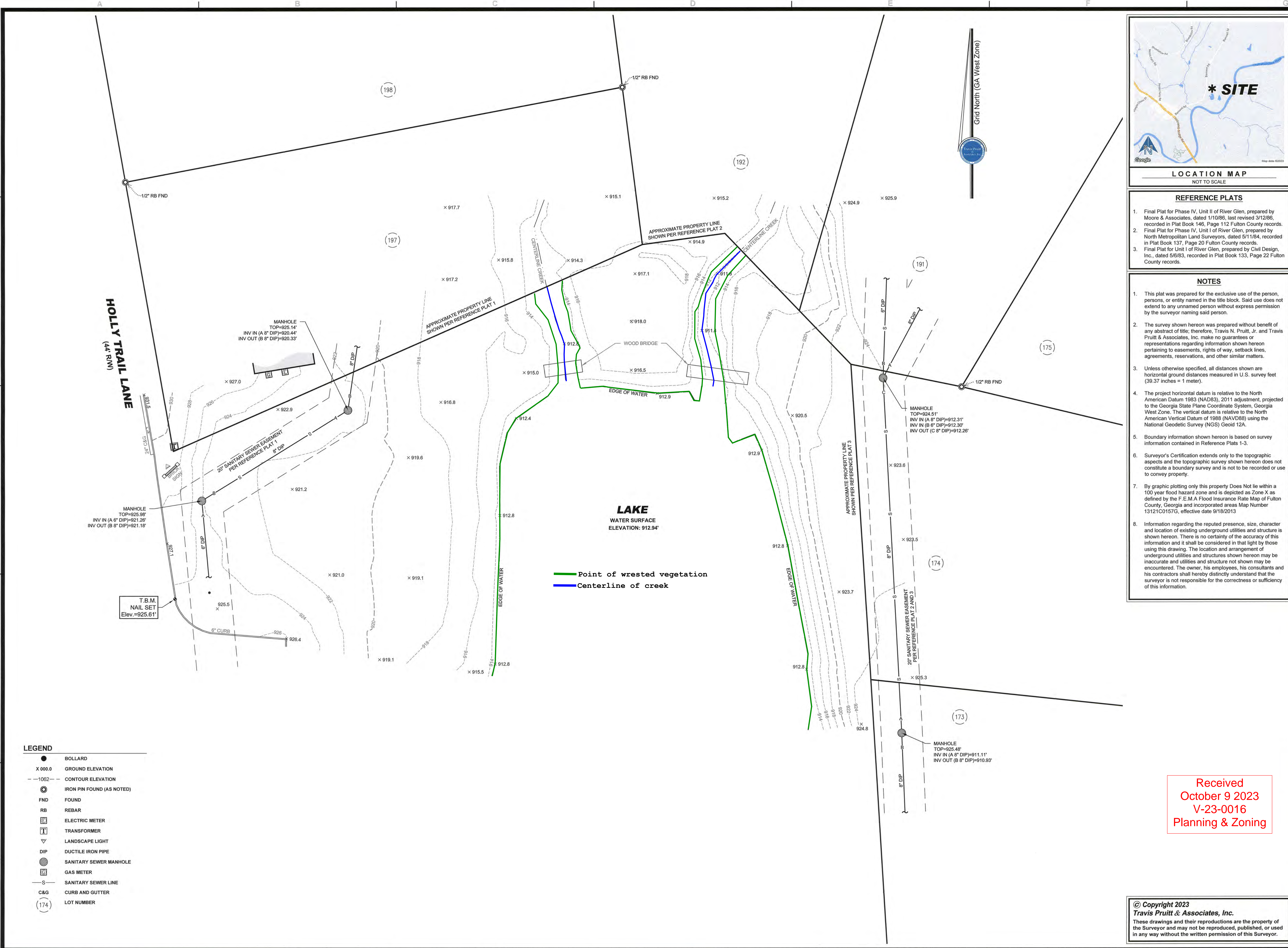
distance of 119.72 feet to a point; thence North 54 degrees 36 minutes 34 seconds East a distance of 274.25 feet to a point; thence South 67 degrees 17 minutes 55 seconds East a distance of 59.63 feet to a point; thence North 75 degrees 37 minutes 01 second East a distance of 193.72 feet to a point; thence South 34 degrees 12 minutes 42 seconds East a distance of 71.90 feet to a point; thence South 68 degrees 34 minutes 20 seconds East a distance of 147.63 feet to a point; thence South 22 degrees 50 minutes 35 seconds East a distance of 69.51 feet to a point; thence South 83 degrees 11 minutes 41 seconds East a distance of 133.98 feet to a point; thence North 12 degrees 59 minutes 22 seconds East a distance of 128.86 feet to a point; thence North 12 degrees 07 minutes 13 seconds East a distance of 128.28 feet to a point; thence North 23 degrees 19 minutes 37 seconds East a distance of 132.62 feet to a point; thence North 57 degrees 14 minutes 26 seconds West a distance of 144.86 feet to the true point of beginning.

Grantor reserved for itself, its successors and assigns and Fulton County and the River Glen Swim Club, Inc., all drainage rights and utility easements of record, rights on ingress and egress the lakes and retaining structures.

There is excepted from this Quitclaim Deed the following property which was deeded to the River Glen Swim Club, Inc.

All that tract or parcel of land lying and being in Land Lot 23 of the 1st District, Fulton County, Georgia, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING of the tract of land herein described, commence at an iron pin located at the intersection of the Eastern right-of-way of Barnwell Road (a 60 foot right-of-way) and the southerly right-of-way of Glen Ferry Drive; thence South along said right-of-way of Barnwell Road and following the curvature thereof, a distance of 268.74 feet to an iron pin which marks the true Point of Beginning of the tract of land herein described; from the true Point of Beginning thus established, running thence South 87 degrees 33 minutes 27 seconds East a distance of 228.88 feet to a point; running thence North 79 degrees 01 minute 33 seconds East a distance of 44 feet to a point; running thence North 65 degrees 04 minutes 42 seconds East a distance of 248.19 feet to a point; running thence South 08 degrees 30 minutes 29 seconds East a distance of 28 feet to a point; running thence South 11 degrees 59 minutes 13 seconds West a distance of 901.49 feet to an iron pin found; running thence North 40 degrees 49 minutes 11 seconds West a distance of 211.23 feet to an iron pin found; running thence North 43 degrees 13 minutes 12 seconds West a distance of 239.53 feet to a point; thence along an arc of a curve to the left (said arc having a chord bearing of North 53 degrees 53 minutes 38 seconds West a chord distance of 141.49 feet and a radius of 381.95 feet to a point located on the southerly right-of-way of Barnwell Road; thence North 15 degrees 16 minutes 07 seconds East a distance of 372.53 feet along the easterly right-of-way of Barnwell Road to a point; thence along an arc of a curve to the left (said arc having a chord bearing of North 14 degrees 51 minutes 55 seconds East a chord distance of 21.97 feet (an arc distance of 21.97 feet) along the easterly right-of-way of Barnwell Road to a point which marks the true POINT OF BEGINNING of the tract of land herein described.



- REFERENCE PLATS**
- Final Plat for Phase IV, Unit II of River Glen, prepared by Moore & Associates, dated 1/10/86, last revised 3/12/86, recorded in Plat Book 146, Page 112 Fulton County records.
 - Final Plat for Phase IV, Unit I of River Glen, prepared by North Metropolitan Land Surveyors, dated 5/11/84, recorded in Plat Book 137, Page 20 Fulton County records.
 - Final Plat for Unit I of River Glen, prepared by Civil Design, Inc., dated 5/6/83, recorded in Plat Book 133, Page 22 Fulton County records.

- NOTES**
- This plat was prepared for the exclusive use of the person, persons, or entity named in the title block. Said use does not extend to any unnamed person without express permission by the surveyor naming said person.
 - The survey shown hereon was prepared without benefit of any abstract of title; therefore, Travis N. Pruitt, Jr. and Travis Pruitt & Associates, Inc. make no guarantee or representations regarding information shown hereon pertaining to easements, rights of way, setback lines, agreements, reservations, and other similar matters.
 - Unless otherwise specified, all distances shown are horizontal ground distances measured in U.S. survey feet (39.37 inches = 1 meter).
 - The project horizontal datum is relative to the North American Datum 1983 (NAD83), 2011 adjustment, projected to the Georgia State Plane Coordinate System, Georgia West Zone. The vertical datum is relative to the North American Vertical Datum of 1988 (NAVD88) using the National Geodetic Survey (NGS) Geoid 12A.
 - Boundary information shown hereon is based on survey information contained in Reference Plats 1-3.
 - Surveyor's Certification extends only to the topographic aspects and the topographic survey shown hereon does not constitute a boundary survey and is not to be recorded or used to convey property.
 - By graphic plotting only this property Does Not lie within a 100 year flood hazard zone and is depicted as Zone X as defined by the F.E.M.A Flood Insurance Rate Map of Fulton County, Georgia and incorporated areas Map Number 13121C0157G, effective date 9/18/2013.
 - Information regarding the reputed presence, size, character and location of existing underground utilities and structure is shown hereon. There is no certainty of the accuracy of this information and it shall be considered in that light by those using this drawing. The location and arrangement of underground utilities and structures shown hereon may be inaccurate and utilities and structure not shown may be encountered. The owner, his employees, his consultants and his contractors shall hereby distinctly understand that the surveyor is not responsible for the correctness or sufficiency of this information.

NO	DATE	DESCRIPTION
1		
2		
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4317 Park Drive, Suite 400
 Norcross, Georgia 30093
 Phone: (770) 416-7511
 Fax: (770) 416-8759
 www.travispruitt.com



TOPOGRAPHIC & UTILITY SURVEY
RIVER GLEN DREDGING
 AUTHORIZED BY: RIVER GLEN HOA
 LAND LOT 23 • 1ST DISTRICT • 1ST SECTION • CITY OF JOHNS CREEK • FULTON COUNTY • GEORGIA
 GRAPHIC SCALE - IN FEET

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For The Firm
 Travis Pruitt & Associates, Inc.
 This survey was prepared in conformity with the Technical Standards for Property Surveys in Georgia as set forth in Chapter 180-7 of the Rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in the Georgia Plat Act O.C.G.A. 15-6-67.

PLAT DATE: 3/15/2023
 FIELD DATE: 3/16/2023
 SCALE: 1" = 20'
 JN: 1-23-0128.610
 FN: 170-D-195
SHEET NO: 1 of 1

- LEGEND**
- BOLLARD
 - X 000.0 GROUND ELEVATION
 - 1062- CONTOUR ELEVATION
 - IRON PIN FOUND (AS NOTED)
 - FND FOUND
 - RB REBAR
 - ELECTRIC METER
 - TRANSFORMER
 - LANDSCAPE LIGHT
 - DIP DUCTILE IRON PIPE
 - SANITARY SEWER MANHOLE
 - GAS METER
 - SANITARY SEWER LINE
 - C&G CURB AND GUTTER
 - LOT NUMBER

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Northern bank of the lake: unnamed tributary to the private lake and area to be dredged.



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Western bank and adjacent field to the private lake: area of dredge stockpile and 25-ft buffer impact.



Dredge material will be used as fill in a small portion of Rivermont Golf Club's driving range.



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