

November 16, 2016

Megan Cyr, PE
Project Manager
The Kleingers Group
350 Worthington Road, Suite B
Westerville, OH 43082

RE: Stormwater Drainage Manual (SWDM) Type III Variance Request – Family Dollar Courtright Rd./Petzinger Rd.

Ms. Cyr:

The Variance Review Committee has met and reviewed the subject Variance Request on October 14, 2016. The Request was submitted to the City on September 15, 2016. The Variance Review Committee requested additional supportive information following the October 14 meeting, which was received on October 28, and reviewed by the Variance Committee on November 9. The applicant has formally requested a variance to the SWDM Section 1.3 Stream Corridor Protection Zone of the SWDM. More specifically, a Stream Corridor Protection Zone encroachment was sought to be approved due to site limitations. The City has determined that SWDM Type III (Stream Protection) Variance procedure should be used to comply with the SWDM requirements.

As part of the Variance review process, the subject Variance request was posted on the City website on September 29, 2015 to solicit public comments. No public comments have been received as of the date of this letter. At the November 9 meeting, the Variance Review Committee concurred that the previous comments and additional information requests from the City were substantially addressed in a satisfactory manner, with the following below stipulations.

The submitted Variance Request and subsequent additional information letter were found to be in compliance with the SWDM Stream Protection Type III Variance Application requirements. Three alternatives were considered within the application – Full Compliance (no impact), Minimal Impact and the Preferred Alternative. Upon reviewing and discussing the application, the Committee agreed with the applicant's argument that the existing site conditions would make full compliance with the SWDM incompatible with the proposed development, and the Minimum Impact Alternative would cause an undue hardship to the developer.

In light of the above, the subject Variance Request (Preferred Alternative) is conditionally approved contingent upon the following stipulations:

- Tree Survey of the trees impacted by the Preferred Alternative must be completed by the Applicant and submitted to the City within 30 days from the date of this letter
- Tree Planting Plan identifying tree species, size, quantities and locations must be completed and submitted to the City within 30 days from the date of this letter
- "Mitigation Area" will require a conservation easement granted to the City and must be designated as such on CC-Plans
- Storm CC-Plans and Stormwater Management Report to be submitted and approved by the City

No approval contained herein relieves or absolves the Applicant of any provisions of applicable state or federal laws. Please contact Private Development Section Manager Greg Fedner, P.E. at 614-645-8072 with any questions.

Sincerely,



John G. Newsome, P.E., Administrator
Division of Sewerage and Drainage

pc: Variance Review Committee
File



Director's Office | 910 Dublin Road | Columbus OH 43215 | T (614) 645.6141 | F (614) 645.8019 | columbus.gov
Division of Power | 3500 Indianola Avenue | Columbus OH 43214 | T (614) 645.7360 | F (614) 645.8177 | columbus.gov
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