

STORMWATER MANAGEMENT COMMITTEE MEETING DETAILS for 01-Dec-2016

Case # 201600035 817 FOOTPATH TERRACE (SINGLE FAMILY RESIDENTIAL)

Address: 817 FOOTPATH TER **APN:** 15602019700 **CD:** 35

Case Description: Request is to allow construction of a 576 sq. ft. wet-floodproofed detached garage in the Harpeth River 100-year floodplain with a first floor elevation 4.4' below the base flood elevation (BFE) of 565.1'.

Case # 201600036 2655 MIAMI AVENUE (SINGLE FAMILY RESIDENTIAL)

Address: 2655 MIAMI AVE **APN:** 05209015100 **CD:** 15

Case Description: Request is to allow the following:

- 1) Disturbance of the 50' Zone 1 of the 75' floodway buffer of the Cumberland River for construction of a single family residence, including a porch, steps, and deck on the ends of the house.
- 2) Disturbance of the floodway of the Cumberland River to construct cantilevered portions of the house over the floodway maintaining minimum low chord of the structure approximately 6 feet above the 100-year flood elevation (BFE=421.1'). The cantilevered portions will include 2 balconies and 1 living space area.
- 3) Modified buffer signage (with alternate wording as approved) and placement as shown on the record plan (each property line at existing tree line).
- 4) Continuous mowing of the buffer to the edge of the existing tree line as shown on the record plan.

Case # 201600037 2659 MIAMI AVENUE (SINGLE FAMILY RESIDENTIAL)

Address: 2659 MIAMI AVE **APN:** 05209015300 **CD:** 15

Case Description: Request is to allow the following:

- 1) Disturbance of the 50' Zone 1 of the 75' floodway buffer of the Cumberland River for construction of a single family residence, including a porch, steps, and deck on the ends of the house.
- 2) Disturbance of the floodway of the Cumberland River to construct cantilevered portions of the house over the floodway maintaining minimum low chord of the structure approximately 6 feet above the 100-year flood elevation (BFE=421.1'). The cantilevered portions will include 2 balconies and 1 living space area.
- 3) Modified buffer signage (with alternate wording as approved) and placement as shown on the record plan (each property line at existing tree line).
- 4) Continuous mowing of the buffer to the edge of the existing tree line as shown on the record plan.

Case # 201600038 2661 MIAMI AVENUE (SINGLE FAMILY RESIDENTIAL)

Address: 2661 MIAMI AVE **APN:** 05209015400 **CD:** 15

Case Description: Request is to allow the following:

- 1) Disturbance of the 50' Zone 1 of the 75' floodway buffer of the Cumberland River for construction of a single family residence, including a porch, steps, and deck in the buffer.
- 2) Disturbance of the floodway of the Cumberland River to construct cantilevered portions of the house over the floodway maintaining minimum low chord of the structure approximately 6 feet above the 100-year flood elevation (BFE=421.1'). The cantilevered portions will include 2 balconies and 1 living space area.
- 3) Modified buffer signage (with alternate wording as approved) and placement as shown on the record plan (each property line at existing tree line).
- 4) Continuous mowing of the buffer to the edge of the existing tree line as shown on the record plan.

STORMWATER MANAGEMENT COMMITTEE MEETING DETAILS for 01-Dec-2016 (Continued)

Case # 20100024 THE PARK AT EWING CREEK SP, PHASE 1 (SHOW CAUSE HEARING)

Address: 3120 WHITES CREEK PK **APN:** 05900022500 **CD:** 02

Case Description: SWMC Variance #20100024 was previously granted on February 17, 2011. The proposed project is floodplain/floodway restoration and enhancement of a portion of Ewing Creek for the purposes of increased flood storage, increased water quality and infiltration, construction of a public Greenway trail and park, reduction of runoff rates, planting new, native trees and other species, creating a man-made wetland environment, and providing public education. The variance requests were to allow the following for associated grading for construction of wetlands and a wet pond, encroachment of culverts, headwalls, overflow weir, and portion of filter strip, vegetative plantings, boardwalk and observation deck, and park area with table and benches:

- 1) Disturbance in excess of 50% of the undisturbed mapped floodplain of Ewing Creek.
- 2) Disturbance of the mapped floodway of Ewing Creek.
- 3) Disturbance of the 75' (50' Zone 1 and 25' Zone 2) floodway buffer of Ewing Creek.
- 4) Stormwater Best Management Practices (BMPs) to encroach into the floodway and floodway buffer.
- 5) Continued mowing and maintenance of the floodway and floodway buffer proposed for excavation.

Grading Permit SWGR #201100038 (The Park at Ewing Creek – Phase 1A) was issued on April 21, 2011 and Grading Permit SWGR #201100185 (The Park at Ewing Creek – Phase 2) was issued on April 25, 2012.

This Show Cause Hearing is to allow the property owners of The Park at Ewing Creek SP development the opportunity to discuss and answer questions concerning the construction activity resulting in the following non-compliance issues and provide an explanation as to why more severe enforcement action should not be pursued or why the variance should not be revoked.

1. NOV/SWO issued 2/11/16 for Phase 1A (Eco-Park): Issued for 1) Inadequate Erosion/Sediment Controls, 2) Buffer Disturbance, 3) Failure to Follow Approved Plans, and 4) Grading in this area was not approved to be done under this permit number. It appears that topsoil is being mined from a buffer area. As of this date the site is not in compliance with the NOV/SWO.
2. NOV/SWO issued 2/16/16 for Phase 2 (Mass Grading): Issued for Failure to Follow Approved Plans. As of this date the site is in compliance with the NOV/SWO.
3. Variance Condition #2 – *“Phase 1 has to be completed first and work. No other phases can be constructed until Phase 1 is proven to function as designed.”* One of the reasons for approval was that: *“...4) a test case will be done to see what will happen prior to allowing construction of additional wetlands.”* Phase 1 has not been completed, has not been proven to function as designed, and nearly the entire Eco-Park site has been graded/disturbed, including portions of areas that were to have remained undisturbed.