



**Explanation of Request (Attached diagrams, figures and other documentation to clarify request):**

Section of ECM from Which Deviation is Sought: Chapter 3 - Drainage / Appendix I - Stormwater Quality Policy & Procedures

Specific Criteria from Which a Deviation is Sought: Section 3.2.5.A - Space Planning; Section 3.2.5.E. Stormwater Quantity and Quality

Proposed Nature and Extent of Deviation: This deviation request accounts for exclusion of limited impervious areas from Water Quality Capture Volume requirements. The limited areas are associated with required roadway widening improvements along segments of Walker Road and SH83 where water quality treatment is not feasible based on topographic and utility constraints. Substantial stormwater detention and water quality facilities are being provided to mitigate the overall drainage impacts from the development.

This deviation request also includes interim use of temporary sediment basins as non-standard BMPs in two locations where developed flow impacts are minimal during interim conditions prior to construction of permanent detention pond facilities with the adjoining future development phase.

Reason for the Requested Deviation: The limited impervious areas excluded from water quality treatment are associated with required roadway widening improvements along segments of Walker Road and SH83 where water quality treatment is not feasible based on topographic and utility constraints. The use of temporary sediment basins as non-standard BMPs in two locations is based on ultimate plans for permanent stormwater detention and water quality facilities.

Comparison of Proposed Deviation to ECM Standard: The recent update to ECM Section 3.2.5.E states that "Up to 20 percent, not to exceed one (1) acre, of an applicable development site may be excluded from Water Quality Capture Volume (WQCV) calculations when it has been determined that it is not practicable to capture runoff from portions of the site that will not drain towards a permanent control measure." The limited roadway widening areas excluded from water quality control measures are less than one acre in size, which is less than 2 percent of the total 64-acre development site area.

The proposed temporary sediment basins (TSBs) in two locations have been sized based on the required interim water quality capture volume, but the basin outlet facilities have been designed based on TSB design criteria rather than permanent extended detention basin design criteria in recognition that the temporary facilities will be replaced during future construction of ultimate permanent detention facilities.

Applicable Regional or National Standards used as Basis: N/A

**Application Consideration:**

**CHECK IF APPLICATION MEETS CRITERIA FOR CONSIDERATION**

**JUSTIFICATION**

The ECM standard is inapplicable to a particular situation.

Topography, right-of-way, or other geographical conditions or impediments impose an undue hardship on the applicant, and an equivalent alternative that can accomplish the same design objective is available and does not compromise public safety or accessibility.

The limited impervious areas excluded from water quality treatment are associated with required roadway widening improvements along segments of Walker Road and SH83 where water quality treatment is not feasible based on topographic and utility constraints. The use of temporary sediment basins as non-standard BMPs in two locations is based on ultimate plans for permanent stormwater detention and water quality facilities.

A change to a standard is required to address a specific design or construction problem, and if not modified, the standard will impose an undue hardship on the applicant with little or no material benefit to the public.

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If at least one of the criteria listed above is not met, this application for deviation cannot be considered.

**Criteria for Approval:**

**PLEASE EXPLAIN HOW EACH OF THE FOLLOWING CRITERIA HAVE BEEN SATISFIED BY THIS REQUEST**

The request for a deviation is not based exclusively on financial considerations.	The requested deviation is not based exclusively on financial considerations, but rather it is based on topographic and utility constraints.
The deviation will achieve the intended result with a comparable or superior design and quality of improvement.	The proposed deviation regarding exclusion of limited impervious areas from permanent water quality control measures complies with the allowable maximum site area identified in ECM Section 3.2.5.E. The proposed temporary sediment basins at two locations will achieve the intended goal of providing interim water quality mitigation prior to the ultimate detention pond improvements serving these locations.
The deviation will not adversely affect safety or operations.	The proposed drainage improvements will be constructed to County standards, and the requested deviations will not adversely affect safety or operations.
The deviation will not adversely affect maintenance and its associated cost.	The proposed stormwater detention and water quality facilities will be privately owned and maintained, and maintenance will not be adversely affected based on the proposed deviations.
The deviation will not adversely affect aesthetic appearance.	Aesthetic appearance will not be adversely affected based on the proposed deviations.

**Owner, Applicant and Engineer Declaration:**

To the best of my knowledge, the information on this application and all additional or supplemental documentation is true, factual and complete. I am fully aware that any misrepresentation of any information on this application may be grounds for denial. I have familiarized myself with the rules, regulations and procedures with respect to preparing and filing this application. I also understand that an incorrect submittal will be cause to have the project removed from the agenda of the Planning Commission, Board of County Commissioners and/or Board of Adjustment or delay review, and that any approval of this application is based on the representations made in the application and may be revoked on any breach of representation or condition(s) of approval.

Matthew W. Dunston \_\_\_\_\_ Date 6-19-19

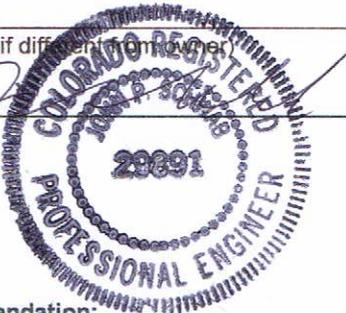
Signature of owner (or authorized representative)

\_\_\_\_\_  
Signature of applicant (if different from owner) \_\_\_\_\_ Date \_\_\_\_\_

[Signature] \_\_\_\_\_ Date 6/20/19

Signature of Engineer

Engineer's Seal



**Review and Recommendation:**  
**APPROVED by the ECM Administrator**

\_\_\_\_\_ Date \_\_\_\_\_

This request has been determined to have met the criteria for approval. A deviation from Section \_\_\_\_\_ of ECM is hereby granted based on the justification provided. Comments:

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