

PETITION NUMBER: V25-10

Signed by:

Diana Wheeler

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DocuSigned by:

Steven Brokoff

9E6DD808EBB74CF...

PROPERTY INFORMATION

0 Freemanville Road - Parcel ID 22 439004550087

DISTRICT, LAND LOT

0 Freemanville Road - Parcel 22 439004550152

2/ 455 & 456

OVERLAY DISTRICT

Rural Milton

EXISTING ZONING

AG-1 (Agricultural)

ACRES

50.9 acres (combined)

EXISTING USE

Blakely Manor Subdivision Under Development

FUTURE LAND USE DESIGNATION

Equestrian, Estate, Residential

REQUESTED VARIANCE(S):

Sec. 3.1.4.A. – Unified Development Code. To reduce the 60 feet minimum front yard to 50 feet for thirty-six (36) total lots in the proposed Blakley Manor Subdivision.

PETITIONER/OWNER

David Chatham

ADDRESS

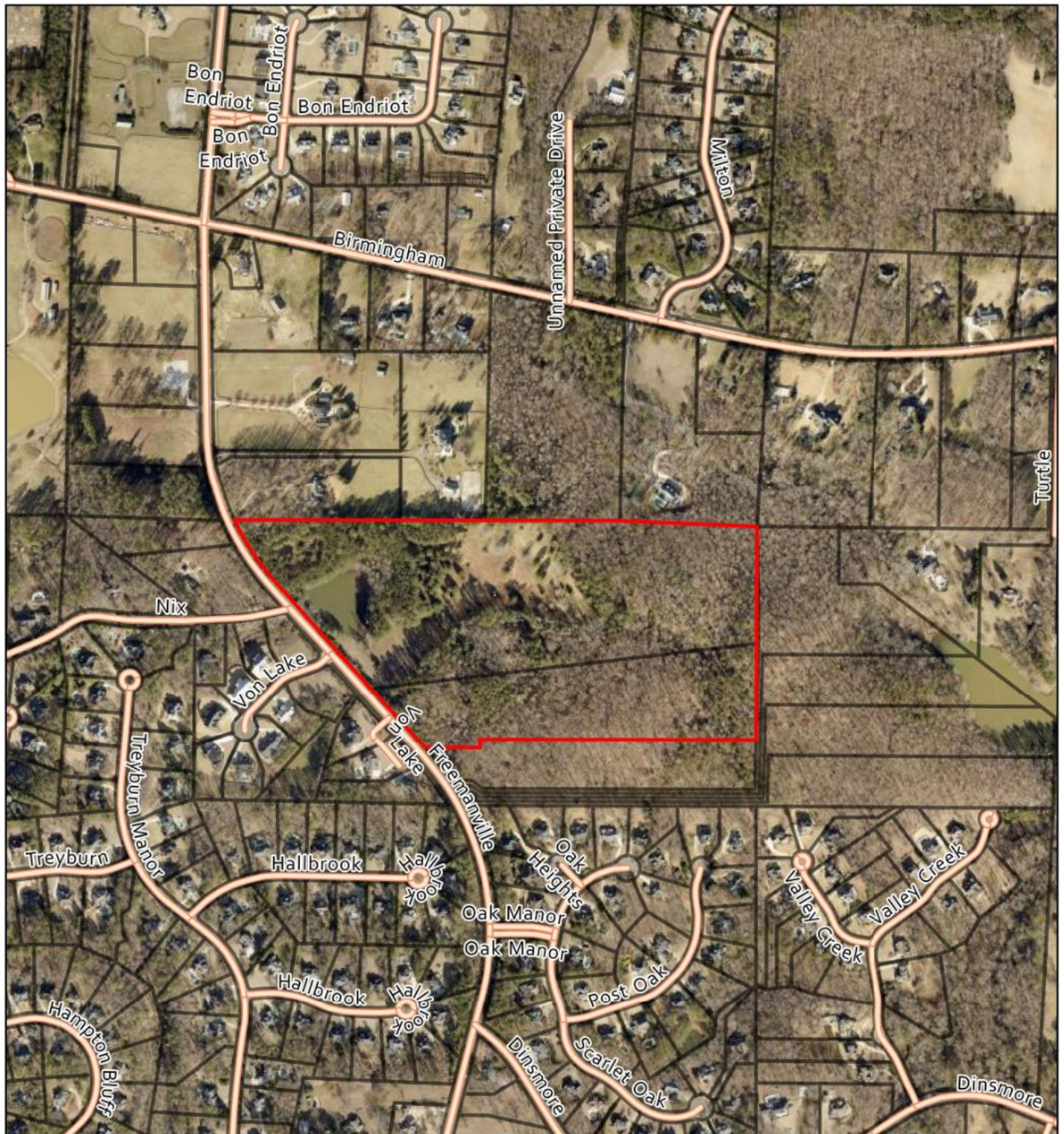
5780 Windward Parkway
Alpharetta, GA 30005

REPRESENTATIVE

Scott Reece, Brumbelow-Reese and Associates, Inc.

ADDRESS

13685 Highway 9 N
Milton, GA 30004



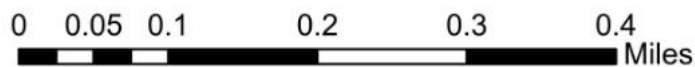
V25-10

Parcel ID 22 439004550087

Parcel 22 439004550152

City of Milton

2025



Street Centerlines

Subject Site

Parcels

City Limits



MILTON
ESTABLISHED 1898

AG-1

V25-10

Parcel 22 439004550087

Parcel 22 439004550152

Zoning Map

City of Milton

2025

 Subject Site
 Parcels

City Limits

Zoning

Zoning Class

 AG-1

0 0.05 0.1 0.2 0.3 0.4
 Miles



MILTON
ESTABLISHED 1783

COMMUNITY DEVELOPMENT STAFF ANALYSIS

Background:

The subject site includes thirty-six (36) lots for the Blakely Manor Subdivision under development located on the east side of Freemanville Road. The two parcels that encompass the proposed subdivision include 0 Freemanville Road - Parcel ID 22 439004550087 (35.5 acres) and 0 Freemanville Road – Parcel ID 22 439004550152 (14.59 acres) for a total of 50.9 acres.

The properties are zoned AG-1 (Agricultural) and located in the Rural Milton Overlay District. Applicable setbacks for the lots within the proposed Blakely Manor Subdivision are a 60-foot front setback, 50-foot rear setback, 40-foot side street setback and 25-foot side interior setbacks. The applicant is seeking the following variances:

Sec. 3.1.4.A. – Unified Development Code. To reduce the 60 feet minimum front yard (setback) to 50 feet for thirty-six (36) total lots in the proposed Blakely Manor Subdivision.

The proposed Blakely Manor Subdivision has a depth of 2,492 feet and a width of 1,108 feet as shown on the variance site plan in **Exhibit A**. The Preliminary Plat for Blakely Manor was approved on April 4, 2024, and the Land Disturbance Permit was issued by the Community Development Department on June 18, 2024.

The applicant is also proposing the following setback increases as shown in **Exhibit B**.

- **Increase** the 50 feet rear yard (setback) to 60 feet for all thirty-six (36) lots.
- **Increase** the rear 10 feet pool, pool equipment and pool decking setback to 20 feet for all exterior lots.

Site photos of the property are shown in **Exhibit C**.

DESIGN REVIEW BOARD (DRB) COURTESY REVIEW:

On April 1st the DRB met and had the following comments:

- DRB recommends approval of the variance requests. The Board acknowledged that the variance requests would move the front setback for all lots closer to the internal subdivision street, and move the rear setback for all lots farther away from the exterior bordering property owners. The Board also acknowledged the benefit of the pool setback being increased for all exterior bordering property owners.

Standards for Consideration:

The approval of a variance is based on the following consideration(s):

Relief, if granted would not offend the spirit or intent of this UDC.

There are such extraordinary and exceptional situations or conditions pertaining to the particular piece of property that the literal or strict application of this UDC would create an unnecessary hardship due to size, shape or topography or other extraordinary and exceptional situations or conditions not caused by the variance applicant.

Relief, if granted would not cause a substantial detriment to the public good and surrounding properties.

That the public safety, health, and welfare are secured, and that substantial justice is done.

The applicant response:

- Please see the letter of appeal.

Recommended Condition from staff:

If approved, Staff recommends the following condition:

- Per the Blakely Manor Subdivision variance site plan from Brumbelow-Reese and Associates, Inc received on March 14, 2025 by the Community Development Department.
- The 50 feet rear yard (setback) shall increase to 60 feet for all thirty-six (36) lots.
- The 10 feet pool, pool equipment and pool decking setback shall increase to 20 feet for all exterior lots.

Letter of Appeal

BRUMBELOW-REESE & ASSOCIATES, INC.

Land Surveyors, Land Planners, Development Consultants

13685 Highway 9 N
Milton, Georgia 30004
Phone 770-475-6817
Fax 770-569-4948

Email: office@Brumbelow-Reese.com

March 19, 2025

Michael Cardamon
City Of Milton
2006 Heritage Walk
Milton, GA 30004

Re: Blakely Manor Subdivision Variance Application

Dear Mr. Cardamon:

We are working with Chatham Neighborhoods in the development of Blakely Manor Subdivision located on Freemanville Road. The property is 50 acres, zoned AG-1. The property was approved for a 36 lot residential subdivision and is under construction at this time. The current permitted Building Setback Lines are: 60 foot front, 25 foot side, 50 foot rear, and 40 foot corner. During the permitting and construction phase of the subdivision, adjoining property owners voiced concerns about the proximity of construction. The engineering of stormwater management dictated areas of disturbance and limited the applicants ability to not disturb certain areas of the property. After considering all options the applicant has decided to petition for a reversal of the front and rear setbacks. The reversal of the building lines would create an additional 10 feet of separation of all structures from the rear property line. The applicant is seeking variances to the UDC for Section 3.1.4.(A), reduce the front setback to 50 feet, Section 3.1.4.(D) increase rear setback to 60 feet, additionally the applicant is increasing the rear pool setback from 10 feet to 20 feet on all exterior lots (Section 8.8.19 (2)(b)(ii)). The subdivision is private with gated streets limiting the access. If the variances are granted the residences would be located 60 feet from the back of curb on internal streets. The applicant is not seeking any increase in density or additional building area. Approval would allow for increased rear yards and less impact to adjoining properties.

The proposed variances would not offend the spirit of the ordinance as there are 13 existing subdivisions developed via the former CUP regulations in the Rural Milton overlay, 3 of which are located on Freemanville Road with over 300 lots. The CUP developed properties have front building lines of 30 feet or less. The granting of these variances does provide precedence and allows for a product that provides additional protection for adjoining properties. The property is the first development that we have permitted since the city enacted the 150 foot minimum lot width for AG-1 zoning. Standard/typical lot configuration is now 150 feet wide x 300 feet deep versus the former 100 feet wide x 430 feet deep design. The increase in house size and the majority of properties desiring pools has placed unique pressure on rear yard area. The

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topography of the subject property with its multiple drainage areas and the stormwater management has created unique designs for this property. These exceptional conditions have created a need for the variances to provide for the best product for the applicant and the surrounding area. The proposed variances only address development on interior private streets and will not be visible to the general public. The aforementioned fact and the existence of multiple communities developed with less front setback in the general area demonstrates that relief if granted would not cause a substantial detriment to the public good or surrounding properties. The allowance of the proposed residences to be constructed 50 feet from the right of way of internal streets and increasing the rear build setback by 10 feet in no way harms the public safety, health and welfare. Approval of the variances would allow an improved development and insure that substantial justice is done.

Sincerely,
BRUMBELOW-REESE & ASSOCIATES, INC.



Scott D. Reece

C.U.P. DEVELOPMENTS

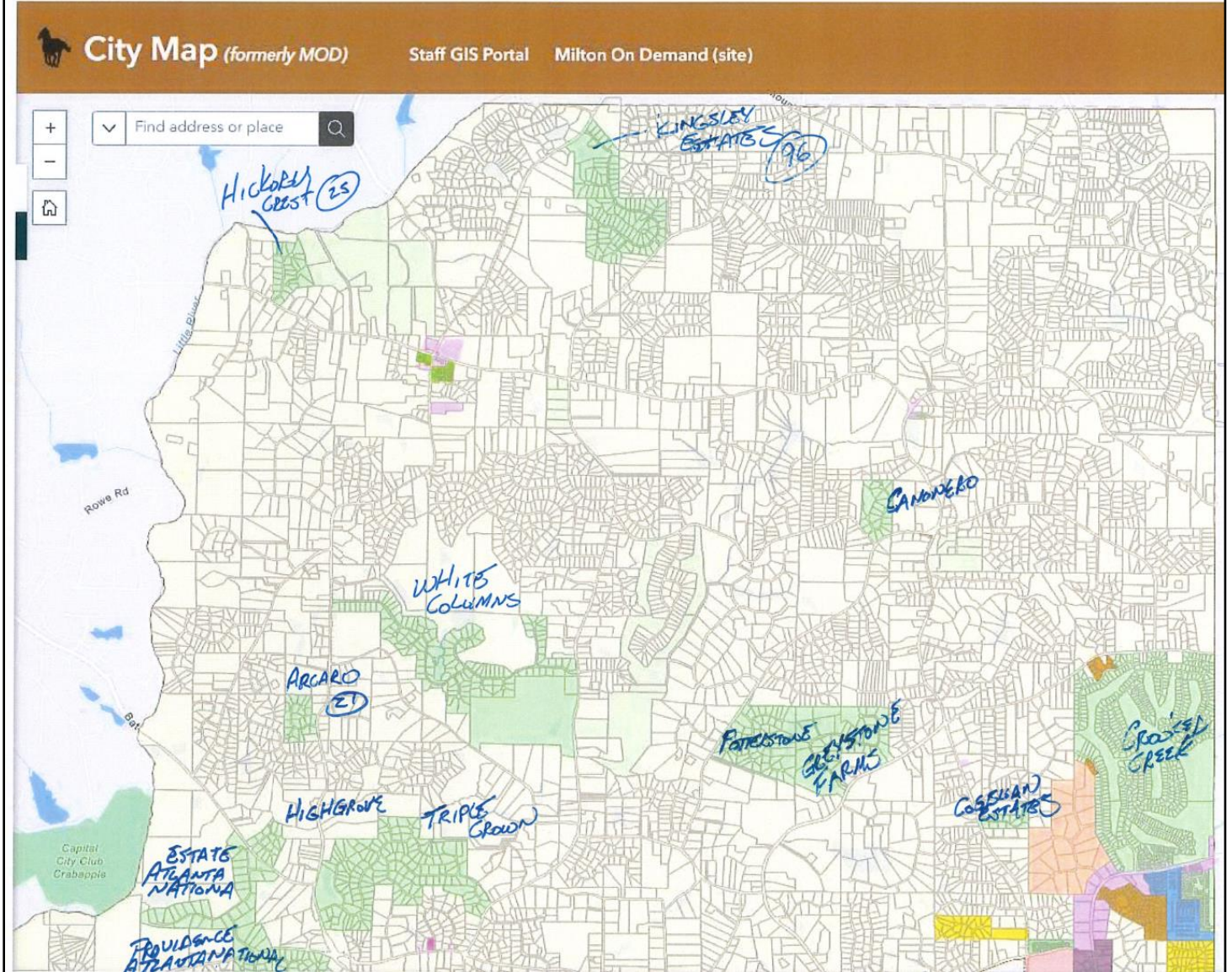


Exhibit A (Blakely Manor Variance Site Plan)

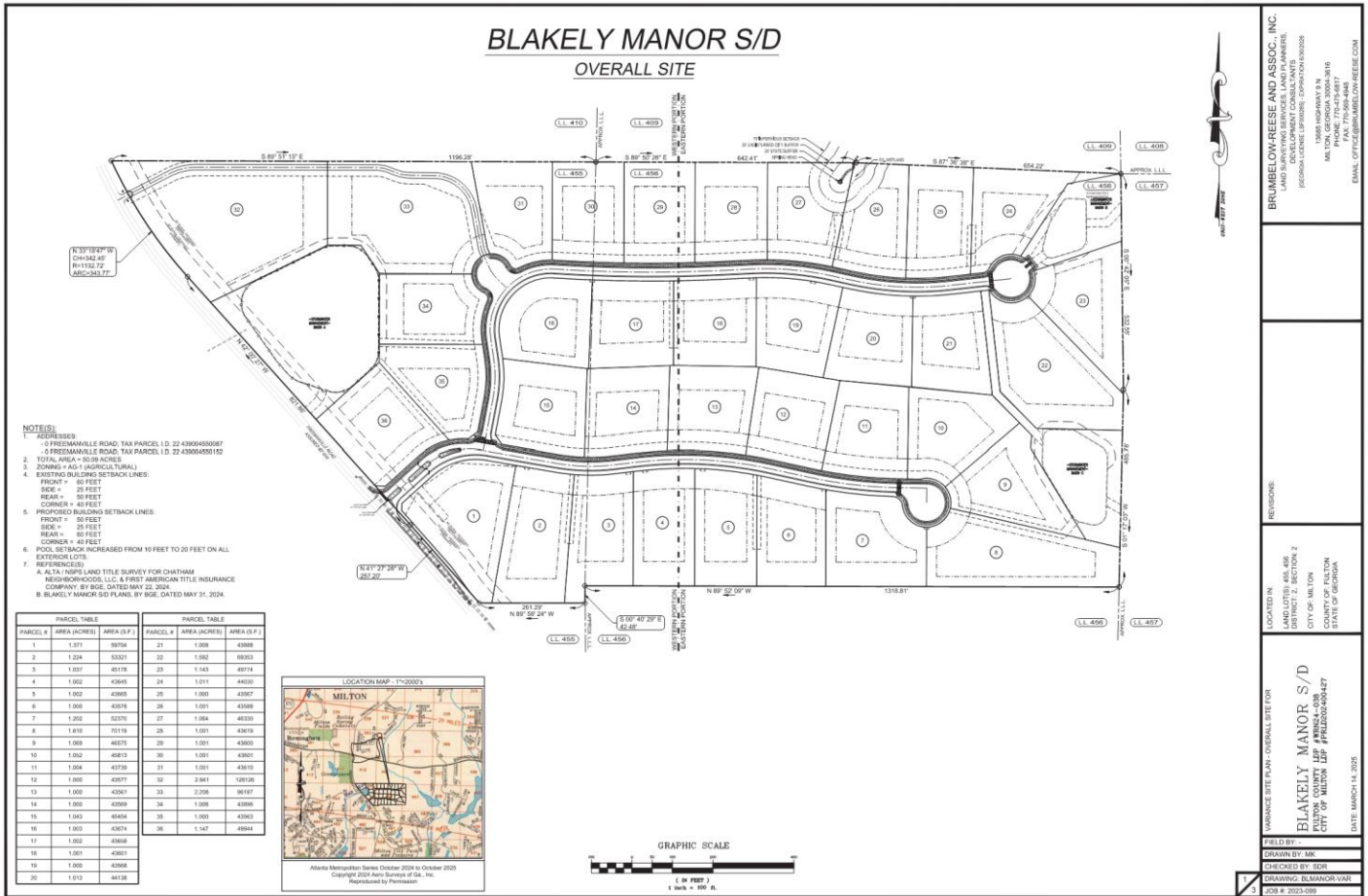


Exhibit A (Blakely Manor Variance Site Plan - Zoomed)



GRAPHIC SCALE
1" = 40' R.

TITLE BLOCK:
 VARIANCE SITE PLAN - EASTERN PORTION FOR
 BLAKELY MANOR S/D
 DRAWN BY: MK
 CHECKED BY: BOR
 DRAINAGE BLANKMANOR13AR
 JOB # 2023-009
 DATE: MARCH 14, 2025

LOCATION:
 LOCATED IN: EASTERN PORTION OF SECTION 2
 TOWNSHIP 10 NORTH
 RANGE 10 EAST
 COUNTY OF WALTON
 STATE OF GEORGIA

REVISIONS:

| PARCEL # | PARCEL TABLE | PARCEL # | PARCEL TABLE |
|----------|--------------|----------|--------------|
| 1 | 1.371 50704 | 21 | 1.008 43868 |
| 2 | 1.224 50721 | 22 | 1.992 80793 |
| 3 | 1.037 40776 | 23 | 1.143 40774 |
| 4 | 1.002 43645 | 24 | 1.011 44030 |
| 5 | 1.002 43665 | 25 | 1.000 43667 |
| 6 | 1.000 43678 | 26 | 1.001 43688 |
| 7 | 1.002 43679 | 27 | 1.004 44030 |
| 8 | 1.610 30719 | 28 | 1.001 43619 |
| 9 | 1.069 46675 | 29 | 1.001 43600 |
| 10 | 1.052 43613 | 30 | 1.001 43607 |
| 11 | 1.044 40739 | 31 | 1.001 44010 |
| 12 | 1.000 43677 | 32 | 2.947 130126 |
| 13 | 1.000 43661 | 33 | 2.208 38107 |
| 14 | 1.000 43669 | 34 | 1.008 43866 |
| 15 | 1.042 40644 | 35 | 1.000 43693 |
| 16 | 1.003 43614 | 36 | 1.147 40664 |
| 17 | 1.002 43608 | | |
| 18 | 1.001 43601 | | |
| 19 | 1.000 43698 | | |
| 20 | 1.010 44708 | | |

Exhibit B (Existing vs Proposed)



Exhibit C Site Photos
View to the West (Freemanville Road)



View to the West (Freemanville Road) Von Lake Subdivision



Site Photos (North Side of Blakely Manor)





Site Photos (East Side of Blakely Manor)





Site Photos (South Side of Blakely Manor)



