

PETITION NUMBER: V25-11

Signed by:

Diana Wheeler

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Steven Krokoff

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PROPERTY INFORMATION	13175 Hopewell Road
DISTRICT, LAND LOT	2/ 1037
OVERLAY DISTRICT	Rural Milton
EXISTING ZONING	R-3 (Single-Family Dwelling) RZ13-14
ACRES	9.045 acres
EXISTING USE	Crescent Ridge Subdivision Under Development
FUTURE LAND USE DESIGNATION	Medium Density Residential

REQUESTED VARIANCE(S):

Sec. 4.4.4.A. – Unified Development Code. To reduce the 50 feet minimum front yard (setback) to 35 feet for eleven (11) total lots for the proposed Crescent Ridge Subdivision.

Sec. 4.4.3.A. – Unified Development Code. To reduce the 100 feet minimum lot width to 88.98 feet for lot 5 of the proposed Crescent Ridge Subdivision.

Sec. 4.4.3.A. – Unified Development Code. To reduce the 100 feet minimum lot width to 85.44 feet for lot 6 of the proposed Crescent Ridge Subdivision.

Sec. 4.4.3.A. – Unified Development Code. To reduce the 100 feet minimum lot width to 93.19 feet for lot 7 of the proposed Crescent Ridge Subdivision.

PETITIONER/OWNER ADDRESS
Thomas Fuqua Jr.
130 North Trace
Alpharetta, GA 30009

REPRESENTATIVE ADDRESS
Scott Reece, Brumbelow-Reese and Associates, Inc.
13685 Highway 9 N
Milton, GA 30004



V25-11
13175 Hopewell Road

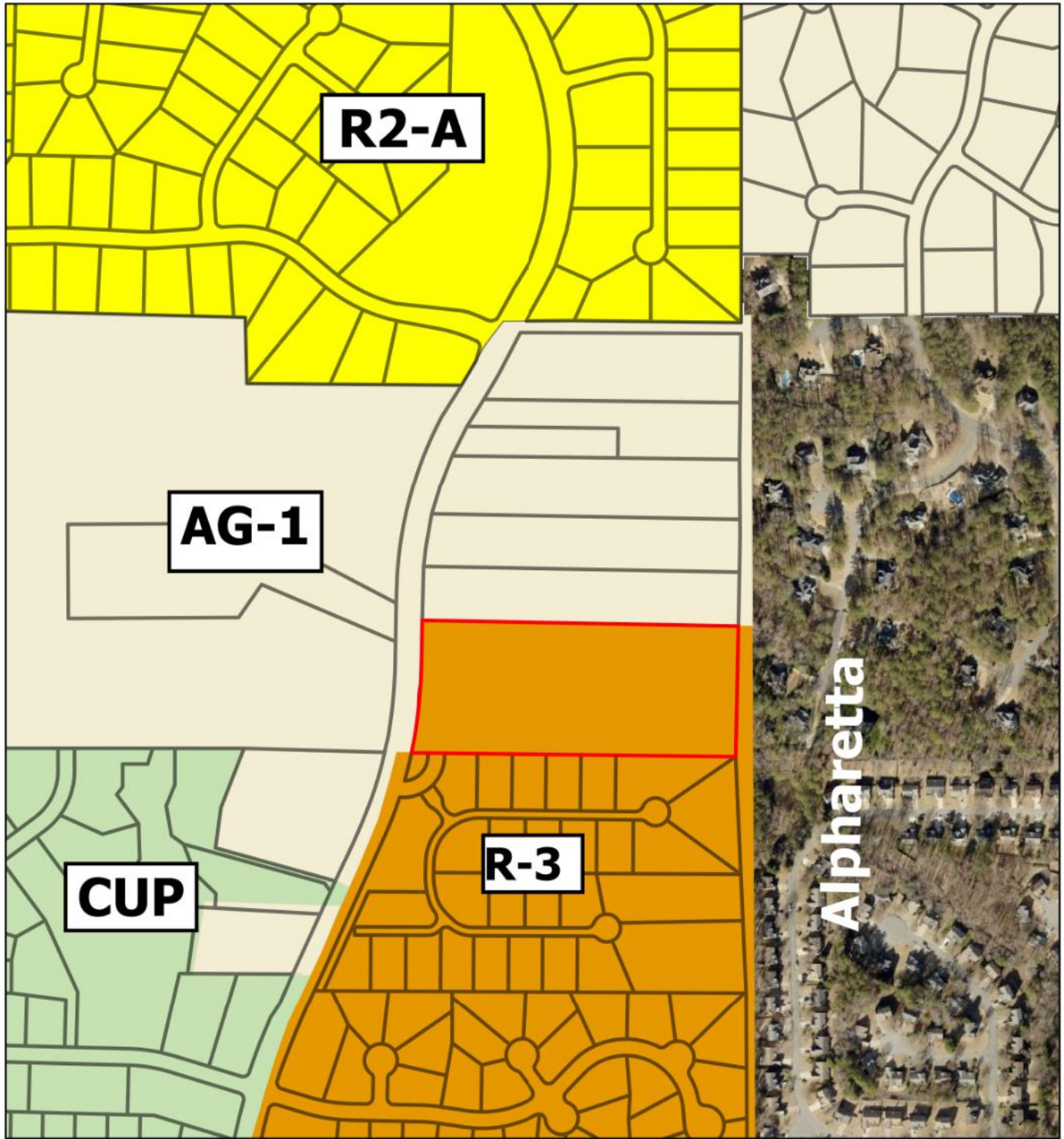
City of Milton
2025

-  Street Centerlines
-  Subject Site
-  Parcels
-  City Limits

0 0.02 0.04 0.08 0.12 0.16 Miles



MILTON
ESTABLISHED 1906



V25-11
13175 Hopewell Road
Zoning Map

City of Milton
 2025

Subject Site
 Parcels

Zoning
Zoning Class
 AG-1

CUP
 R-2A
 R-3
 City Limits

0 0.03 0.05 0.1 0.15 0.2 Miles



MILTON
 ESTABLISHED 2001

COMMUNITY DEVELOPMENT STAFF ANALYSIS

Background:

The subject site includes eleven (11) lots within the Crescent Ridge Subdivision under development located on the east side of Hopewell Road. The overall size of the proposed subdivision is 9.045 acres.

The properties are zoned R-3 (Single-Family Dwelling) pursuant to RZ13-14 and located in the Rural Milton Overlay District. Applicable setbacks for the lots within the proposed Crescent Ridge Subdivision are a 50-foot front setback, 35-foot rear setback and 10-foot side interior setbacks. The applicant is seeking the following variances:

Sec. 4.4.4.A. – Unified Development Code. To reduce the 50 feet minimum front yard (setback) to 35 feet for eleven (11) total lots for the proposed Crescent Ridge Subdivision.

Sec. 4.4.3.A. – Unified Development Code. To reduce the 100 feet minimum lot width to 88.98 feet for lot 5 of the proposed Crescent Ridge Subdivision.

Sec. 4.4.3.A. – Unified Development Code. To reduce the 100 feet minimum lot width to 85.44 feet for lot 6 of the proposed Crescent Ridge Subdivision.

Sec. 4.4.3.A. – Unified Development Code. To reduce the 100 feet minimum lot width to 93.19 feet for lot 7 of the proposed Crescent Ridge Subdivision.

The proposed Crescent Ridge Subdivision has a depth of 961 feet and a width of 402 feet as shown on the variance site plan in **Exhibit A**. Statewaters are located along the east side of the proposed subdivision in close proximity to the three (3) cul-de-sac lots seeking lot width variances. The subject property was rezoned from AG-1 (Agricultural) to R-3 (Single-Family Dwelling) by the Mayor & City Council on July 15, 2013. The Land Disturbance Permit was issued by the Community Development Department on December 2, 2022.

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

- **Increase** the 35 feet rear yard (setback) to 50 feet for all eleven (11) lots.
- **Increase** the rear 10 feet pool, pool equipment and pool decking setback to 20 feet for all eleven (11) 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 the three (3) lots seeking lot width variances are all cul-de-sac lots that are impacted from statewaters located along the east side of the Crescent Ridge Subdivision. 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 Crescent Ridge Subdivision variance site plan from Brumbelow-Reese and Associates, Inc received on March 14, 2025 by the Community Development Department.
- The 35 feet rear yard (setback) shall increase to 50 feet for all eleven (11) lots.
- The 10 feet pool, pool equipment and pool decking setback shall increase to 20 feet for all eleven (11) 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: Crescent Ridge Subdivision Variance Application

Dear Mr. Cardamon:

We are working with Fuqua and Associates in the development of Crescent Ridge Subdivision located at 13175 Hopewell Road. The property is 9.04 acres, zoned R-3 conditional. The Subdivision is 11 lots with the following Building Setback Lines: 50' front, 10' side, 35' rear. While developing the subdivision and clearing the property, we conferred with adjoining property owners about the relatively small area for rear yards and lack of privacy. When preparing the preliminary site plans with proposed residences, it became apparent that the area of disturbance was extending deep into each lot. We have searched for a solution that would best remedy the problem and have decided to petition for a reversal of the front and rear building lines. The subdivision is private with a gated entrance, so reducing the front building setback should not cause any detriment to the future residences or the surrounding properties. Whether the house is placed 45 feet behind the back of curb or 60 feet, the front yard will be totally graded. Increasing the rear setback from 35 feet to 50 feet will provide multiple advantages: possible preservation of existing natural vegetation along the rear property line, reduction of impervious area, increased separation of housing, and added privacy. With these thoughts in mind, the applicant is seeking variances to the UDC, specifically Section 4.4.4. (A),(D) and 4.4.3.(A). The applicant proposes to reduce the front setback from 50 feet to 35 feet, increase the rear setback from 35 feet to 50 feet, and reduce lot width from 100 feet on the 3 cul-de-sac lots. Additionally, the applicant is proposing to increase the pool setback from 10 feet to 20 feet on the rear property line of the lots (8.8.19.(b) (ii)). Fuqua and Associates wishes to provide the best possible product and impact the surrounding properties in the least possible manner. We feel granting these variances is the best solution.

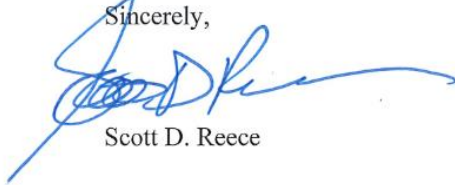
The applicant has an approved Preliminary/Rezoning Plat that designates 11 lots, and the proposed variances do not increase the density or area of disturbance. Approval of the variances would not offend the spirit of the Ordinances. The property has steep topography and a stream running south to north on the eastern third of the property. The Preliminary Plat designates 3 acres as common area with 2 acres being untouched. The unique characteristics of the property

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limit design options. The proposed variances would allow for larger rear yards and added privacy to adjoining properties. We have found that at least 13 subdivisions (over 500 lots) have been developed in Milton under the former CUP regulations. The CUP ordinance allowed for a 30' front setback. Current Milton UDC regulations allow for reduced cul-de-sac widths in other zonings. We feel the proposed variances would allow the development of a product no different than many other developed subdivisions. It is our opinion based on the previously stated facts, that relief, if granted, would not cause a substantial detriment to the public good and surrounding properties. Furthermore, the approval of these variances would not harm the public safety, health or welfare, and that substantial justice is done.

The applicant is seeking to provide the best product for his subdivision and the surrounding properties. There is no increase in density or any negative impact on the surrounding area or the city as a whole. Building the houses closer to the street in a gated community and increasing the rear setback just makes sense. The approval of these variances would be a win-win for all involved.

Sincerely,



Scott D. Reece

C.U.P. DEVELOPMENTS

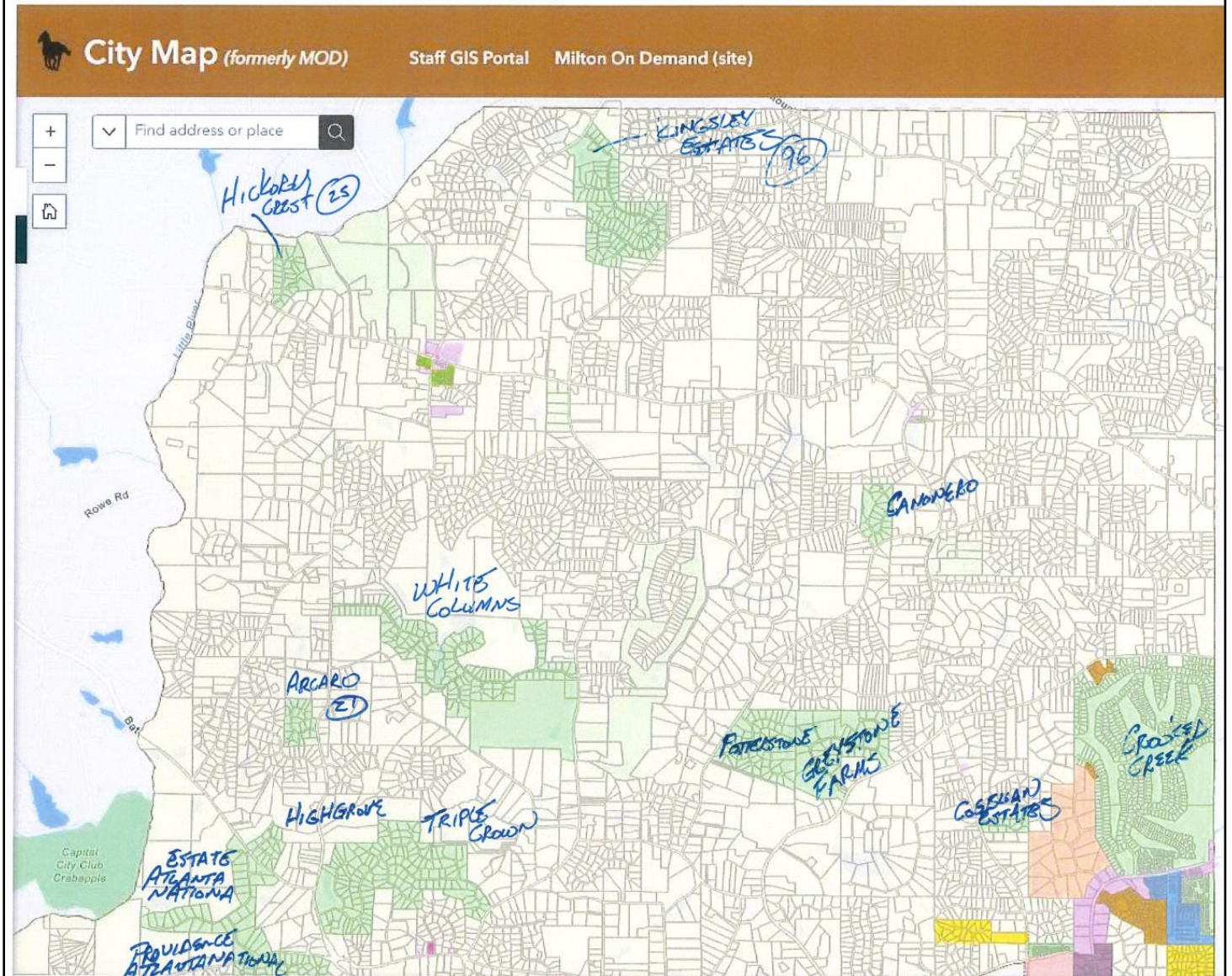


Exhibit A (Crescent Ridge Variance Site Plan)

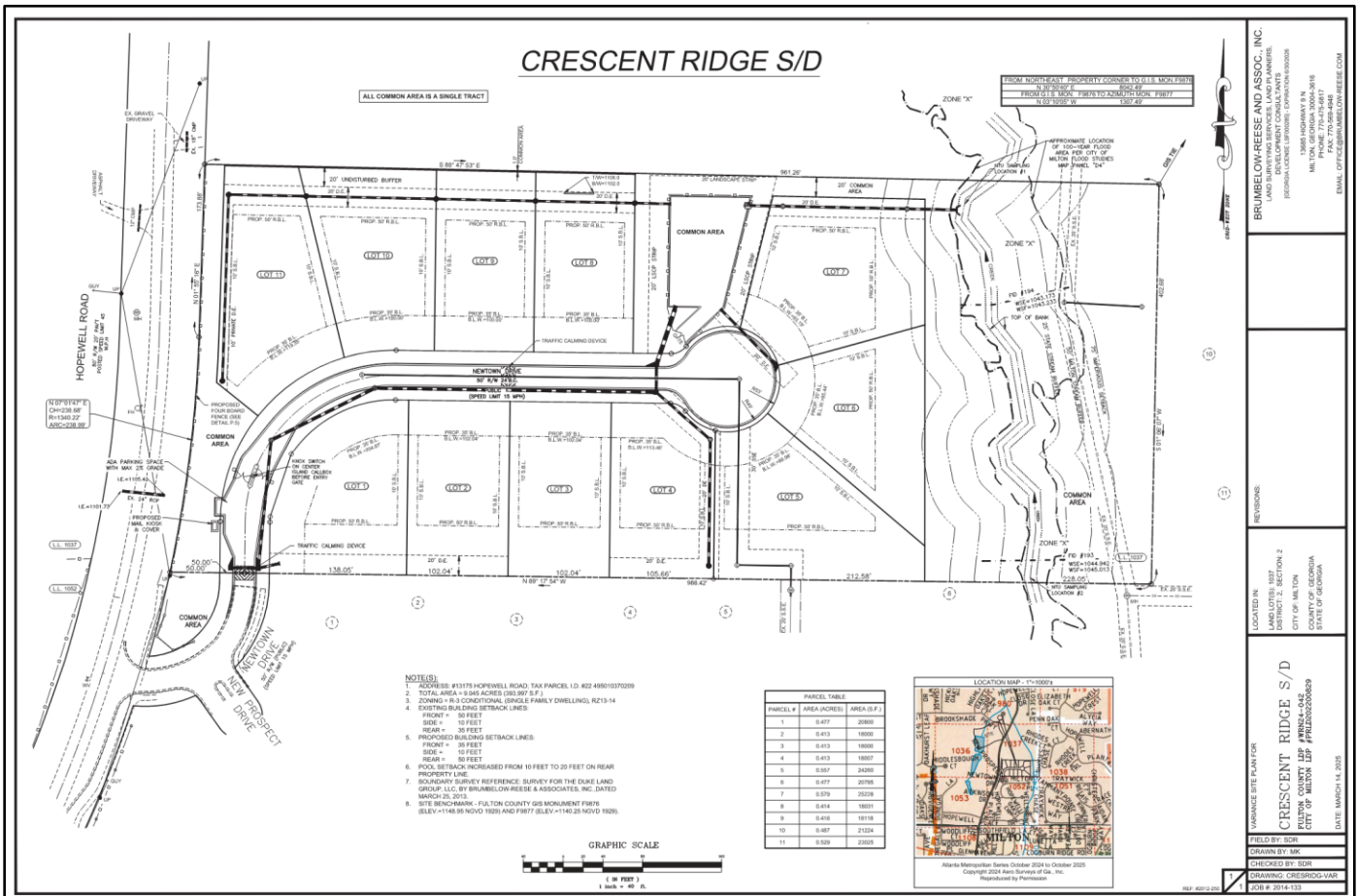
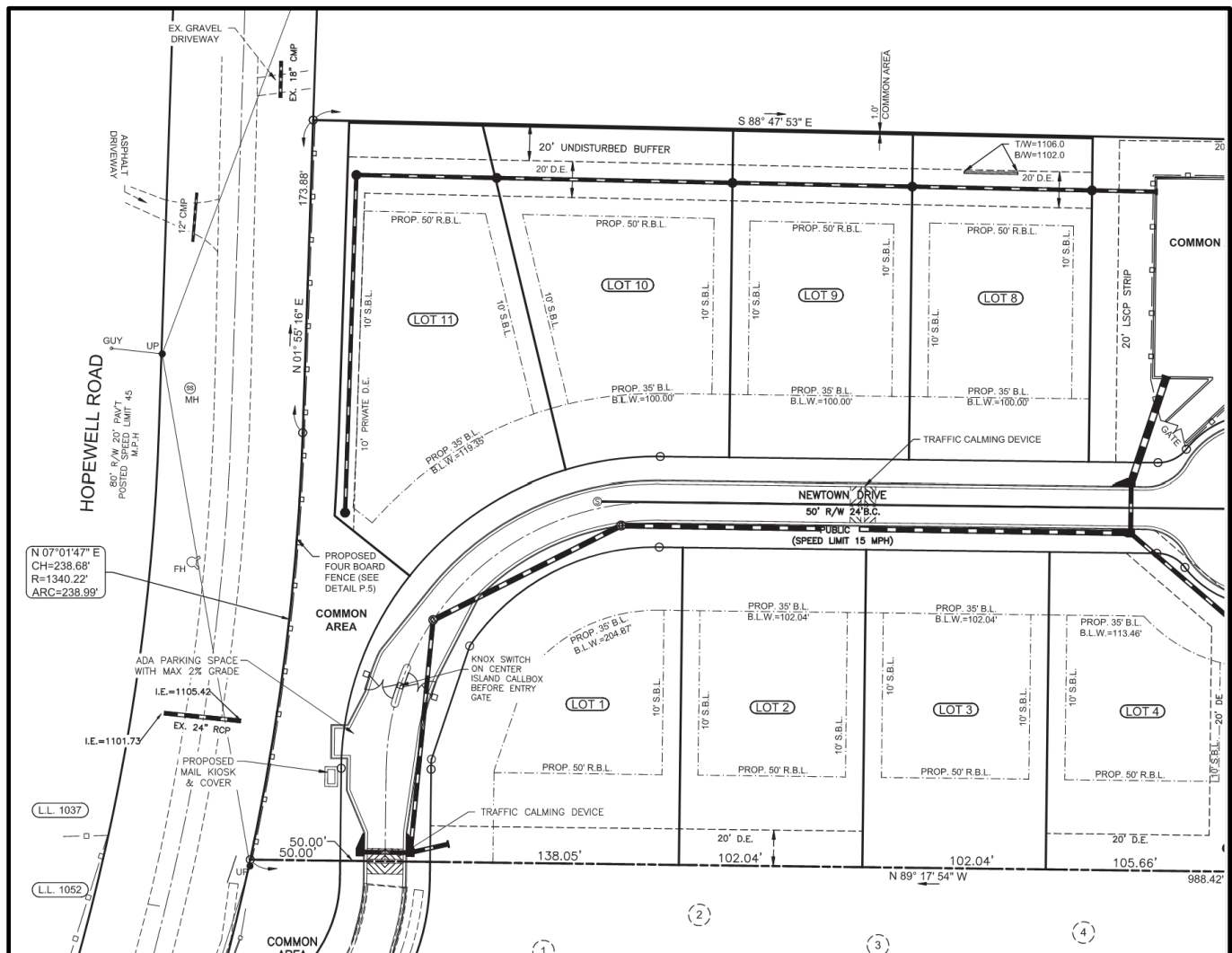


Exhibit A (Crescent Ridge Variance Site Plan - Zoomed)



The map shows four lots with the following highlighted areas:

- LOT 7**: 93.19' (Blue box)
- LOT 6**: 85.44' (Red box)
- LOT 5**: 88.98' (Green box)
- LOT 4**: 212.58' (Yellow box)

Other labels on the map include:

- COMMON AREA
- 20' LANDSCAPE STRIP
- 20' COMMON AREA
- 20' D.E.
- PROP. 50' R.B.L.
- 10' S.B.L.
- 20' LSCP STRIP
- GATE
- R53'
- R41P
- 30' SSE
- PROP. 35' B.L. B.L.W.=88.98'
- PROP. 35' B.L. B.L.W.=85.44'
- PROP. 35' B.L. B.L.W.=93.19'
- CREEK
- ZONE "X"
- FID #194 WSE=1043.173 WSF=1043.233
- TOP OF BANK
- 25' STATE STREAM BUFFER
- 50' MILTON STREAM BUFFER
- 75' IMPERIOUS SETBACK
- EX 20' S.S.E.
- EX 20' S.S.E.
- COMMON AREA
- FID #193 WSE=1044.942 WSF=1045.013
- L.L. 1037
- NTU SAMPLING
- 228.05'
- S 01° 06' 07" W
- 402.68'

Exhibit B (Existing vs Proposed Setbacks all 11 lots)

[F]

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



Subdivision entrances Crescent Ridge (left) & Milton Place (right)



Site Photos (North Side of Crescent Ridge)





Site Photos (East Side of Crescent Ridge)





Site Photos (South Side of Crescent Ridge) – Milton Place



