

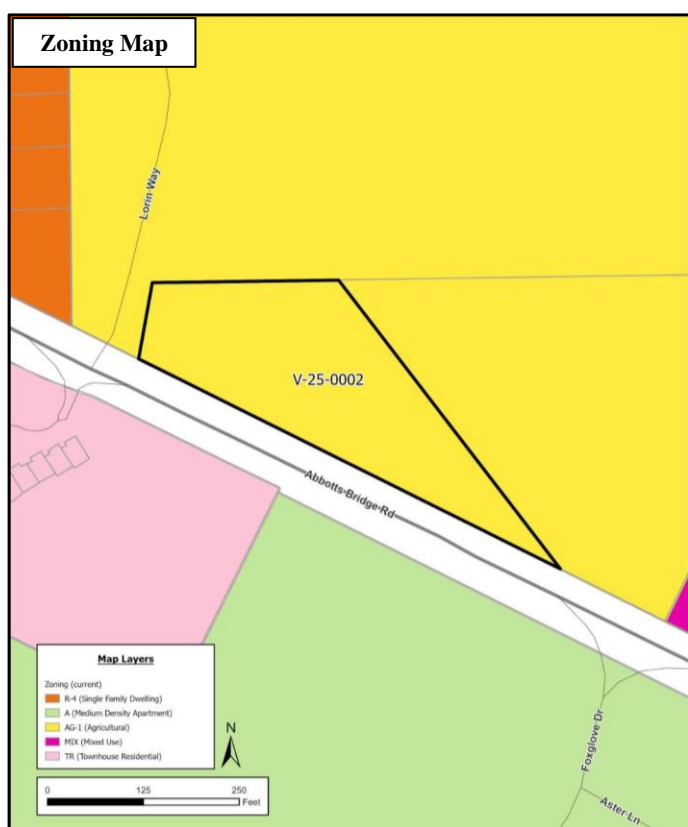


**Board of Zoning Appeals Meeting
April 22, 2025**

CASE NUMBER:	V-25-0002
PROPERTY LOCATION:	5845 Abbotts Bridge Road, Johns Creek, GA 30097
CURRENT ZONING:	AG-1 (Agricultural District)
PARCEL SIZE:	1.448 Acres
PETITIONER:	Scott Sibley Homes LLC
VARIANCE REQUEST:	To reduce the minimum rear yard building setback from 50 feet to 25 feet and to construct a guest house in the side yard
STAFF RECOMMENDATION:	APPROVAL WITH CONDITIONS

Background

The subject property is a 1.448-acre site, zoned AG-1 (Agricultural District) and located on the north side of Abbotts Bridge Road, approximately 1,600 feet west of the intersection of Abbotts Bridge Road and Medlock Bridge Road. The property is bound by The Standard Club golf course to the east, north, and west, and Abbotts Bridge Road to the south. A tributary stream traverses the southeast corner of the site and flows into a headwall at the south property line. At one point, there was a dilapidated residential dwelling that existed on the property until it was demolished in 2021.



Applicable Code Requirements

City of Johns Creek Code of Ordinances, Appendix A: Zoning

1) Article V: Agricultural District

Section 5.1. – AG-1 Agricultural District

5.1.3. Development Standards.

D. *Minimum Rear Yard:* 50 feet

2) Article XIX: Administrative Permits and Use Permits

Section 19.3. – Minimum Administrative Permit Standards

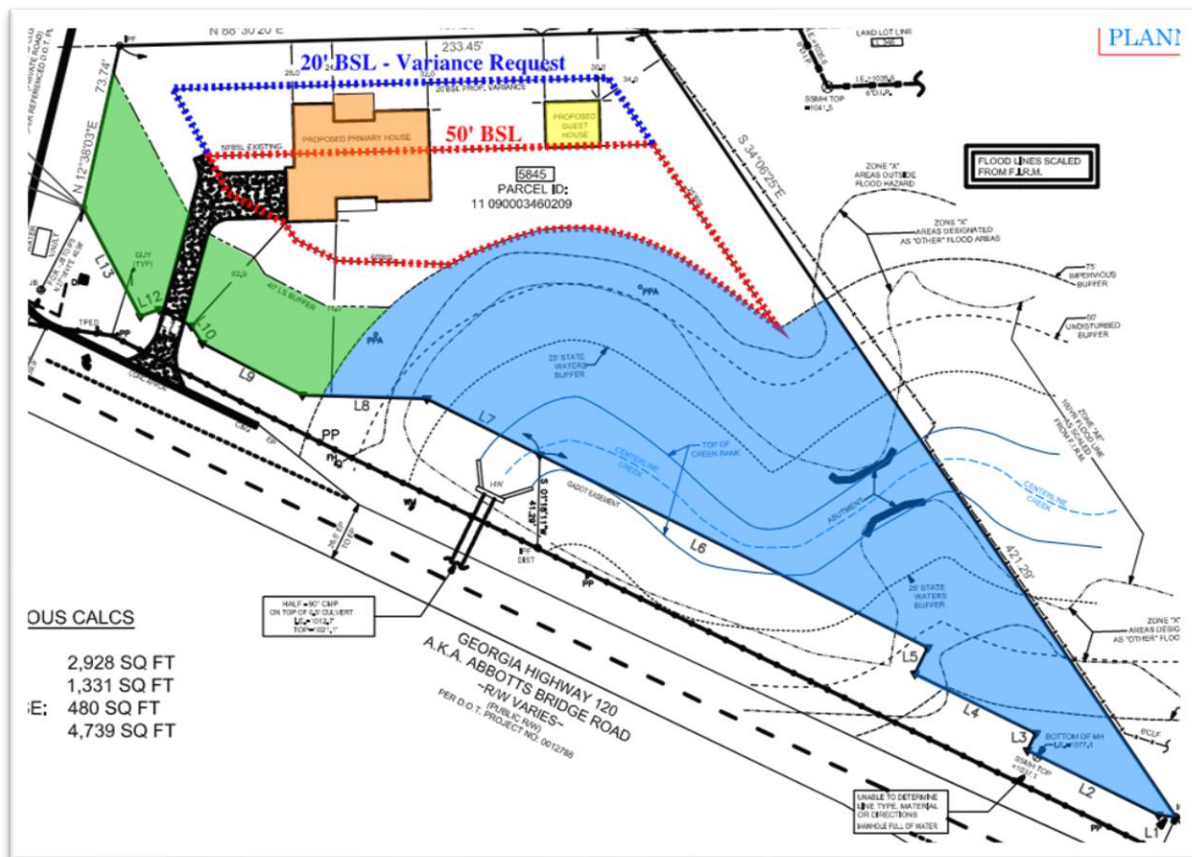
19.3.5. Guest House

B. *Standards*

5. The location shall be limited to the rear yard

Variance Request

The Applicant is requesting two variances: 1) reduce the minimum 50-foot rear yard building setback (shown in red dashed line) to 20 feet (shown in blue dashed line); and 2) construct a guest house (shown in yellow) in the side yard.



Variance Review Criteria

Section 22.3.1 of the Zoning Ordinance lists the following considerations for granting a variance:

- Relief, if granted, would be in harmony with, or could be made to be in harmony with the general purpose and intent of the Zoning Ordinance; or
- The application of the particular provision of the Zoning Ordinance to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape, or topography, would create an unnecessary hardship for the owner while causing no detriment to the public.

Staff Analysis

The subject property has a total lot area of 63,112 square feet (1.448 acres); however, due to various development constraints associated with the property, the buildable area is limited to only 8,978 square feet (bounded area of red dashed lines), which is 14.2% of the total lot. The aforementioned development constraints are twofold: 1) An environmental constraint attributed to an existing tributary stream and associated 75-foot stream buffer traversing the southeast portion of the lot, creating a sizable stream protection area (shown in blue) covering nearly 49% of the subject property; and 2) The development standards associated with the AG-1 zoning district of a 40-foot landscape strip (shown in green) along Abbotts Bridge Road, 60-foot minimum front yard setback, 25-foot minimum side yard setback, and 50-foot minimum rear yard setback, when applied to the unique shape of the lot, further restricts the buildable area of the property. Without seeking a variance either to encroach into the minimum building setback or 75-foot stream buffer would limit the ability of the Applicant to construct a home that is comparable to single-family detached dwellings found in the area.

The Applicant's Letter of Appeal specifies his intent to prevent any adverse impact on the stream buffer and rather seeks to reduce the minimum rear yard setback from 50 feet to 20 feet adjacent to The Standard Club to construct the residential dwelling. The proposed location of the residential structure as exhibited on the submitted site plan shows that it is setback approximately 78 feet from the front property line and considering that there is ample room in the front yard for the dwelling to be situated closer towards the front property line, staff is recommending that the reduction of the rear yard setback be limited to 25 feet to match the side yard setback.

Staff is of the opinion that due to the shape of the property and development constraints, the proposed location of the guest house to the side of the primary dwelling would be acceptable as it would maintain a significant setback of approximately 180 feet from Abbotts Bridge Road and would not adversely impact any adjacent use, as it backs up to a commercial use and no other residential development. The proposed variances, if approved, would be in harmony with the general purpose and intent of the Zoning Ordinance.

Staff Recommendation

Based upon the findings and conclusions herein, staff recommends **APPROVAL** of V-25-0002, subject to the following conditions:

- 1) The minimum rear yard building setback shall be reduced from 50 feet to 25 feet.
- 2) The accessory structure shall be located in the side yard as shown on the site plan received and date stamped by the Community Development Department on March 4, 2025.
- 3) Owner/Developer shall obtain necessary building permits, have all required inspections approved and submit an as-built survey of the property showing compliance with the conditions of this variance prior to issuance of a Certificate of Occupancy.