



Issued: August 7, 2019

The City of Milton is providing the following updated statement regarding the "Freemanville Estate," located at 15655 Freemanville Road, Milton, GA 30004.

First and foremost, the City of Milton would like to express its appreciation to long-time residents Brian and Leighanne Littrell for their written correspondence dated July 26, 2019. Via their attorney, the Littrell family expressed their continued commitment to the Milton community and its "rich history" and their intent to fully comply with any and all applicable city ordinances and zoning requirements.

The City would also like to thank Milton residents who actively engage with their City Hall, working to make sure that the community's vision is maintained, and that the community is adhering to local zoning ordinances.

Zoning ordinances are one of many ways that local governments work to maintain and improve the quality of life for its citizens, and the City of Milton, ranked Georgia's best city to live in by 24/7 Wall Street in 2019, is committed to promoting a high quality of life for residents.

Additional Legal Review

Following the city's official statement issued on July 24, 2019, and at the direction of Community Development Director Parag Agrawal, zoning staff sought additional legal guidance from the city attorney to ensure that Milton is appropriately applying local zoning ordinances and any private covenant considerations if applicable to the "Freemanville Estate." That comprehensive legal review was completed between July 29, 2019 and August 1, 2019.

There are three areas to address: 1) helipads in Milton, 2) surfaced areas for additional residential (single-family) parking, and 3) the use permit for rural or agricultural event facilities in Milton.

1) **Helipad** – It has been alleged that a newly installed surface area at the above address is a helipad; however, the Littrells have indicated it is for additional parking for guests. Although helipads are permitted in the city of Milton, a helipad does require an application and public hearing process for a use permit. The public hearing process includes a review by the Planning Commission and approved/denied by the Milton City Council. City staff can confirm that a use



permit has not been submitted for a helipad, and that if an application were submitted, it would be processed according to Milton zoning ordinance [Sec. 64-1798](#);

2) **Parking Area Restrictions** – Milton zoning ordinances include specific requirements for “the visible storage or parking of more than four vehicles at a single-family residence” (see [Sec. 64-1433](#)). More than four vehicles may be parked, so long as they are not visible from Freemanville Road or any adjacent property, which can be accomplished through vegetative screening. In addition to the zoning requirements for parking, any proposed development or improvement that includes 5,000-square-feet of land disturbance may require a Land Disturbance Permit in Milton. City staff are working with the Littrells’ representatives to review the newly surfaced area and next steps for this surfaced area.

3) **Rural or Agricultural Event Facility** – Milton ordinances include a use permit for a “rural and agricultural event facility” (see [Sec. 64-1842](#)). Additional legal review and guidance from the city attorney has confirmed that an applicant can submit a use permit to the City of Milton for consideration regardless of any private covenants with respect to the three-parcel subdivision that may be in place and may appear to prohibit the proposed use. Of course, the right to submit the application does not guarantee approval. The application would be afforded a fair and thorough review and would undergo the same public hearing process required of any application as detailed earlier under item 1).

City staff have advised the Littrells of the above additional legal information and offered designated city staff to assist with any next steps. The City would like to express its appreciation to Mr. and Mrs. Littrell and members of the Milton community for their patience while we sought additional legal guidance on the above items.

City officials further advise that Milton’s use permit application process involves extensive review by multiple city departments. The right of the applicant to submit the application does not guarantee approval. Furthermore, the city attorney confirmed that the City’s issuance of a use permit (should the City do so) does not in any way supersede or interfere with any private rights or obligations that may exist as part of private covenants applicable to this property location.

The City of Milton is committed to a fair and thorough review process for all applicants, and greatly values the civic engagement that is encouraged through the public hearing process.