



Hall County Government

PLANNING & DEVELOPMENT

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To: Richard Higgins, Chairman
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From: Randi Doveton, Director

Date: November 16, 2022

Subject: **3461 Thompson Bridge Road | Rezone** | from Residential-I (R-I) to Office and Institutional (O-I) on a 6.85± acre tract to allow office space | Michael James Remodeling, applicant.

The request before you is the application of Michael James Remodeling to rezone approximately 6.85 acres to allow expansion of his business by utilizing an existing structure as an office. The item is located within Commission District 2.

At their November 7, 2022 meeting, the Hall County Planning Commission voted to recommend approval of this request with ten (10) conditions **(3-2, Bell & Pilcher opposed)**.

There were twenty-four (24) written comments in opposition submitted in advance of the Planning Commission meeting and six (6) people spoke in opposition during the public hearing.

There have been no changes to the request since the Planning Commission took action.

Planning Commission Approval Conditions:

1. The development shall conform with the proposed narrative and site plan, and the following conditions.
2. The development shall be consistent with the standards of Gateway Corridors Overlay District (GCOD, [17.420](#)), of the Official Code of Hall County with the exception of allowing gravel parking noted on the site plan.
3. The current driveway access on Tommy Aaron Road shall be closed and there shall be no future access onto Tommy Aaron from any part of the subject property. The applicant shall block the driveway onto Tommy Aaron Road by means of placing a fence that meets Gateway Corridor Standards across the driveway or the applicant can install a landscape strip to prevent access to Tommy Aaron Dr. This condition shall be

added to the site plan before the application is heard by the Hall County Board of Commissioners.

4. Interparcel access between the subject property and 3461 Thompson Bridge Road shall be required, per Gateway Corridors Overlay District (GCOD, [17.420](#)). The use of the existing gravel interparcel access road from 3461 Thompson Bridge Road shall be the only access approved to the subject property.
5. No outdoor storage is allowed.
6. No additional signage shall be allowed along Tommy Aaron Drive or Thompson Bridge Road.
7. The subject property is restricted to office use only all other inherent uses that may be permitted by right are not allowed.
8. The applicant shall have an easement recorded for interparcel access.
9. Any future improvements to the subject property must be brought to the Hall County Planning Commission and approved by the Board of Commission.
10. All company vehicles must be parked on 3461 Thompson Bridge Road.

Staff recommended approval to the Planning Commission **with conditions based on the findings that this request is consistent with the Comprehensive Plan and that it meets the criteria outlined in [17.380.060](#) and is consistent with the previous approval at 3473 Thomson Bridge Rd in 2020.**

For your Consideration

These items support approval

1. The proposed zoning classification of Office Institutional (O-I, [17.130](#)) is suitable in view of the use and development of adjacent and nearby property.
2. The zoning proposal should not have an adverse effect on the existing use or usability of adjacent or nearby property. The property abuts a divided 5-lane state route (Hwy 60), and the nearest residential structure from the proposed office building is located at 3473 Mill Creek Rd.
3. The proposed zoning classification of Office Institutional (O-I, [17.130](#)) is suitable in view of the use and development of adjacent and nearby property, one of which is also zoned O-I.
4. The proposal meets the purpose of the O-I district. “The purpose of the Office and Institutional District (O-I, [17.130.010.A](#)) is to establish and maintain areas which are generally in corridors along major limited access highways and which are adjacent to residentially zoned or residentially developed areas and which are so situated as to lend themselves to land uses and activities which may generate traffic and which may particularly benefit from proximity, accessibility or visibility from a major limited access highway but which are the least incompatible of non-residential uses with adjacent residentially zoned or developed areas. To this end development is limited to light business and institutional uses and certain residential types and public facilities. The restrictions set forth herein are designed to protect the district and adjacent or surrounding residential areas, to present an appearance of openness and uncluttered, orderly development and to establish such standards for intensity of use and character of development as are compatible with the purpose of the district.”

These items support denial

1. Staff has not identified a hardship imposed on the property owner as the property is currently zoned. The property contains a single-family residential structure which could continue to be used as such under the existing zoning designation.
2. The subject parcel has reasonable economic use as currently zoned. The property is developed with a single-family residence and can continue to be utilized as such.
3. There is no evidence that the present zoning district boundaries are illogically drawn.
4. There are other sites in the county that would permit such a use and already appropriately zoned. The applicant is requesting this zoning change so he may expand his existing business which is located on the adjacent parcel.
5. There is no evidence indicating a mistake was made in the original zoning of the property.