

**HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT**

**Applicant** ..... Reynolds-Hemmer Properties, LP

**Request** ..... Variance in Gateway Corridor Overlay District (GCOD) standards.

**Proposed Use** ..... Trailer storage

**Size** ..... 5.45± acres

**Zoning** ..... I-II, Heavy Industrial

**Location** ..... **3519 White Sulphur Road** | Tax Parcel 15020A000030

**Commission District** ..... Three

**Planning Commission Date** ..... November 21, 2022

**Staff Recommendation** ..... **Denial of the requested variance as the application does not meet the criteria 1, 2, 3 and 4 of [2.60.030.K](#).**

**Planning Commission Recommendation**.....**Approval, with conditions**

**Vote: 4-0 (Pilcher absent)**

1. The project shall substantially conform to the submitted site plan and narrative with the following variances and conditions.
2. The use shall be limited to overflow truck and trailer storage for a single lease tenant, any use as a commercial parking lot or in a model facility shall be prohibited. No material or containers shall be allowed storage on the premises if not stored in an enclosed trailer or on a flatbed trailer. This shall be approved as a temporary storage facility allowing no trucks or trailers to be stored on the site for more than 30 days. Conditional use shall be valid for 24 months from site approval by the applicable Hall County Building inspections to assure that all conditions of zoning have been met. The owner shall not be allowed to operate the facility until all conditions of Board of Commissioners approval have been met.
3. The only approved signage shall be directional and traffic signs.
4. All lighting shall be non-spill type only, LED lighting is approved.

5. The applicant shall follow the standard Hall County *Development Review process regarding pavement installation and stormwater management requirements.*
6. *All fencing within the Gateway Corridor 300 foot setback as well as fencing along the entirety of White Sulphur Road and Gateway Center Park Place shall be 8 feet in height, PVC opaque type, with a 10 foot planted landscape buffer. Fencing color and buffer requirements shall be approved by the Director of Planning and Development prior to the Land Disturbance Permitting process. All other fencing shall be 8 foot tall black vinyl coated chain-link fence.*
7. *The parking lot shall be gravel.*
8. *The conditional use and variances approved shall only be for Reynolds-Hemmer Properties, LP. The conditional use approved and variances shall not be transferable to any other entities. Any future use other than stated above shall be brought before the Hall County Planning Commission and Board of Commission for approval.*
9. *All conditions of zoning shall be made a part of the final plat for recording.*

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**Public Forum:**

**Robert Deleon, 4139 Cagle Road, Lula,** spoke in opposition. Concerns were traffic and safety.

**Summary Analysis**

The subject property is located at the corner of Cornelia Highway / State Route 365 and White Sulphur Road. The property has been pre-graded for usable building pads, and the proposed use is consistent with recent industrial growth in the immediate vicinity and with adjacent properties. The narrative claims that the proposed use will correlate well with the nearby future Inland Port and will not have any adverse impacts to the environment, as current stormwater management regulations will be followed.

The applicant is requesting to be exempt from the requirements of the Gateway Corridors Overlay District (GCOD, [17.420](#)) that requires all parking to be paved with asphalt or concrete. The applicant contends that the use of the property is a storage yard as opposed to a parking lot, thus permitting gravel to be used.

Upon written application, the director may grant exemptions from the requirements of this chapter for parcels or portions of a parcel that would otherwise be included in the GCOD if portions of the subject property to be exempted lie more than 300 feet from the centerline of a Gateway Corridor. ([17.420.030](#))

A concurrent application has been filed for conditional use approval for outdoor storage within the Gateway Corridors Overlay District (GCOD, [17.420](#)). **The conditional use and variance requests can be heard together but require a separate motion and vote.**

One **variance** related to paving material within the Gateway Corridors Overlay District (GCOD, [17.420](#)) will be required if the site plan, as presented, is approved because the proposal does not meet the requirements.

- All parking areas shall be paved with asphalt, concrete (or pervious materials approved by the director.) as found in non-residential property development standard ([17.420.050](#)).

### **Zoning Analysis**

The Planning Commission is hereby authorized to grant variances from the strict application of this Resolution upon proof by a preponderance of the evidence that [2.60.030.J](#) provided the request meets the criteria set forth in [2.60.030.K](#).

1. There are extraordinary and exceptional conditions pertaining to the particular lot in question because of its size, shape or topography (the hardship must relate to the physical character of the lot and not to a personal or economic hardship); **The subject property is 5.42± acres in size and is undeveloped. The property has been previously graded, or padded out, in anticipation of a future commercial or industrial use. There are no extraordinary or exceptional conditions pertaining to the particular lot in question because of its size, shape or topography. The Gateway Corridors Overlay District (GCOD, [17.420](#)) requires all parking areas to be paved with asphalt or concrete.**
2. The application of the requirements of this [Title 17](#) to this particular piece of property would create an unusual hardship; **The property can be developed in accordance with the Gateway Corridors Overlay District (GCOD, [17.420](#)) standards.**
3. Such conditions are peculiar to the particular piece of property involved and are not common to other properties in the neighborhood; **The requirements of the Gateway Corridors Overlay District (GCOD, [17.420](#)) is required for non-residential developments along Cornelia Highway / SR 365. and**
4. Such conditions are not the result of any actions of the property owner; **There are no extraordinary conditions related to lot size, configuration, or topography that prevent the owner from adhering to GCOD development standards.**
5. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of [Title 17](#); provided, however, that no variance may be granted for a use of land or building or structure that is prohibited by [Title 17](#) or for a conditional use which has been denied by the county planning commission. **Relief, if granted, should not cause substantial detriment to the public good. The development will be required to meet all local, state, and federal requirements pertaining to stormwater management and other applicable standards.**

### **Development Support and Constraints –Departmental /agency comments**

#### ***Hall County Environmental Health***

An email dated October 31, 2022 from Emily McGahee states “No comment. Public sewer.”

#### ***Hall County Fire Services***

In an email dated November 2, 2022, Lieutenant John Hornick, NPQ Fire Inspector 1, Plans Review, stated: "The Hall County Fire Marshal's Office has no comments regarding the trailer storage lot as proposed."

***Hall County Public Works and Utilities***

In a memo dated November 3, 2022, from Srikanth Yamala, Director of Public Works and Utilities, the following comments were provided:

**Engineering:**

The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.

**Traffic:** No comments.

**Utilities:** No comments.

***Georgia Department of Transportation***

Per an email dated November 2, 2022, Parker Niebauer, District 1 Traffic Operations Supervisor confirmed that this project will require GDOT coordination.

➤ **Excerpts from the minutes of the November 21, 2022 meeting**

**Applicant's Presentation:**

**Randi Doveton, Planning Director**, presented a summary of the request.

**Lee Hemmer, 3945 Reynolds Road, Gainesville**, presented the request. The applicant stated that the reason for a gravel variance would be due to the location not always being utilized for storage. The applicant stated that they would be installing an 8 foot fence to block the view into the property.

**Public Forum:**

**Robert Deleon, 4139 Cagle Road, Lula**, spoke in opposition. Concerns were traffic and safety.

**Planning Commission Comments:**

Mr. Braswell stated that the application would be heard as a conditional use to county commission approval as well as a variance request that would be voted on separately. Mr. Braswell pointed out that if any portion of the property lays on the Gateway Overlay, it applies to all the property. The applicant stated that with the way the area is developing it is inevitable to increase semi-truck presence. Mr. Hunt stated a PVC would be preferable fencing

***Motion: A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Bell. Vote: 4-0 (Pilcher absent)***

*Conditions:*

10. *The project shall substantially conform to the submitted site plan and narrative with the following variances and conditions.*
11. *The use shall be limited to overflow truck and trailer storage for a single lease tenant, any use as a commercial parking lot or in a model facility shall be prohibited. No material or containers shall be allowed storage on the premises if not stored in an enclosed trailer or on a flatbed trailer. This shall be approved as a temporary storage facility allowing no trucks or trailers to be stored on the site for more than 30 days. Conditional use shall be valid for 24 months from site approval by the applicable Hall County Building inspections to assure that all conditions of zoning have been met. The owner shall not be allowed to operate the facility until all conditions of Board of Commissioners approval have been met.*
12. *The only approved signage shall be directional and traffic signs.*
13. *All lighting shall be non-spill type only, LED lighting is approved.*
14. *The applicant shall follow the standard Hall County Development Review process regarding pavement installation and stormwater management requirements.*
15. *All fencing within the Gateway Corridor 300 foot setback as well as fencing along the entirety of White Sulphur Road and Gateway Center Park Place shall be 8 feet in height, PVC opaque type, with a 10 foot planted landscape buffer. Fencing color and buffer requirements shall be approved by the Director of Planning and Development prior to the Land Disturbance Permitting process. All other fencing shall be 8 foot tall black vinyl coated chain-link fence.*
16. *The parking lot shall be gravel.*
17. *The conditional use and variances approved shall only be for Reynolds-Hemmer Properties, LP. The conditional use approved and variances shall not be transferable to any other entities. Any future use other than stated above shall be brought before the Hall County Planning Commission and Board of Commission for approval.*
18. *All conditions of zoning shall be made a part of the final plat for recording.*

***Motion: A motion to approve all variances with the following conditions was made by Mr. Hunt and seconded by Mr. Bell. Vote: 4-0 (Pilcher absent)***

*Conditions:*

1. *The project shall substantially conform to the submitted site plan and narrative with the following variances and conditions.*
2. *The use shall be limited to overflow truck and trailer storage for a single lease tenant, any use as a commercial parking lot or in a model facility shall be prohibited. No material or containers shall be allowed storage on the premises if not stored in an enclosed trailer or on a flatbed trailer. This shall be approved as a temporary storage facility allowing no trucks or trailers to be stored on the site for more than 30 days. Conditional use shall be valid for 24 months from site approval by the applicable Hall County Building inspections to assure that all conditions of zoning have been met. The owner shall not be allowed to operate the facility until all conditions of Board of Commissioners approval have been met.*

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