

HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT

**Applicant** ..... Torris J. Babbs, PE

**Request** ..... Conditional use to allow boat & RV storage

**Proposed Use** ..... Boat & RV storage

**Size** ..... 2.12± acres

**Zoning** ..... Current Highway-Business (H-B) | Proposed  
Planned Commercial Development (PCD)

**Location** ..... **5741 Holiday Road** | Tax Parcel 07329 001005

**Commission District** ..... Two

**Planning Commission Date** ..... November 7, 2022

**Staff Recommendation** ..... **Approval 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](#)**

**Planning Commission Recommendation**..... **This item was heard as a Rezone and Conditional Use but voted on as one, recommending approval with conditions**

**Planning Commission Rezoning Conditions:**

1. The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.
2. The development shall be developed in accordance with Gateway Corridor Standards.
3. The property shall have access from 6 a.m. – 11 p.m., Monday - Sunday.
4. The development shall occur as depicted in the submitted site plan and narrative.

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**The following report is being written under the assumption that the concurrent rezoning request is approved.**

- *The Planning Commission can hear the rezoning and conditional use items simultaneously but must vote on them separately.*
- Within the Gateway Corridors Overlay District (GCOD, [17.420](#)), boat & RV storage requires conditional use approval from the Board of Commissioners.

***Should the Planning Commission deny the rezoning request, the conditional use subject to County Commission is automatically denied since boat & RV storage are not allowed in the H-B district.***

**Public Forum:**

*There were no comments in support or opposition.*

**Summary Analysis**

The applicant is requesting conditional use approval on a 2.12± acre tract of land zoned currently zoned Highway Business (H-B, [17.150](#)) for the purpose of developing a boat & RV storage lot with 67 covered parking spaces.

The narrative explains that the development will be in accordance with the requirements Gateway Corridors Overlay District (GCOD, [17.420](#)), including exterior building materials, site lighting, and signage. The narrative continues to explain that the existing residence will be remodeled and brought up to commercial code to serve as an office space for the development. Access to the site will be from Holiday Road, with no access proposed on Lanier Islands Parkway. The proposed hours of operation will be 6:00 am – 10:00 pm via an access controlled gate. The office will be staffed between the hours of 9:00 am – 6:00 pm. The proposed driveway will be approximately 75 feet in length before an access gate to allow for vehicle stacking. The site will be graded and a stormwater detention facility will be installed adjacent to Lanier Islands Parkway / State Route 347.

No variances were requested as part of this application and none have been identified during the zoning analysis.

**Based on the future land-use plan, staff finds the *requested zoning designation* is consistent with the future land use map designation of Lake Area Residential and within a Lake Supportive corridor; [2022-Comprehensive-Plan, page 35](#) .**

**Zoning Analysis**

When considering a conditional use certain criteria must be considered.

(a) The existing land use pattern. **The current land use pattern is a mixture of single family residential properties and commercial parcels. Adjacent to the subject parcel to the north is a Highway Business (H-B, [17.150](#)) zoned parcels and adjacent to the south is a property within the City of Buford.**

(b) Whether the proposed use would have an adverse effect on the comprehensive land development plan. **The proposed zoning of Planned Commercial District (PCD, [17.180.080](#)) is consistent with the Comprehensive Plan as the property is part of the Lake Supportive corridor, where the intent is to develop commercial uses that are boat related (boat sales, storage and equipment sales) or compliment recreational use of Lake Lanier (such as locally-owned restaurants).**

(c) Whether all proposed structures, equipment or material will be readily accessible for fire and police protection. **The proposed development will be reviewed through the Development Review process, and as such will be required to meet all applicable life safety regulations prior to permit issuance.**

(d) Whether the proposed use will be of such location, size, and character that, in general, it will be in harmony with the appropriate and orderly development of the area in which it is proposed to be situated and will not be detrimental to the orderly development of adjacent properties or a deterrent to the improvement of adjacent properties in accordance with the zoning classification of such properties, the existing land use pattern, or the comprehensive land development plan. **The proposed development is adjacent to a commercially zoned property and is consistent with the recommendations of the Comprehensive Plan.**

(e) Whether, in the case of any use located in, or directly adjacent to, a residential district or area:

(i) The nature and intensity of operations will be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous or inconvenient to, or incongruous with, said residential district or area, or conflict with the normal traffic of the neighborhood; and **The proposed development is not anticipated to lead to hazardous or inconvenient conditions for pedestrian or vehicular traffic.**

(ii) The location and height of buildings, and other structures, and the crosswalks or pedestrian ways are nature and extent of screening, buffering or landscaping on the site will be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings in conformance with existing zoning districts and development pattern. **The proposed development is in conformance with existing zoning districts and adjacent development pattern. The submitted narrative states that the proposed development will be in accordance with the Gateway Corridors Overlay District (GCOD, [17.420](#)) standards.**

(f) Whether the proposed use will increase the population density resulting in the increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.; or approval of the use would encourage adjacent areas to develop at higher densities than provided in the comprehensive plan resulting in the overtaxing of such public facilities. **The proposed development is not residential and thus will not increase the population density resulting in the increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.; nor will the approval of the use encourage adjacent areas to develop at higher densities than provided in the comprehensive plan resulting in the overtaxing of such public facilities.**

(g) Whether the proposed use will cause a health hazard, a public safety problem, or nuisance created or excessively increasing traffic and associated congestion; creating a drainage problem; generating unnecessary disturbances due to noise, the emittance of smoke or other contaminants, odor, electrical interference or causing pollution to land, air and/or water. **The proposed boat & RV storage use will not cause a health hazard, a public safety problem, or nuisance created or excessively increasing traffic and associated congestion; creating a drainage problem; generating unnecessary disturbances due to noise, the emittance of smoke or other contaminants, odor, electrical interference or causing pollution to land, air and/or water.**

(h) Whether the proposed change will adversely affect property values in adjacent areas. **Multiple factors impact property value including construction types, proposed uses, and maintenance. Often it is difficult to determine the effect of a development on adjacent properties until the development is complete.**

(i) Whether there are substantial reasons why the property cannot be used for a permitted use in the district where the property is located. **Outdoor storage requires a conditional use approval to be permitted within the Gateway Corridors Overlay District (GCOD, [17.420](#)).**

Per Planning Commission and Hall County Commission consideration and decision ([17.380.060](#)) the planning commission shall study the need and justification for the change based on a determination of the facts applicable to the particular case, and the following general lines of inquiry shall be considered, to wit:

1. Whether the zoning proposal will permit a use that is suitable in view of the use, development and zoning of adjacent and nearby property. **The current land use pattern is a mixture of single family residential properties and commercial parcels. Adjacent to the subject parcel to the north is a Highway Business (H-B, [17.150](#)) zoned parcels and adjacent to the south is a property within the City of Buford.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property. **The proposed zoning of Planned Commercial District (PCD, [17.180.080](#)) is consistent with the Comprehensive Plan as the property is part of the Lake Supportive corridor, where the intent is to develop commercial uses that are boat related (boat sales, storage and equipment sales) or compliment recreational use of Lake Lanier (such as locally-owned restaurants).**
3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned. **The property is currently zoned Highway Business with a pending rezoning request for PDC. As currently zoned, H-B, the property does have reasonable economic uses. The current request is for a conditional use permit to allow boat & RV storage within the Gateway Corridors Overlay District (GCOD, [17.420](#)). In a PDC, all uses require Planning Commission and Board of Commissioners approval ([17.180.080](#)).**
4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection, public health facilities or emergency medical service. **The proposed development is unlikely to cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection, public health facilities, or emergency medical services.**
5. Whether the zoning proposal is in conformity with the policy and intent of the future land use plan for the physical development of the area. **The proposed zoning of Planned Commercial District (PCD, [17.180.080](#)) is consistent with the Comprehensive Plan as the property is part of the Lake Supportive corridor, where the intent is to develop commercial uses that are boat related (boat sales, storage and equipment sales) or compliment recreational use of Lake Lanier (such as locally-owned restaurants).**
6. The extent to which property values are diminished by the existing zoning restrictions. **Staff is unable to comment on the impact of property values without a full market analysis. Multiple factors impact property value including construction types, proposed uses, and maintenance. Often it is difficult to determine the effect of a development on adjacent properties until the development is completed.**

7. The extent to which the destruction of the subject property's value under the existing zoning promotes the health, safety, morals or general welfare of the public. **Staff has not identified that the existing property values have been impacted by the existing zoning.**
  8. The relative gain to the public as compared to the hardship imposed upon the individual property owner. **Staff has not identified a hardship imposed on the property owner as the property is currently zoned.**
  9. The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property. **The property is not currently vacant, it is developed with a single family residence which currently serves as a rental property.**
  10. Whether there are other existing or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the zoning proposal. **Staff is not aware of any changing conditions that affect the use and development of the property.**
  11. Whether the change would create an isolated district unrelated to the surrounding districts, such as "spot zoning." **The proposed zoning is adjacent to a Highway Business (H-B, [17.150](#)).**
  12. Whether the present zoning district boundaries are illogically drawn in relation to existing conditions in the area. **There is no evidence that the present zoning district boundaries are illogically drawn in relation to existing conditions in the area.**
  13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood. **The request does not appear to be out of scale with the needs of the County as a whole, as there is a need for additional storage facilities in proximity to Lake Lanier.**
  14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned. **There are other properties within the County that support commercial uses based on the Future Land Use Map**
  15. Whether the need for rezoning could be handled instead by a variance request to the [Planning Commission]. **The request could not be handled alternatively as a variance.**
  16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted. **The property will be required to meet all local, state, and federal requirements pertaining to stormwater management as part of the development process.**
  17. Whether there is reasonable evidence based upon existing and anticipated land use that would indicate a mistake was made in the original zoning of the property. **There is no indication that a mistake was made in the original zoning of the property.**
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- The property falls within the **Gateway Corridors Overlay District, (17.420.)** which provides supplemental design standards for non-residential property development. The subject property will be subject to the standards found within [17.420.050](#) (non-residential property development standards) which relate to building materials, landscaping, and buffer requirements.
  - Within the **Gateway Corridors Overlay District, (17.420.)**, the use of boat & RV storage requires conditional use approval from the Board of Commissioners, resulting in this request. A companion case to rezone the property to **Planned Commercial District (PCD, 17.180.080)** is running concurrent to this request.

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

***Hall County Environmental Health***

An email dated October 18, 2022 from Emily McGahee states: “Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan.”

***Hall County Fire Rescue***

In an email dated October 20, 2022, Lieutenant John Hornick, NPQ Fire Inspector 1, Plans Review, states:

1. IFC Section 507, all storage buildings must be within the 400’ hose lay distance requirements from a fire hydrant as the truck travels. Fire hydrant(s) may have to be installed along the fire access route to meet the hose lay distance requirements.
2. IFC Section 506.1, access controlled gate will require a Knox key switch override device for fire department access into the gated development.

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

In a memo dated October 20, 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:**

Driveway will need to meet Hall County commercial standards

**Utilities:**

No comments

***Hall County Tax Assessors***

No comments were provided.

***Gainesville Water Resources***

No comments were provided.

**Georgia Department of Transportation**

Per an email dated October 20, 2022, Parker Niebauer, District 1 Traffic Operations Supervisor confirmed that GDOT coordination will be required.

➤ **Excerpts from the minutes of the November 7, 2022 meeting**

**Applicant's Presentation:**

**Randi Doveton, Planning Director**, presented a summary of the request. Ms. Doveton stated that this application was written as a rezone and conditional use that will be heard and voted on together.

**Torris Babbs**, presented the request. The applicant stated that the location would accommodate with the proposed development.

**Public Forum:**

*There were no comments in support or opposition.*

**Planning Commission Comments:**

Mr. Braswell questioned if the existing structure would be utilized as an office. The applicant stated that was correct, they will bring it to commercial code. Mr. Bell questioned hours of operation. The applicant stated customers will have access from 6 a.m. - 11 p.m.

**Motion: A motion to approve, with conditions was made by Mr. Bell and seconded by Ms. Pilcher. Vote: 5-0**

*Conditions:*

1. *The applicant shall be required to meet all applicable local, state, and/or federal regulations required as part of the land development process.*
2. *The development shall be developed in accordance with Gateway Corridor Standards.*
3. *The property shall have access from 6 a.m. – 11 p.m., Monday - Sunday.*
4. *The development shall occur as depicted in the submitted site plan and narrative.*