

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant SrisadanOne LLC

Request Use Subject to County Commission Approval

Proposed Use 29 lot single-family detached development

Size 35.71± acres

Zoning Current: Agricultural Residential III (AR-III, [17.110](#))
and Residential I (R-I, [17.60](#)) | Proposed:
Residential I (R-I, [17.60](#))

Location **3435 Springdale Forrest Boulevard** | Tax Parcel
10062 000001A

Commission District Two

Planning Commission Date January 3, 2023

Staff Recommendation **Approval, as the proposed use is consistent with
the [Comprehensive Plan](#) and the Residential
future land use classification.**

Planning Commission Recommendation.....**Approval, with conditions**
Vote: 4-0 (Bell absent)

Planning Commission Conditions:

1. *The development shall generally occur as depicted on the conceptual site plan dated 11-17-2022 and submitted to the Hall County Planning staff on 1-3-2023, as modified to limit the total lots to 27. Furthermore, described in the revised project narrative modified for compliance with zoning conditions and Hall County regulations. Revisions to the site plan can be approved by the Planning Director during the Development Review/Land Disturbance Permit process provided that the revisions do not:*
 - a. *Increase the number of lots;*
 - b. *Decrease required greenspace, amenity areas, or buffers;*
 - c. *Change the design or materials of the dwellings;*
 - d. *Decrease the minimum building setbacks;*
 - e. *Reduce required landscaping*
2. *Architectural standards: All facades of all residences, shall be finished with brick, stone, stucco, wood siding, wood shakes, or fiber cement type siding. The front facades shall incorporate changes in building material, texture, and/or color. Vinyl siding on all residential and non-residential buildings shall be prohibited. Architectural elevations shall*

- be submitted and approved by the Planning Director prior to approval of the Preliminary Plat.*
3. *All costs associated with any required right-of-way improvements shall be the Developer's responsibility.*
 4. *All conditions of zoning shall be made part of any plats created for the property.*
 5. *Standard Hall County plat review process shall be followed.*
 6. *Standard Hall County Development Review and Land Disturbance Permit process shall be followed.*
 7. *Development is subject to Hall County Stormwater Management regulations.*
 8. *The Development must meet Hall County Environmental Health requirements for on-site systems. No system or drain field shall be located within the 75FT impervious stream buffer.*
 9. *No variances in Hall County Development standards are granted.*
 10. *Revise the conceptual prior to BOC meeting to show buffer and impervious setback from wrested vegetation, not centerline of creek and to show Hall County studied and FEMA flood plain.*
 11. *The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property:
"Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."*

This application has an associated rezoning request on this agenda. The items can be heard simultaneously but require separate motions since they are two distinct applications and agenda items. Should the rezoning request be denied, the conditional use is automatically denied. The following report is written under the assumption that the rezoning request is approved.

Public Forum:

Lee Luplow, 3323 Springdal Forrest Circle, Gainesville, spoke in opposition. Concerns were traffic and safety.

Bobby Cruise, 3516 Springsdale Forrest Boulevard, Gainesville, spoke in opposition. Concerns were traffic, safety, and acreage of homes.

Kimberly Handl, 3427 Springdale Forrest Circle, Gainesville, spoke in opposition. Concerns were traffic, property, topography, and blind spots.

Kenneth Evans, 3550 Springdale Forrest Circle, Gainesville, spoke in opposition. Concerns were developing, traffic, and safety.

Victoria Leming, 3369 Springdale Forrest Circle, Gainesville, spoke in opposition. Concerns were ordinances, narrow road, safety, and traffic.

Robert Campbell, 3419 Springdale Forrest Circle, Gainesville, spoke in opposition. Concerns were safety, sharp and narrow roads, congestion,

Tracy Handl, 3427 Springdale Forrest Circle, Gainesville, spoke in opposition. Concerns were traffic, safety, differing home styles, and buffers.

Summary Analysis

The applicant is requesting use approval for the County Commission for the purpose of developing a 29 lot single family detached subdivision. Within the Residential I (R-I, [17.60](#)) zoning district, subdivisions are uses permitted subject approval of the County Commission ([17.60.040](#)). There is a concurrent request to rezone the property to Residential I (R-I, [17.60](#)) zoning district for the purpose of developing a 29-lot subdivision.

Per [17.20.1210](#), subdivision means the division of a tract or parcel of land into seven or more lots, building sites, or other divisions for the purposes of sale, legacy, a new street, or a change in existing streets, and includes resubdivision. Where appropriate to the context, subdivision also relates to the process of subdividing or to the land or area subdivided. The term shall also include the opening of a new street or road. The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots meet the standards of the county subdivision regulations is not included within this definition.

The following dimensional standards have been proposed for the development:

Residential Standards	
Minimum Lot Area	35,000 square feet
Minimum Lot Frontage	50 feet
Minimum Lot Width	75 feet
Front setback	55 feet from centerline or 30 feet from property line, whichever is greater
Side Setback	10 feet
Side Setback	10 feet
Rear Setback	10 feet
Maximum Building Height (stories)	3
Accessory Building	
Minimum Side Yard	10 feet
Minimum Rear Yard	10 feet
Maximum Building Height	50 feet
Proposed Gross Density	1.25 units per acre
Maximum Floor Area Ratio	0.20
Maximum Impervious Coverage	80
Parking Ratio	2 per dwelling

No variance were submitted as part of this request or identified by staff in a review of the application.

Based on the future land-use plan, staff finds the *requested use request consistent* with the residential future land use classification in [Comprehensive Plan](#). Residential areas are characterized by moderate-density residential development and neighborhoods. Street networks are defined by curvilinear streets and green space is largely provided on individual lot. Future development will continue to be detached, single-family homes at moderate densities.

Zoning Analysis

The proposed use of a 29-lot subdivision is consistent with the residential future land use classification, which are characterized by moderate-density residential development at density of less than 2 units per acre. **The development is subject to the Hall County stream buffer requirements. The current proposal shows the buffers are located within many if the individual lots, and some of the areas designated as “on-site sewage management area” on the conceptual include a portion of the 75FT impervious stream buffer. On-site systems cannot be located within the stream buffers so these lots may require reconfiguration to meet Environmental Health useable soil area requirements.**

When considering a zoning amendment to the zoning maps, the following items must be considered:

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property; **The proposed use of a 29-lot subdivision is proposed adjacent to other Residential I (R-I, [17.60](#)) to the south and east, and Agricultural Residential III (AR-III, [17.110](#)) to the west and north. The proposed use is suitable in view of the use and development of adjacent and nearby properties; however, the proposed lot configuration may require revisions to accommodate on-site sewage systems and meet the stream buffer requirements.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The use proposal should not have an adverse effect on the existing use or usability of adjacent or nearby property. The environmental features on the site necessitate buffers that will protect the streams which bisect the property.**
3. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned. **The property appears to be undeveloped and wooded. The property has reasonable economic values as currently zoned; allowable uses within the Agricultural Residential III (AR-III, [17.110](#)) and Residential I (R-I, [17.60](#)).**
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, or utilities; **The proposed development should not result in a use which could cause an excessive or burdensome use of existing streets, transportation facilities, or utilities. The density of the development is below the maximum density recommendation of 2 units per acre for the residential future land use classification found in the [Comprehensive Plan](#).**
5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan; **The proposed use of a 29-lot subdivision is consistent with the residential future land use classification, which are characterized by moderate-density residential development at density of less than 2 units per acre.**
6. The extent to which property values are diminished by the existing zoning restrictions; **Staff has not identified that the existing property values have been impacted by the existing zoning.**
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 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.**

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 currently undeveloped and appears to have been this way for a number of years.**
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; **The proposed development is adjacent to other Residential I (R-I, [17.60](#)) zoned parcels**
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 boundary is illogically drawn.**
13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The requested use approval is not out of scale with the needs of the county as a whole. While development has trended to smaller lot development recently, the proposed development is consistent with the surrounding development pattern.**
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 a moderate-density single-family residential 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]; **This request could not be handled by a variance request instead; a subdivision is a use subject to County Commission approval within the R-I district ([17.60.040.I](#)).**
16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **Any land disturbance activities on the property shall be required to go through the land development permitting process and as a result are subject to local, state, and federal regulations. As a result there should not be an ecological or pollution impact resulting from any modification to the land if the request is granted.**
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.**

Development Support and Constraints – Departmental / Agency Comments

Hall County Environmental Health

An email dated December 13, 2022 from Emily McGahee states “All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements.”

Hall County Fire Marshal

An email dated December 15, 2022 John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant provided the following preliminary comments:

- 1) IFC Section 507, all 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.

Hall County Public Works and Utilities

In a memo dated December 14, 2022, from Srikanth Yamala, Director of Public Works and Utilities, provided the following comments:

Engineering:

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

Show buffer and impervious setback from wooded vegetation, not centerline of creek.

Show flood Hall County studied and FEMA.

Traffic:

Roadways to meet Hall County Standards

Utilities

Hall County Sewer District, no gravity sewer available.

Proposed septic systems will require Health Department approval.

City of Gainesville Water Resources

In an email dated November 15, 2022, Nick Swafford, Permitting Services Manager, confirmed availability of water service for the property via a 6-inch water main on Springdale Forrest Boulevard.

Georgia Department of Transportation

No comments from GDOT for this item.

➤ Excerpts from the minutes of the January 3, 2023 meeting

Applicant's Presentation:

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

Joshua Scoggins, 202 Tribble Gap Road, Cumming, presented the request. The applicant addressed that the request was for 27 single-family detached homes, 0.76 units per acre. The homes will be served by septic.

Rebuttal

The applicant stated that the 27 homes will be off county roads and are supported by county road standards. The applicant stated that the roads will be brought to county standards but the existing road problems have been there since before the proposal. The reason the lots are bigger than residential standards is because the lot is in a watershed.

Public Forum:

Lee Luplow, 3323 Springdal Forrest Circle, Gainesville, spoke in opposition. Concerns were traffic and safety.

Bobby Cruise, 3516 Springsdale Forrest Boulevard, Gainesville, spoke in opposition. Concerns were traffic, safety, and acreage of homes.

Kimberly Handl, 3427 Springdale Forrest Circle, Gainesville, spoke in opposition. Concerns were traffic, property, topography, and blind spots.

Kenneth Evans, 3550 Springdale Forrest Circle, Gainesville, spoke in opposition. Concerns were developing, traffic, and safety.

Victoria Leming, 3369 Springdale Forrest Circle, Gainesville, spoke in opposition. Concerns were ordinances, narrow road, safety, and traffic.

Robert Campbell, 3419 Springdale Forrest Circle, Gainesville, spoke in opposition. Concerns were safety, sharp and narrow roads, congestion,

Tracy Handl, 3427 Springdale Forrest Circle, Gainesville, spoke in opposition. Concerns were traffic, safety, differing home styles, and buffers.

Planning Commission Comments:

Mr. Braswell wanted clarification of the rear setback. The applicant stated it is 20 feet. Mr. Braswell questioned if there would be a homeowners association in place. The applicant stated that it could be looked into but it might be a requirement. Mr. Hunt questioned if a homeowners association is a county code. Ms. Doveton stated it is because of the watershed.

Motion: A motion to approve, with conditions was made by Mr. Hunt and seconded by Ms. Pilcher. Vote: 3-1 (Bell absent & Varner opposed)

Conditions:

1. *The development shall generally occur as depicted on the conceptual site plan dated 11-17-2022 and submitted to the Hall County Planning staff on 1-3-2023, as modified to limit the total lots to 27. Furthermore, described in the revised project narrative modified for compliance with zoning conditions and Hall County regulations. Revisions to the site plan can be approved by the Planning Director during the Development Review/Land Disturbance Permit process provided that the revisions do not:
 - a. *Increase the number of lots;*
 - b. *Decrease required greenspace, amenity areas, or buffers;*
 - c. *Change the design or materials of the dwellings;*
 - d. *Decrease the minimum building setbacks;*
 - e. *Reduce required landscaping**
2. *Architectural standards: All facades of all residences, shall be finished with brick, stone, stucco, wood siding, wood shakes, or fiber cement type siding. The front facades shall*

incorporate changes in building material, texture, and/or color. Vinyl siding on all residential and non-residential buildings shall be prohibited. Architectural elevations shall be submitted and approved by the Planning Director prior to approval of the Preliminary Plat.

3. *All costs associated with any required right-of-way improvements shall be the Developer's responsibility.*
4. *All conditions of zoning shall be made part of any plats created for the property.*
5. *Standard Hall County plat review process shall be followed.*
6. *Standard Hall County Development Review and Land Disturbance Permit process shall be followed.*
7. *Development is subject to Hall County Stormwater Management regulations.*
8. *The Development must meet Hall County Environmental Health requirements for on-site systems. No system or drain field shall be located within the 75FT impervious stream buffer.*
9. *No variances in Hall County Development standards are granted.*
10. *Revise the conceptual prior to BOC meeting to show buffer and impervious setback from wrested vegetation, not centerline of creek and to show Hall County studied and FEMA flood plain.*
11. *The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property:
"Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."*