



## AGENDA ITEM

**Public Hearing to amend Hall County's Zoning Map as follows:**

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**REPORT TO:** Work Session (03/20/23)

**REPORT TO:** Voting Meeting (03/23/23)

**ITEM NO:** 126/2023

**SUBJECT:** **4425 & 4465 Peckerwood Road | Rezone** | from Residential-I-Low-Density (R-I-L) & Agricultural-Residential-IV (AR-IV) to Agricultural-Residential-IV (AR-IV) on a 127.81± acre tract located on the east side of Peckerwood Road at approximately 2,414 feet from its intersection with Gillsville Highway | Zoned R-I-L & AR-IV; Tax Parcel 15003 000009 & 000108 | **Proposed use: Single Family Dwelling with Caretaker Residences** | Commission District 3 | **Walter R. Hope/Total Construction, applicants.**

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### Meetings:

**Work Session Date:** 03/20/23

**Voting Meeting Date:** 03/23/23

### Executive Summary:

**Presenter:** RD  
**Recommendation:**

Approval, with conditions:

1. The property shall be developed in accordance with the standards of the Agricultural Residential IV (ARIV, [17.120](#)) zoning district and the requirements of [17.350.120](#), caretaker or employee residences. Unless further subdivided, the property shall be limited to one primary, site-built, single-family residence and permitted accessory uses, as found in [17.120.010](#), permitted uses. Prior to the development of any caretaker or employee residences, the applicant shall submit a request for conditional use approval from the Planning Commission and demonstrate compliance with [17.350.120](#).
2. The use of the property is for private use only. Up to 4 adult horses may be boarded on the property by right. If at any point there are more than 4 adult horses kept for the purpose of training, boarding, sales or breeding or where instruction pertaining to the same is given for a fee the property shall seek conditional use approval from the Board of Commissioners to operate as an equestrian center, as required by [17.120.040](#). This condition shall not prohibit the applicant from having four or more horses for private use.
3. The applicant shall record an updated deed to reflect the combination of the properties with the correct plat reference (PB 882, Page 414) prior to a building permit being issued for a residential dwelling(s).
4. The applicant shall provide documents to the Planning Department that the Conservation Easement from the Hall County Tax Assessors (DB 9108, Pages 354-355 and DB 9108, Pages 356-357) is reconciled prior to a building permit being issued for a residential dwelling(s).
5. 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.”

**Purpose of Request:**

**4425 & 4465 Peckerwood Road | Rezone** | from Residential-I-Low-Density (R-I-L) & Agricultural-Residential-IV (AR-IV) to Agricultural-Residential-IV (AR-IV) on a 127.81± acre tract located on the east side of Peckerwood Road at approximately 2,414 feet from its intersection with Gillsville Highway | Zoned R-I-L & AR-IV; Tax Parcel 15003 000009 & 000108 | **Proposed use: Single Family Dwelling with Caretaker Residences** | Commission District 3 | **Walter R. Hope/Total Construction, applicants.**

**History:**

**Facts and Issues:**

**Options:**

|  |         |
|--|---------|
| <b>Funding Requested</b>   | \$ 0.00 |
| <b>Are funds within current budget?</b>  | No      |
| <b>Source of Funds</b>   |         |
| <b>Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?</b> | No      |
| <b>Has it been reviewed by the County Attorney?</b>                                | Yes     |
| <b>Is there a deadline for this item?</b>  |         |

**Approvals:**

|                 |                       |               |                |
|-----------------|-----------------------|---------------|----------------|
| <b>Submit</b>   | <b>Approve</b>        | <b>Budget</b> | <b>Finance</b> |
| AD              | RD                    | EW            | WG             |
| <b>Attorney</b> | <b>Administration</b> |               | <b>Clerk</b>   |
| WLI             | CR                    |               | JR             |

**Attachments:**

Board Memo  
Recommendation Report

Application  
Narrative  
Site Plan  
Maps  
Environmental Health Comments  
GDOT Comments  
Public Works Comments  
Fire Comments  
Tax Assessors Comments  
Notice Sign Photos