

**HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT**

**Applicant** ..... Eugene Kim

**Request** ..... Variance from Gateway Corridors Overlay District  
(GCOD, [17.420](#)) architectural requirements

**Proposed Use** ..... church

**Size** ..... 9.13± acres

**Zoning** ..... Current Agricultural Residential III (AR-III, [17.110](#))  
/ Gateway Corridors Overlay District (GCOD,  
[17.420](#))

**Location** ..... **3331 Friendship Road** | Tax Parcel 15048  
000004B

**Commission District** ..... One

**Planning Commission Date** ..... March 20, 2023

**Staff Recommendation** ..... **Denial as the requested variance does not to  
meet the requirements of [2.60.030.K](#).**

**Planning Commission Recommendation**.....**Approval, with conditions**  
**Vote: 5-0**

**Planning Commission Conditions:**

1. The development shall occur as depicted on the site plan presented. Minor changes can be approved by the Planning Director provided there are no reductions in buffers, no changes in the structural design and materials, and the changes do not create the need for a variance from the Hall County development standards.
2. The applicant shall provide masonry siding for any portion of the structure visible from Friendship Road, consistent with the requirements of the Gateway Corridors Overlay District (GCOD, [17.420](#)).
3. The existing single-family residence and garage shall be an accessory use to the church and utilized for church uses only. If the residence and garage are to be used for assembly purposes an inspection shall be required to bring them up to commercial occupancy requirements.
4. Prior to any assembly uses occurring in any existing or proposed structures an occupancy permit shall be obtained.
5. There shall be a 25 foot transitional or planted buffer along the sides and rear lot line of the subject property. The buffer shall be planted according to Hall County section 17.260.020.

Leaving existing trees undisturbed may also be considered an alternative to satisfy this condition.

6. The development shall follow all Hall County Development Review processes including stormwater regulations and commercial building plan review for any future development of the site.
7. Architectural elevations showing building façade materials and colors shall be submitted and approved by the planning director prior to approval of the building plans.
8. All Conditions of zoning shall be placed on any plat or development plans.
9. Standing seam architectural metal roofing systems shall be allowed with colors to be approved by the Planning Director.

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**Public Forum:**

There were no comments in support or opposition.

**Summary Analysis**

The applicant is requesting to be exempt from the non-residential architectural requirements for properties within the Gateway Corridors Overlay District (GCOD, [17.420](#)). The proposed use for the site is a church which will utilize a pre-fabricated metal building as an assembly hall. The subject property is a 9.13± acre parcel currently zoned Agricultural Residential III (AR-III, [17.110](#)). Within the Agricultural Residential III (AR-III, [17.110](#)), churches and other places of worship are a permitted use, but cemeteries are excluded.

The applicant has requested to be exempt from the GCOD requirements based on the provision found in [17.420.030](#), boundaries, which grants exemption to the requirements based on certain criteria. Specifically, in cases where portions of the subject property to be exempted lie more than 300 feet from the centerline of a Gateway Corridor and where due to site topography development of the property to be exempted will not be visible from a Gateway Corridor.

The site plan shows the existing residence, garage, and the proposed building (70' x 120') with associated access drives and parking, both paved and gravel. Per the applicant's submitted materials, the proposed church building will be located behind two existing structures, one a 2,464 square foot residence constructed in 2000 and a detached garage, which is located to the rear of the residence. The applicant has indicated where 300 feet from centerline of Friendship Road is on the site plan. The proposed church is located an approximate 150 feet further into the lot, and behind both the existing residence and garage, 450± feet from the centerline of Friendship Road.

The applicant's narrative and other application materials do not identify the proposed uses for the existing residence or garage.

**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 slopes away from Friendship Road, with the proposed church location approximately 20 feet lower than the elevation of Friendship Road. Google Maps imagery shows a berm adjacent to the right-of-way, though the residence is still visible from the road.**
2. The application of the requirements of this [Title 17](#) to this particular piece of property would create an unusual hardship; **The subject property can be developed in accordance with the permitted uses within the Agricultural Residential III (AR-III, [17.110](#)) district and the standards for non-residential property development standard ([17.420.050](#)).**
3. Such conditions are peculiar to the particular piece of property involved and are not common to other properties in the neighborhood; and **The applicant has presented no peculiar conditions to the subject property that would necessitate the variances when compared to adjacent parcels.**
4. Such conditions are not the result of any actions of the property owner; and **The applicant has proposed the standards for the development of the site, necessitating the variance request.**
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. **If granted, relief would lead to inconsistent application of the non-residential property development standard ([17.420.050.F.4.a](#)) of the Gateway Corridors Overlay District (GCOD, [17.420](#)) along the primary thoroughfares in Hall County.**

### **Development Support and Constraints / Departmental Comments**

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

In an email dated February 23, 2023, Emily McGahee states “Must meet all Environmental Health commercial septic system permitting requirements. Comments were to the applicant on February 15, 2023.”

#### **Hall County Fire Marshal**

An email dated March 2, 2023, John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant provided the following comments:

The Hall County Fire Marshal’s Office has completed a site development review with comments see below.

2/14/23 HDEV23-0007 Reviewed site development plans for a proposed 8400 SF Assembly used for worship. The property has an existing single family dwelling with detached garage that will remain on the property. Fire apparatus access meets IFC standards, the utility page shows the new assembly will have a fire suppression system installed, during the review the following comments below regarding the fire protection system will have to be revised with plans to be resubmitted for review and approval.

- 1) Add fire hydrant off water supply leading into fire service vault, see arrow inside cloud for location.
- 2) NFPA 24 State Modifications to Chap.13 Section 13.1.2 reads, no pipe smaller than 8 inches in diameter shall be used to supply one hydrant and automatic extinguishing systems. Revise all 6 inch pipe size to 8 inch and include pipe material type.

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

In a memo dated March 1, 2023, from Srikanth Yamala, Director of Public Works and Utilities, provided the following comments:

#### **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:**

GADOT permit required.

#### **Utilities**

No utilities available

### **Georgia Department of Transportation**

In email dated February 23, 2023 from Jonathan Peevy, P.E., Assistant District Traffic Engineer, confirmed this project will require GDOT coordination.

- **Excerpts from the minutes of the March 20, 2023 meeting**

#### **Applicant's Presentation:**

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

**Joel Kuk, 695 Morning Creek Lane, Suwanee**, presented the request. The applicant stated that their request for a metal building is for the sturdy material. The applicant stated that the congregation will not be a very big building. The applicant submitted a letter from the property owner for the board to review.

#### **Public Forum:**

*There were no comments in support or opposition.*

#### **Planning Commission Comments:**

Mr. Braswell stated that there have not been many requests like this one for metal siding on all four sides considering it is located in a high profile area. Mr. Sosebee questioned if the applicant had reviewed the staff conditions. The applicant stated they have and would be open to a compromise in conditions. Mr. Braswell

stated that Gateway Standards are applicable regardless of the structure being visible from the road. Mr. Hunt questioned why the height of the building was 38 feet. The applicant stated that it was because the inside speakers needed to have a certain height to work properly. Mr. Varner and Ms. Pilcher stated that the height of the building was too tall.

***Motion: A motion to approve, with conditions was made by Mr. Sosebee and seconded by Ms. Pilcher.***

***Vote: 5-0***

*Conditions:*

1. *The development shall occur as depicted on the site plan presented. Minor changes can be approved by the Planning Director provided there are no reductions in buffers, no changes in the structural design and materials, and the changes do not create the need for a variance from the Hall County development standards.*
2. *The applicant shall provide masonry siding for any portion of the structure visible from Friendship Road, consistent with the requirements of the Gateway Corridors Overlay District (GCOD, 17.420).*
3. *The existing single-family residence and garage shall be an accessory use to the church and utilized for church uses only. If the residence and garage are to be used for assembly purposes an inspection shall be required to bring them up to commercial occupancy requirements.*
4. *Prior to any assembly uses occurring in any existing or proposed structures an occupancy permit shall be obtained.*
5. *A 25 foot transitional or planted buffer along the sides and rear lot line of the subject property. The buffer shall be planted according to Hall County section 17.260.020. Leaving existing trees undisturbed may also be considered an alternative to satisfy this condition.*
6. *The development shall follow all Hall County Development Review processes including stormwater regulations and commercial building plan review for any future development of the site.*
7. *Architectural elevations showing building façade materials and colors shall be submitted and approved by the planning director prior to approval of the building plans.*
8. *All Conditions of zoning shall be placed on any plat or development plans.*
9. *Standing seam architectural metal roofing systems shall be allowed with colors to be approved by the Planning Director.*