



Hall County Government

COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
PLANNING AND DEVELOPMENT

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To: Richard Higgins, Chairman
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Gregg Poole, District 3 Commissioner
Jeff Stowe, District 4 Commissioner

From: Randi Doveton, Planning and Development Director

Date: April 18, 2023

Subject: **8730 Forrester Road | Appeal a Planning Commission Decision | for a road frontage variance from 50 feet to 0 feet on a 9.5± acre tract | Proposed use: subdivide property | Kathryn Askew, applicant.**

The request before you is the appeal of Kathryn Askew. Per [Section 2.60.090](#), Ms. Askew is appealing the 4-17-2023 Planning Commission decision to approve a road frontage variance from 50 feet to 0 feet on a 9.5± acre tract. The subject property is a lot of record which has no frontage on a public right-of-way. The variance is necessary to subdivide the property.

This item is located within Commission District 3.

At their April 17, 2023 meeting, the Hall County Planning Commission voted to approve Steve & Holly Crumley's variance request with seven (7) conditions (**3-2, Pilcher & Sosebee opposed**).

Approval of the appeal overturns the Planning Commission decision and **denies the variance** request. **Denial of the appeal** upholds the Planning Commission decision and **approves the variance** request and the applicant can move forward with platting the property.

There were **no written comments** submitted in advance of the Planning Commission meeting and **two (2) people spoke in opposition and one (1) spoke in favor during the public hearing.**

Mr. & Mrs. Crumley have made no changes to the request since the Planning Commission took action.

Planning Commission Approval Conditions:

1. No further subdivision of the two newly created parcels shall be allowed.

2. No expansion of the commercial kennel or its services shall be allowed. If expansion has occurred that is not included in the 2007 approval, the applicant shall submit a conditional use request to bring the commercial kennel operations into compliance.
3. No residential dwelling may be added to the tract containing the commercial kennel.
4. The following note shall be placed on the plat of record:
"Purchaser understands that to the extent that the property is accessed through the current common access driveway, and non-exclusive perpetual easement, the current common access driveway is not maintained by Hall County, does not meet Hall County's common driveway standards, and may not be accessible to emergency vehicles."
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."
6. Standard Hall County Platting procedures shall be followed to include the plat by Patton Land Surveying, LLC dated March 1, 2023.
7. All conditions of approval shall be included on any plat created for the property.