

**HALL COUNTY PLANNING COMMISSION  
RECOMMENDATION REPORT**

**Applicant**.....Warren Environmental and Coatings, LLC

**Request**.....Conditional Use Approval

**Proposed Use**.....epoxy manufacturing

**Size**.....5.66± acres

**Zoning**.....Heavy Industrial (I-II, [17.170](#))

**Location**.....**1596 Fulenwider Road** | Tax Parcel  
15031 000135

**Commission District**.....Three

**Planning Commission Date**.....May 1, 2023

**Staff Recommendation**.....**Approval, as the proposed use has already been established on the property, which is in compliance with the Official Code of Hall County.**

**Planning Commission Recommendation**..... **Approval, with conditions**

**Vote: 4-0 (Varner absent)**

**Planning Commission Conditions:**

1. The development shall conform substantially with the proposed narrative, modified as necessary for compliance with current development standards at time of site plan approval.
2. Plans for any further improvements or development of the property shall be submitted for review and appropriate permits obtained.
3. All conditions of zoning shall be made part of any plats created for the property.
4. This approval shall be limited to the conditional uses noted in code section 17.170.020 uses 17 and 18.



**Public Forum:**

There were no comments in support or opposition.

**Summary Analysis**

The applicant is requesting conditional use approval from the Board of Commissioners for the purpose of locating an epoxy coating manufacturing business on the property. Within the Heavy Industrial zoning district

(I-II, [17.170](#)), the manufacturing of glue or gelatin requires conditional use approval. Epoxy is considered an adhesive, and as such, is subject to conditional use approval.

Per the applicant’s narrative, the products used in the business are non-hazardous, free of volatile organic compounds, solvents, styrene, and isocyanates which eliminates the risk of explosion, fire, and health issues. The epoxies produced by the company are chemical, vapor, abrasion, and impact resistant. They provide protective barriers and infiltration control, and are monolithic. The epoxies are used in various applications within wastewater, potable water, stormwater, industrial and power facilities. No changes are proposed to the site or the existing building.

No outside manufacturing will occur at the property. Raw materials will be stored in drums, bags, or totes until it is needed to fulfill an order or are made for on-hand inventory. Once manufactured, the epoxy is stored in 55 gallon drums, labeled, and include safety data sheets.

**Zoning Analysis**

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 property has previously been rezoned to Heavy Industrial (I-II, [17.170](#)) and the current request is for a use subject to approval of the Board of Commissioners for an epoxy manufacturing business. Within the I-II district, this type of manufacturing use requires conditional use approval from the Board of Commissioners.**
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **The site is already zoned Heavy Industrial (I-II, [17.170](#)) and has been the location of various different businesses. Most recently, a water distribution business operated from the property. It is not anticipated that the proposed use would have an adverse impact on adjacent or nearby property.**
3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **Yes, the property is currently zoned Heavy Industrial (I-II, [17.170](#)). As such, the property can be used for any use permitted by right. As the requested use requires conditional use approval from the Board of Commissioner, the proposed use cannot operate unless approval is granted.**
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; **This question is not applicable as the Heavy Industrial (I-II, [17.170](#)) zoning classification is currently established on the property. The proposed use is not anticipated to cause excessive or burdensome use of community facilities.**
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 Heavy Industrial (I-II, [17.170](#)) zoning classification has already been established on the property, and as such, this criteria is not applicable.**

- 6. The extent to which property values are diminished by the existing zoning restrictions; **Staff is unable to assess the extent to which property values are diminished by the existing zoning restrictions. If the conditional use request is not approved, the applicant would not be able to operate the business at the subject property.**
- 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; **As the Heavy Industrial (I-II, [17.170](#)) zoning classification has already been established, this criteria is not applicable.**
- 8. The relative gain to the public as compared to the hardship imposed upon the individual property owner; **If the conditional use request is not approved, the applicant would not be able to operate the business at the subject property.**
- 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 developed, as such this criteria is not applicable.**
- 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; **There are no known changing conditions affecting the use or development of the property.**
- 11. Whether the change would create an isolated district unrelated to the surrounding districts; **The current request is a conditional use request and there are no proposed changes to the underlying zoning.**
- 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.**
- 13. Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **No, the request is not out of scale with the needs of the county as a whole.**
- 14. Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **The proposed use of epoxy manufacturing is classified as the manufacturing of glue or gelatin, which requires conditional use approval from the Board of Commissioners in the Heavy Industrial zoning district (I-II, [17.170](#)). This means that a conditional use request would still be required on another I-II property in the county.**
- 15. Whether the need for rezoning could be handled instead by a variance request to the [planning commission]; **No, the request could not be handled instead by a variance.**
- 16. Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **There are no changes proposed to the site. Further, 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.**

**17.380.050. - Submission requirements for a rezoning request**

- A. Any person or persons requesting a change in the official zoning map or use subject to approval of the county commission shall file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in [chapter 17.30](#) to cover administrative and advertising costs, in the planning department office. Such person or persons or their authorized agent shall appear in person at the public hearing held to consider the district change. **Proposal meets the requirement. Applicant has paid the appropriate fees and understands that someone must be present at both the Hall County Planning Commission meeting and the voting meeting of the Hall County Board of Commissioners.**
- B. All applications for a change of zoning classification or use subject to approval of the county commission shall include:
1. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in section 17.380.060.C of this section [chapter]. **The applicant has submitted a narrative and site plan but has addressed the criteria listed in [17.350.120](#).**
  2. A site plan drawn to scale designating the area covered by the application and identifying existing and proposed buildings and uses, adjacent existing land uses, zoning on contiguous parcels, including those across an abutting public right-of-way, and any other significant site improvements proposed to accommodate the proposed use or buffer adjacent uses, etc., or a plat of the subject property where no specific land use is proposed. In cases where only a plat or map is provided and no land use is proposed, the planning commission and county commission shall evaluate the application based on the most intense possible land use permitted in the proposed district. **A site plan drawn to scale was submitted as part of the application.**
- C. For any application for a slow rate land treatment system (see [chapter 17.20](#)), the following additional requirements apply. **This standard is not applicable as the site will be served an onsite septic system.**
- D. For any application proposing the development of 100 or more residential dwelling units, a traffic impact study shall be submitted prior to consideration of the application by the planning commission. At the applicant's expense, the traffic impact study shall be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering Department. The engineering department shall review the traffic impact study and forward any comments to the Hall County Planning Commission. **As there are not 100 or more residential dwelling units proposed this question is not applicable.**

**Development Support and Constraints – Departmental / Agency Comments**

**Hall County Environmental Health**

In an email dated April 12, 2023, Kelly Hairston, Environmental Health County Manager, stated “Must meet all Environmental Health commercial septic system permitting requirements if able to be permitted by

Environmental Health. Nondomestic wastewater treatment and disposal may be required to be permitted through EPD. Further determination will be made during the civil plan review process.”

**Hall County Fire Marshal**

In an email dated April 13, 2023, John Hornick, NPQ Fire Inspector 1, Plans Review Lieutenant stated:

Hall County Fire Marshal Comments:

- 1) Building exceeds 12,000 SF and will require the installation of a fire protection system for an F1 occupancy. IFC Section 903.2.4
- 2) Site modifications will require civil review and approval
- 3) Building modifications will require building review and approval
- 4) Passing inspection by Hall County Fire and Building is required to obtain occupancy

**Hall County Public Works and Utilities**

In a memo dated April 13, 2023, Bill Nash, 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.

FEMA and Hall County studied Flood plains present on site.

Show stream buffer and impervious setback from wrested vegetation not center line of stream

**Traffic:**

No comment.

**Utilities**

No comment.

**Georgia Department of Transportation**

In an email dated April 6, 2023, Jonathan Peevy, P.E., Assistant District Traffic Engineer, confirmed this project will not require GDOT coordination.

- **Excerpts from the minutes of the May 1, 2023 meeting**

**Applicant's Presentation:**

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

**Tyler Smith, 340 Jesse Jewell Parkway, Gainesville**, presented the request. The applicant pointed out that only 2± acres of the property would be utilized for the use. He pointed out there would be no underground storage tanks, one internal storage tank, there will be compliance with the Fire Marshalls, low impact in utilities, noise to be minimal, and the products used will be non-hazardous, aquatic safe, with no odors.

**Gregg Harris, 3101 Raskarity Road, Cumming,** presented the request. The applicant gave a rundown on what the company does.

**Public Forum:**

*There were no comments in support or opposition.*

**Motion: A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Sosebee. Vote: 4-0 (Varner absent)**

*Conditions:*

1. The development shall conform substantially with the proposed narrative, modified as necessary for compliance with current development standards at time of site plan approval.
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